

Testimony of
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Member of the
The United Food and Commercial Workers International Union (UFCW), Local
1149
Before
The Subcommittee on Immigration, Citizenship, Refugees, Border Security and
International Law
For the Hearing on February 13th, 2008
Regarding
“ICE Interrogation, Detention, Removal Issues”

Thank you Chairwoman Lofgren, Ranking Member King, and Members of the Subcommittee for holding this hearing and for the opportunity to testify. I am here today representing the 1.3 million members of the United Food and Commercial Workers International Union (UFCW), my Local 1149 in Marshalltown, Iowa, as well as the tens of thousands of American citizens who have been abused by our government’s outrageous and unconstitutional immigration sweeps at worksites and homes across this country. It is indeed a privilege to be here in Washington to testify today and to tell my story.

My name is Mike Graves, and I am from Waterloo, Iowa. For the last 21 years, I have worked at the Swift and Company plant located in Marshalltown, Iowa. During those years, I have worked on the kill floor of the plant. I am also active in the union.

In all 21 years on the job, there is one day I will never forget. On December 12, 2006, hundreds of heavily armed ICE agents stormed six meat packing plants across America’s heartland. The Marshalltown plant where I work was one of those targeted and attacked.

And it did feel like an attack. I will never forget that day. Because it was on that cold December day, that I had my civil rights violated and my faith in my country shaken.

I was working on the kill floor doing my usual job when the line was stopped and my supervisor told me and my coworkers to go immediately to the cafeteria. As we walked to the cafeteria, using the regular route, a man in full SWAT uniform with a gun stopped us. His uniform had no nametag to identify him as a government agent. He asked me why I was running away. I politely told him I was not running away from

anything or anybody, but that I, along with my colleagues, had been instructed to go to the cafeteria. He asked for identification, which I told him was in my locker. You see, when you work on the kill floor, you do not carry identification to the floor because you can be splattered with blood. He told me we had to go to the locker room.

Once there, the agent told me to get against the wall and he handcuffed me. He then began to interrogate me about where I was born, where I now lived, where my parents live, and whether I was a U.S. citizen. I told him I was born in Waterloo, Iowa, and that was where I still live. I answered each question honestly and politely although I was uncomfortable in the handcuffs and not sure why I was being interrogated in this way.

He asked me why I live in Waterloo and drive all the way to Marshalltown for work. It's more than an hour drive each way, but my Swift job is a good job and it helps me provide for my family. The agent then asked where my parents were from. I told him Mississippi. He asked me how to drive from Waterloo to Mississippi. To be honest, I didn't know the exact route, why should I? Do you each know the precise route to your parents' house? When I didn't answer the questions to his satisfaction, he continued to aggressively interrogate me. Was I scared? Yes, wouldn't you be?

He asked me for my locker combination and if I had any weapons. By now, I was getting angry. I am a U.S. citizen. I am the son of U.S. citizens. I am a father of U.S. citizens. I live in the same state in which I was born. I have worked in the Swift plant for more than two decades. It is not easy work, so with all due respect to the Subcommittee, I found his questioning insulting and offensive. And, quite frankly, regardless of my status, his interrogation, the handcuffs, the guns, and the agents in SWAT uniforms were all incredibly unnecessary and intimidating – and, I had done nothing wrong.

Why would he ask and suggest that I have a weapon? Why would I bring one to work? Because I'm black? Because I work in a packing plant? It just wasn't right. I have worked at this plant for more than 20 years and I was not only being asked if I had a weapon but for my locker number. I couldn't even open my own locker because of the handcuffs.

The ICE agent opened my locker and checked my ID. He showed it to another agent. They started laughing. I was then escorted outside, still in the binding handcuffs, to the cafeteria. It is about a 400 yard walk. It was December in Iowa. It was cold and snowing and I had no coat or gloves. There were armed agents everywhere guarding the perimeter of the Swift building.

By the time I got into the cafeteria, I had been in the handcuffs for an hour. The agents finally removed the cuffs and I was forced to sit in the cafeteria for the next seven hours with hundreds of my coworkers. We had no food and no water. We weren't allowed to use the restrooms by ourselves. We couldn't use the phone to contact our families, union representatives or lawyers. ICE held me there for eight long hours. There

was no legitimate reason. There was no probable cause. Our plant – our workplace – had been transformed into a prison or detention center. We were turned into prisoners because we went to work that day.

