



Charles Reed/U.S. Immigration and Customs Enforcement

An arrest is made Feb. 7 during a targeted enforcement operation conducted by U.S. Immigration and Customs Enforcement aimed at immigration fugitives, re-entrants and at-large criminal aliens in Los Angeles.

Groups prepare growers, workers for increased immigration raids

By **TIM HEARDEN**
Capital Press

SALINAS, Calif. — Groups that serve the labor-intensive produce operations on California's Central Coast say they're unaware of any recent upsurge in immigration raids on farms, but they're preparing members just in case.

Western Growers is urging members to be ready for an increase in audits and raids by U.S. Immigration and Customs Enforcement agents, and they've distributed guides of what growers and workers should do if agents show up at their gates.

So, too, has the Salinas-based Grower-Shipper Association, an advocacy group with a specialty in employment law.

"I'm not aware of any stepped-up ICE raids or engagements on the Central Coast, but there is some concern and fear, particularly among the agricultural worker community about such raids," said James Bogart, GSA's president and chief counsel.

The GSA has sent its members a checklist of things to do and expect in the event of an ICE raid as well as a list of workers' rights, he said.

The topic of immigration enforcement has come up in California Strawberry Commission training sessions for field workers who've been promoted to supervisory roles, spokeswoman Carolyn O'Donnell said.

"I think people are nervous in general, and not just growers, about the current climate of what's going on," she said. "Certainly all the farming organizations including the commission ... have advocated for a viable guestworker program, and we still know that that's really important. Not only are workers important to the strawberry industry, but strawberries do provide pretty consistent work for laborers over many, many months."

O'Donnell said she hasn't heard of any uptick in farm raids since President Donald Trump took office. But there's buzz in the industry over reports that a Department of Homeland Security crackdown on gang activity in Santa Cruz included detentions

for immigration enforcement, she said.

Growers and their advocates throughout the West took notice after ICE stopped a pair of worker transport vans in Woodburn, Ore., in late February. While the operation may have been routine, it was magnified amid a contentious political atmosphere in the wake of Trump's vows to crack down on illegal immigration.

Several agricultural employers said during a labor conference in Yakima, Wash., in late February that the Trump administration's arrests of criminal illegal immigrants are causing apprehension among workers.

Western Growers advises members to prepare for increased worksite enforcement and renewed emphasis on Form I-9 audits, correcting problems before ICE comes knocking at the door. Form I-9 is used for verifying the identity and employment eligibility of workers.

Even minor technical errors can bring fines of up to \$1,100 for each instance, and the fine is much higher for missing I-9s, so employers should perform internal audits regularly and fix problems before receiving notices of inspection, Western Growers' Jeff Janas told members in a blog post. Growers can face fines of up to \$16,000 for knowingly hiring unauthorized workers, he wrote.

While a raid requires a search warrant but no advance notification, an I-9 audit requires three days' notice in writing, and ICE cannot use a subpoena to shortcut that, Western Growers advises. Farm operators should stay calm, but they can accompany agents and restrict their access to only materials covered in the warrant, a guide distributed by the group states.

For workers, Western Growers points to a preparation checklist published by the National Immigration Law Center. Among the center's advice to workers in a raid is to remain silent, ask to speak to a lawyer, not carry false documents, have contact information for a reliable immigration attorney and know their "alien registration number" if they have one.

No widespread crackdown on illegal immigrants seen in Yakima Valley

By **DAN WHEAT**
Capital Press

YAKIMA, Wash. — While there's a lot of apprehension among workers and employers, there are apparently no widespread enforcement actions in Central Washington because of the Trump administration's crackdown on criminal illegal immigrants.

Brendan Monahan, a Yakima attorney who represents large agricultural employers, told Capital Press he's unaware of any widespread raids or sweeps but that arrest warrants have been served at Yakima Valley fruit warehouses for alleged illegal immigrants either charged with or convicted of crimes.

He would not identify the warehouses or say how many people have been arrested other than that it was more than one.

He said the arrests were carried out with minimal disruption to business operations and that employers are paying careful attention to federal directives to determine if any changes in immigration enforcement may impact their operations.

"From the employer standpoint, there is an awareness that any type of widespread government enforcement action can cause a range of confusion and panic in the workplace," Monahan said.

Lori Haley, a spokeswoman with U.S. Immigration and Customs Enforcement, said she could not verify the arrests and would not say if ICE is stepping up enforcement.

Monahan's law firm, Stokes Lawrence, handed out an update and guidance sheet to employers at a recent labor conference in Yakima that stated that as of Feb. 17 there were reports of ICE agents making unannounced visits at agricultural employers in the Columbia Basin, Pasco and the Lower Yakima Valley.

Pew Research estimates



Dan Wheat/Capital Press

Workers prune fruit trees south of Chelan, Wash., in January. Pruning is still going on throughout Central Washington but orchard and packing shed workers and owners are nervous about immigration enforcement.

250,000 illegal immigrants are in Washington, the Stokes Lawrence paper said. It also estimated that as many as 117,000 illegals may make up 70 percent or more of the workforce involved in the state's \$10 billion annual agricultural production.

The labor conference was sponsored by WAFLA, formerly the Washington Farm Labor Association. Its director, Dan Fazio, said he doesn't think there are any widespread federal raids but that ICE is "aggressively serving arrest warrants." He said most warrants, about 90 percent, are served at residences.

Past administrations, including that of former President Barack Obama, have arrested criminal illegal immigrants but the Trump administration directive allows ICE officers to also arrest noncriminal illegals. The Obama administration's directives had tighter restrictions on that.

Fazio said he's concerned about workplace arrests causing workers to flee but that he has "nothing but positive" to say about ICE so far.

"Someone texts that there's a raid and everyone runs and doesn't come back for days. That's what I'm concerned about," Fazio said.

"Congress needs to act. We need a workable guestworker program, E-verify (electronic verification of employment eligibility) and a solution for undocumented workers here now, in that order. The government has shown it can't administer a guestworker program and that should be a priority," he said.

WAFLA is the largest West Coast provider of the federal H-2A-visa foreign guestworkers to growers.

"Growers are freaking out because workers are afraid to come to work. I got a call Friday morning (Feb. 24) from a shellfish grower (in Western Washington) saying he won't be able to stay in business (because he's losing employees)," Fazio said.

He said federal agents could but he doesn't think they will go after employers for knowingly employing illegals, but Monahan said he wouldn't make any assumptions either way.

Jesus Limon, an East Wenatchee grower with orchards in Quincy and Orondo, said he's heard of ICE agents being in Quincy and George once or twice in the past few weeks.

It's caused fear among workers who call each other and check on social media to

ask if it's safe to go to the grocery store, he said.

"Guys doing bad stuff shouldn't be here anyway, but I worry about them (ICE) taking good workers," Limon said.

It helps, he said, that he has few workers, that they live at his orchards and that he's using more H-2A workers for harvests.

"I know more people are nervous because of all the mouth music. I haven't seen any ICE trucks driving up or down the roads. Our president has been very clear what he wants. That would give anyone without good documents cause for pause," said Mike Robinson, general manager of Double Diamond Fruit Co. in Quincy.

He said he doesn't know of anyone not coming to work out of fear and that it takes time to change direction of ICE.

"There's no way Mr. Trump could have turned this aircraft carrier around in a month. All of this noise is just noise," Robinson said.

Jon DeVaney, president of the Washington State Tree Fruit Association, said he's heard lots of concern and rumors but no direct reports of any arrests or ICE activities or workers staying home.

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