

Former Manager of Kosher Slaughterhouse in Iowa Is Acquitted of Labor Charges

The New York Times

June 8, 2010 Tuesday, Late Edition - Final

Copyright 2010 The New York Times Company

Section: Section A; Column 0; National Desk; Pg. 14

Length: 604 words

Byline: By JULIA PRESTON

Body

The **former manager** of a **kosher slaughterhouse** in **Iowa** that was the site of a 2008 immigration raid was **acquitted** on Monday of criminal **charges** that he knowingly employed under-age workers at the plant.

After a five-week trial in state court in Waterloo, **Iowa**, the jury rejected prosecutors' arguments that the **manager**, Sholom Rubashkin, had seen many warning signs that child laborers were working on production lines at the Agriprocessors plant. The jury, after about 12 hours of deliberations, found Mr. Rubashkin not guilty of all 67 **charges** of child **labor** violations.

"The key was whether the state had evidence that Mr. Rubashkin actually knew that minors were working in the plant and willfully permitted that condition to exist," said Mark Weinhardt, a defense lawyer. "The state simply did not have evidence to prove that."

The verdict brought rare good news for Mr. Rubashkin since the raid at the plant in Postville on May 12, 2008, when federal agents arrested 389 illegal immigrants, most from Guatemala. The operation became an emblem of the high-profile immigration enforcement strategy under President George W. Bush.

In November, Mr. Rubashkin was convicted in federal court in **Iowa** of 86 counts of bank fraud in connection with loans to Agriprocessors. Federal prosecutors are seeking a 25-year sentence on those **charges**. Sentencing is scheduled for June 22.

Iowa's child **labor** case was the only criminal action against Mr. Rubashkin arising from the large number of illegal immigrants who were employed at the plant. After winning the financial fraud conviction, federal prosecutors dismissed all immigration-related **charges** against him.

The trial testimony left no doubt that at least 29 under-age laborers, and probably many more, were working on the slaughter and packing lines at the Agriprocessors plant. Nilda Nuritza Rucal testified that she was put to work without training on the day she was hired, taking feathers off chickens with sharp scissors. She said she was 15 at the time.

Another immigrant, Elmer Isaias Lopez Marroquin, testified that a human resources **manager** at the plant instructed him to lie about his age to state inspectors. He said he was 16 when he started to work on the plant's killing floors.

When they were hired, the under-age workers presented false documents showing they were at least 18, the legal age to work in production areas of **Iowa slaughterhouses**, according to testimony.

Former Manager of Kosher Slaughterhouse in Iowa Is Acquitted of Labor Charges

The jury foreman, Quentin Hart, a Waterloo councilman, said after the trial that the jurors doubted the young immigrants' credibility. "Each one of them indicated they didn't tell the truth and indicated they knew they had to be over the age of 18 to get a job, so they acquired documentation from somewhere," Mr. Hart said, according to The Associated Press.

Thomas H. Miller, the **Iowa** deputy attorney general in **charge** of the criminal bureau, said prosecutors were disappointed with the verdict. "When we had this many minors working on a **slaughterhouse** floor, we felt this was a fight that needed to be fought," he said.

F. Montgomery Brown, another defense lawyer, said of the acquittal, "This is a vindication by a courageous jury that Sholom is not the kind of man who would want minors working" in the plant.

The end of the case is likely to be bitter for many of the 29 young immigrants who agreed to testify in the state trial, including seven who were flown back from Guatemala by prosecutors. While a handful of them received special United States visas for victims of abuse, most had temporary immigration status that expires now that the trial is over.

<http://www.nytimes.com>

Graphic

PHOTO: Sholom Rubashkin, the **former slaughterhouse manager**, and a defense lawyer, Mark Weinhardt, after hearing the verdict. (PHOTOGRAPH BY MATTHEW PUTNEY/WATERLOO COURIER, VIA ASSOCIATED PRESS)

Classification

Language: ENGLISH

Publication-Type: Newspaper

Subject: IMMIGRATION (90%); SENTENCING (90%); CHILD **LABOR** LAWS (90%); JURY TRIALS (90%); FACTORY WORKERS (90%); VERDICTS (90%); MANUFACTURING FACILITIES (90%); PUBLIC PROSECUTORS (90%); CRIMINAL OFFENSES (90%); ACQUITTAL (90%); CHILD **LABOR** (90%); ILLEGAL IMMIGRANTS (89%); **MANAGERS** & SUPERVISORS (89%); CRIMINAL CONVICTIONS (89%); FEDERAL INVESTIGATIONS (89%); INSPECTIONS (78%); ARRESTS (78%); FRAUD & FINANCIAL CRIME (78%); IMMIGRATION LAW (78%); US STATE GOVERNMENT (78%); LAWYERS (78%); LITIGATION (78%); SPECIAL INVESTIGATIVE FORCES (78%); LAW COURTS & TRIBUNALS (77%); **LABOR** & EMPLOYMENT LAW (77%); WITNESSES (77%); HUMAN RESOURCES (77%); ATTORNEYS GENERAL (72%)

Industry: FACTORY WORKERS (90%); MANUFACTURING FACILITIES (90%); ANIMAL SLAUGHTERING & PROCESSING (89%); POULTRY PROCESSING (89%); LAWYERS (78%)

Person: GEORGE W BUSH (58%)

Former Manager of Kosher Slaughterhouse in Iowa Is Acquitted of Labor Charges

Geographic: IOWA, USA (95%); UNITED STATES (79%)

Load-Date: June 8, 2010

End of Document