

Apple company admits to illegal workers

St. Louis Post-Dispatch (Missouri)

November 21, 2007 Wednesday, THIRD EDITION

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Section: METRO; Pg. B1

Length: 721 words

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Body

THE CHARGE A Franklin County apple company employed illegal workers for 5 years

THE PLEA Company will have to pay \$599,000 as part of a deal.

A Franklin County apple company on Tuesday pleaded guilty to a criminal immigration charge and agreed to pay \$599,000 to settle federal charges that they had employed dozens of illegal aliens for more than five years.

Lochirco Fruit and Produce, Inc., which does business as Happy Apples, admitted employing illegal workers between 2001 and Oct. 19, 2006, when federal agents raided the property and detained 33 immigrant workers.

The company grows apples and sells apples, apple cider and caramel apples and has locations or facilities in or near Washington, Marthasville and Union, Mo.

Their caramel apples can be found in local and national supermarkets.

As part of the plea agreement, Happy Apples and officer Joette Reidy admitted to a "pattern and practice" of "knowingly and intentionally" hiring unauthorized alien workers.

Reidy, who pleaded guilty to one felony count of hiring illegal aliens, admitted hiring at least 10 undocumented workers between Oct. 19, 2005 and Oct. 19, 2006.

Reidy, 40, is the daughter of one of the owners and will likely receive probation when sentenced next year. Her husband, Ed Reidy, 42, represented the company in court. The Reidys live in Washington.

Happy Apples, which pleaded guilty to one misdemeanor count of hiring illegal aliens, will have to pay a \$99,000 fine and forfeit \$500,000. "Obviously, you can't put a company in jail," U.S. District Judge Stephen Limbaugh said in court.

Federal prosecutors were unaware of a higher fine and forfeiture total in an immigration case here.

After the hearing, Joette Reidy's lawyer, Paul D'Agrosa and company lawyer Richard Sindel said that the workers were treated well, paid more than the minimum wage and housed in company lodging.

Even after the employees were detained by Immigrations and Customs Enforcement pending removal, the company made sure they were paid, Sindel said.

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D'Agrosa said that Happy Apples did not start out hiring illegals, but was unable to hire American workers who were willing and reliable.

"We are sometimes forced to do things because of the realities on the ground. American workers don't want these jobs," D'Agrosa said. "These are the realities for agricultural businesses - all over the country."

But Assistant U.S. Attorney John Ware said that when federal agents searched the property, they found at least 40 employment applications that had been filled out by Americans.

They also found 33 illegal immigrants working the day shift alone. Those workers have been removed from the country or will be removed, Ware said.

Ware said Happy Apples may have been able to find American workers, just not ones willing to work the 12, 14, even 16-hour days worked by the illegal aliens.

The company is now participating in an approved Labor Department program, Ware said.

Ware said the pay varied by job, but said it was roughly \$6 or \$7 an hour, with \$1 per hour bonus if the worker stayed the season, and said workers were not treated poorly.

Illegal workers have increasingly become an issue on the state and national level, as some frustrated state officials take their own measures to crack down on employers.

ICE agents first learned of Happy Apples, however, when the Franklin County Narcotics Enforcement Unit raided a Happy Apples house during a drug investigation and found 15 illegal immigrants. Five said they worked for Happy Apples, Sgt. Jason Grellner said. Grellner said many of the residents had fake IDs good enough to fool local police.

An confidential informer then called Joette Reidy and asked for work, telling her he didn't have "papers," court documents show. She referred him to her secretary, who said she could get him papers for \$150 and that he could live in a Happy Apples house while he worked.

Some Marthasville residents said Tuesday night they don't ask about immigration status when they're talking to people on the street, but the raid did not come as a surprise given the number of Spanish-speaking workers in the area.

"Who else are you going to get for what they are paying them? They're not going to get someone from around here to do it," said Marthasville resident Ed Dickinson Tuesday night, speaking near one of the Happy Apples worker residences.

Classification

Language: ENGLISH

Publication-Type: Newspaper

Subject: ILLEGAL IMMIGRANTS (90%); FOREIGN LABOR (90%); CRIMINAL OFFENSES (89%); GUILTY PLEAS (89%); IMMIGRATION (89%); RECRUITMENT & HIRING (89%); FEDERAL INVESTIGATIONS (88%); LAW COURTS & TRIBUNALS (85%); MISDEMEANORS (75%); WAGES & SALARIES (75%); PLEA AGREEMENTS (75%); JUDGES (74%); SENTENCING (74%); PUBLIC PROSECUTORS (74%); FINES & PENALTIES (74%); POLITICAL DETAINEES (73%); CORRECTIONS (73%); IMMIGRATION LAW (73%); SPECIAL INVESTIGATIVE FORCES (73%); US FEDERAL GOVERNMENT (73%); MINIMUM WAGE (70%); FELONIES (70%); EXCISE & CUSTOMS (70%)

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Industry: **APPLE** ORCHARDS (70%); FRUIT & JUICE DRINKS (70%); GROCERY STORES & SUPERMARKETS (53%)

Geographic: UNITED STATES (94%)

Load-Date: November 21, 2007

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