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## Illegal workers turn to ID theft

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SUMMARY: Fallout from raids | When fakes won't cut it, undocumented immigrants use other people's SSNs

Fictitious Social Security numbers and green cards are cheap and widely available, and getting them is the first step for many undocumented immigrants arriving in Oregon.

But workers and federal officials say increased immigration enforcement --such as June's raid at the Fresh Del Monte Produce plant in North Portland and the arrests of 167 workers --has pushed some undocumented workers to shift from forgery to identity theft.

"Enforcement is deterring people, but it's also having another effect," said Kevin Sibley, unit chief for U.S. Immigration and Customs Enforcement's work site enforcement. "Aliens are finding it more difficult to find jobs using the traditional counterfeit documents. So they're willing to commit the extra step to beat the system and get a job. The next step is using someone else's identity."

During one stretch last year, American Staffing Resources --which supplied temporary workers to the Fresh Del Monte plant --employed 596 workers there, of whom 463, about 78 percent, were using someone else's Social Security number, according to a federal search warrant affidavit. Only 48 employees had valid, matching Social Security numbers.

This year, the Social Security numbers used by 184 American Staffing workers at the plant did not belong to them. Seven belonged to elderly people, about 20 to children, and 29 to people who had died, according to the affidavit.

Federal authorities attribute the proliferation of fraudulent documents to a rise in multinational criminal organizations branching out into the documents market and the misuse of Social Security numbers by employees.

Last year, the rise of counterfeit documents and identity theft for employment purposes prompted the ICE to create Document and Benefit Fraud Task Forces in 11 U.S. cities. Six more cities were added in April. But every ICE office, including the one in Portland, is mandated to initiate investigations that combat the manufacture, sale and use of counterfeit and genuine documents, said James Spero, chief of the ICE's Identity and Benefit Fraud unit.

"It's a major problem," Spero said. "We have document vending and manufacturing investigations open in every major U.S. city. If there is a need, then there are vendors who will supply the documents."

### Worker gets caught

For five years, Marina, an undocumented Mexican who lives in Gresham, used a fictitious Social Security number and green card to work at a Portland food-manufacturing factory. The factory gave her health insurance, paid vacations, bonuses and sick days --stability and benefits that are rare in the world of undocumented laborers.

Marina, 38 --who for fear of being deported asked that her last name not be used by The Oregonian --said she worked hard to raise her two U.S.-born sons. Every 15 days, she wired money to Mexico to help support her three other children, whom she has not seen in more than 10 years.

But when the factory changed hands in 2003, the new owners checked workers' documents. They told Marina that she had a year to get hers in order. When she did not, they fired her. Marina said they told her that she could get her job back if she bought bona fide papers belonging to a U.S. citizen.

Marina decided against it. But a month later, she was still without a job.

"I looked everywhere, and there was always the problem with (fictitious) papers," she said. "I had to send money to my children (in Mexico). I really needed a job, and I was starting to despair."

An acquaintance offered to sell Marina a set of real U.S. papers for \$800. Marina bought the identity of Michelle, a Texan she had never met. She says she was told that Michelle voluntarily sold her Social Security number to make money. Marina was set to get her job back.

But when she tried to get an Oregon ID card using Michelle's Social Security number, name and birth certificate, police detained her. Her signature and Michelle's did not match.

Marina spent the next six months in an array of courtrooms, fearing she would be deported. She avoided jail primarily because she had a clean record, she cooperated with police and because many other people had used Michelle's identity, said Clackamas County Deputy District Attorney Bryan Brock. Marina was convicted of false swearing, fined \$387 and ordered to perform 80 hours of community service.

Although she learned a lesson, Marina says, others feel they have no choice, and that buying real papers is becoming "very common."

#### Feds battle crime groups

Large criminal organizations moving into document fraud is a major reason for the upsurge in forgery and identity theft, said Spero, the chief of the Identity and Benefit Fraud unit. These criminal groups are a special focus for ICE's fraud task forces, he said.

The organizations employ hundreds of runners, manufacturers and go-betweens across the United States, Spero said.

Last year, the task force nabbed Francisco Javier Miranda-Espinosa, a member of one of the largest fraudulent-document organizations targeted in the United States: the Castorena Family Organization. Miranda-Espinosa was sentenced in Denver to 11 years in prison. The Castorena family oversaw fraudulent document cells, or "franchises" in at least 33 states, and cell "heads" paid as much as \$15,000 a month for the right to operate. Documents manufactured by this single criminal organization have been found in all 50 states, said Sibley, the ICE work site enforcement chief.

The government is also pushing to prosecute identity-theft cases. Last December, ICE agents raided six meatpacking plants owned by Swift & Co. in six states. They arrested 1,297 workers for alleged immigration violations. Nearly 300 workers were prosecuted on identity theft charges. Many workers were allowed to plead to a lesser charge of forgery to avoid overloading the court, Sibley said.

Getting fraudulent documents in Oregon is easy, workers say. They are sold in store parking lots, according to the Fresh Del Monte affidavit, as well as in offices and apartments in cities such as Woodburn, Portland and Hillsboro, according to police departments. It is unclear whether these sidewalk operators belong to large criminal groups, police said.

"This is the status quo, it's part of our state's business practice," says Ronault L.S. Catalani, a Portland attorney who works with Asian immigrants and Spanish-speaking immigrants. "Employers look the other way, because (employing undocumented workers) generates good money and there's no clear due diligence standard in how to follow the law."

Federal law requires employers to ask for documentation of legal status but not to verify workers' paperwork with the government. An employer can be prosecuted only if he knowingly hires undocumented laborers.

Sibley said there are other ramifications besides the stolen documents being used for employment.

"Just because (undocumented workers) want to get a job, that doesn't preclude them from opening a bank account or

taking out a loan," Sibley said. "Innocent Americans can have their credit ruined."

Immigrant activists say most undocumented workers use the documents only to work and should not be blamed for the inevitable results of flawed immigration laws.

"The workers have to eat, they have to feed their families," said Pedro Sosa, Pacific Northwest regional organizer for the American Friends Service Committee. "It's the immigration system that is broken and needs to be fixed."

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