Again, for the record, I am a U.S. citizen. I was born and raised in this country – in the same state I work and have never been overseas in my life. But on that December day, I and all my coworkers, were treated by our government like criminals. All we did was wake up and go to work. It was a day that was nothing out of the ordinary. We just went to work to help provide the food for this country and the support for our families. But it wasn't a normal day after all. What happened to us that day was simply wrong. No one in this country, regardless of their status, should be treated the way we were treated at the Marshalltown Swift plant or any of the Swift plants. Working is not a crime, and workers do not leave their constitutional rights at the plant gate.

Imagine the outrage if this happened at one of these fancy downtown Washington office buildings. Imagine if thousands of innocent people were detained for more than eight hours just because the government suspected a handful of undocumented workers in the building? It would not matter who was in the building at the time, everyone would be detained. This would cause a huge uproar and outcry. You think it wouldn't happen in Washington but we thought it wouldn't happen in Iowa either. We thought it couldn't happen in America's heartland, but it did. Innocent workers were handcuffed and detained by our government. It would be wrong in Washington, DC and it was wrong in Marshalltown, Iowa.

What happened to me – and to thousands of others of U.S. citizens and legal residents on that December day – was a complete violation of our rights. And, it did not end there. It can happen at any workplace – at any time – in this country if we do not do something now to change the way these immigration raids are conducted.

My story is not unique. I wish you could hear all of the stories from that day. Perhaps then you would understand the fear that people were subjected too. You would hear first hand how we were mistreated and how we were treated like a herd of animals. You would hear from people whose children were left stranded at schools and daycares, who had no idea where their parents were. You would hear from women who were frisked by male agents because no female agents were available. You would hear from handcuffed women, who were escorted into bathroom stalls by agents when they needed to use the facilities. You would hear from the woman who was at a local hospital having a miscarriage, but ICE would not allow her to contact her husband in the Swift plant because he was detained.

You would also hear from Darryl Harrington, a Korean War veteran, who was detained and compared the experience to his time at war. You would hear from Walter Molina, another U.S. citizen, who was taken from his plant to a detention area more than 6 hours from his home and was later released only to have to find his own way home.

You would hear the story of Delphina Arias, a U.S. citizen. She has a son in Iraq and a daughter in ROTC. Delphina was also detained by ICE agents. What is happening in this country that we are detaining a mother, a mother who is a U.S. citizen, while her son is putting his life on the line right now in Iraq? On that day, Delphina thought the ICE agents dressed in black who invaded her plant were terrorists intent on killing us. She actually thought about pretending she was dead if they opened fire on her and her co-workers.

You would also hear the story of Pasqual Talamantes, who is here with me today. Pasqual is a U.S. citizen. But the ICE agents didn't believe his story because he does not speak English very well. Pasqual was educated in Mexico. He was at the Swift plant in Grand Island the day of the Swift raids. He showed his driver's license to the agents but although it is current, it is old and he is thinner than his picture. The agents did not believe it was his license and yelled racial slurs at him. Pasqual insisted that he was a U.S. citizen and that he had a U.S. passport at home. He pleaded to be released so he, a single parent, could go home to his children. ICE detained him for six horrific hours. Could there be a more concrete example of racial profiling and to what end? Was any of this necessary?

These are just a few of the stories you would hear from Swift workers who were abused, traumatized, and mistreated in the guise of immigration reform by the U.S. government. Members of this Subcommittee, something has to be done so that this never happens to anyone in this country again. It was horrible to watch how we were treated that day. It was hurtful to see the fear in my co-workers eyes and to understand the trauma we all experienced. Again, all we did was go to work that day. The raids hurt our community. It hurt our company. And it is hurting our country still.

Thank you again for the opportunity to testify today and tell you my story and my co-workers' stories. I urge you to use the power of your offices to correct this injustice and to fight to end these discriminatory, un-American practices by ICE. Again, thank you for your time and I would be pleased to answer any questions that you may have.