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Repercussions of immigration raid felt far beyond Iowa

By Patricia Zapor Catholic News Service

WASHINGTON (CNS) -- An immigration raid May 12 in Iowa may have taken place in tiny Postville, but its repercussions are being felt as far away as Washington and Guatemala.

Immigration and Customs Enforcement agents raided the Agriprocessors meat processing plant in Postville, arresting 389 people, most whom are Guatemalan, and ultimately charging 304 of them with felony criminal counts such as possessing a false ID.

The remaining 85 were charged with civil immigration violations and released "for humanitarian purposes" such as caring for their young children.

By the next week, members of Congress were holding hearings about the effects of workplace raids on families and calling on ICE personnel to explain elements of such raids. The Guatemalan government was decrying treatment of its citizens as human rights violations.

In Iowa, churches stepped in to help families affected by the arrests.

At St. Bridget's Catholic Church in Postville, some families, afraid to go home, stayed in the church around the clock in the days immediately following the raid. There, and at churches of various denominations, volunteers provided meals, legal advice and whatever comfort and support they could.

Among problems the volunteers faced was that a toll-free number provided by ICE did not provide the location of the detainees. News reports listed jails around the state where they were being held, but there was little reliable information.

Archbishop Jerome G. Hanus of Dubuque celebrated the May 17 evening Mass at St. Bridget's and assured the community of the church's continued support.

"Recently when our Holy Father was in the United States, he spoke of the need for the protection of families who find themselves, for whatever reasons, separated from their homes and homelands," he said in Spanish.

"We welcome the gifts that you bring to our communities and our church -- your strong faith, your optimism, your appreciation of family life, your gift of celebration and music and many others," the archbishop said.

As petitions were read at the prayer of the faithful, a 4-year-old girl walked up and handed over a piece of paper. The church became very quiet. The parish's Hispanic minister, Paul Rael, opened the paper, and then slowly said, "We have a special petition. It says, 'Please let my daddy come home.'"

In Washington at a May 20 hearing before the House workforce protections subcommittee of the Education and Labor Committee, Janet Murguia, president of the National Council of La Raza, said the raid appears to have undercut an investigation into the use of child labor at the Agriprocessors plant.

"There is mounting evidence that state and possibly federal authorities were aware of labor law violations, including laws prohibiting child labor, in advance of the raid," Murguia's testimony said. State authorities confirmed they were conducting an investigation before the raid, she said.

Murguia added that the United Food and Commercial Workers Union had requested that ICE postpone a raid that was widely rumored to be in the works because it feared such an action would undercut enforcement of labor laws intended to protect all workers at the plant.

She said federal authorities "missed an opportunity to prosecute abuse of workers -- including children" which could have helped protect workers beyond the immigrant community.

"It is not only unjust that all the penalties associated with this enforcement action have been borne by immigrant workers rather than by the employer," she said, "it is also a clear example of how the actions of one federal agency enforcing one set of laws can undercut the enforcement of another important set of laws designed to protect all workers, including and especially children."

At the same hearing, James C. Spero, deputy assistant director of ICE's investigations office, confirmed that none of the management team at Agriprocessors had yet been arrested or charged. He declined to say whether arrests of company managers might be forthcoming, but said many documents were seized during the raid.

At a Washington immigration conference May 20, Guatemalan Ambassador Francisco Villagran de Leon asked Stewart Baker, assistant secretary for policy of the Department of Homeland Security, about the charges the Guatemalans are facing. The department oversees immigration enforcement.

By charging the Agriprocessors workers with ID theft, a felony, Villagran said more than 200 Guatemalans were being prevented from accepting the option to be deported. That option is typically given to people without criminal records who are found to be in violation of immigration laws, which are civil, not criminal violations.

Having the more serious charge of ID theft on one's record can prevent someone from ever immigrating legally to the United States.

"They are all willing to be deported," Villagran said. "Instead they are being charged with ID theft. Who knows how long they'll be detained."

Baker said bringing the more serious charges is warranted because identity theft is a serious crime, and even the false use of someone's Social Security number to get a job can create complicated problems for the number's legitimate owner.

Guatemala's exterior minister, Haroldo Rodas, said May 21 that the U.S. violated the human rights of those arrested in the raid, notably by keeping them at the National Cattle Congress Fairgrounds in Waterloo, Iowa, for processing.

Guatemala's national newspaper, La Prensa Libre, said 287 Guatemalans in Postville charged with ID theft face prison terms of up to five years.

As of mid-May, 177,000 Guatemalans had been deported from the United States this year, the newspaper said.

The American Immigration Lawyers Association sent letters to Homeland Security Secretary Michael Chertoff and Attorney General Michael Mukasey May 22 voicing concerns about "widespread violations of the basic civil liberties and human rights ... (that have) permanently disrupted their families and communities."

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Contributing to this story was Franciscan Sister Carol Hoverman in Postville.

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