Migrants trick E-Verify

Employee-screening system often thwarted by stolen IDs

*9 comments**by Daniel González** - Feb. 26, 2010 12:00 AM*
The Arizona Republic

Two years after Arizona began requiring all employers to use a federal online program to ensure a legal workforce, a new study indicates that illegal workers are slipping through the system more than half of the time by using stolen identities.
Fifty-four percent of the illegal workers whose names were run through the program nationwide were wrongly found to be authorized to work, according to the report by Westat, a Maryland research company hired by the U.S. Department of HomelandSecurity to evaluate the system, known as E-Verify.

The system's high inaccuracy rate for illegal workers using stolen identities has greatly alarmed business groups in Arizona.

The state's 2008 employer-sanctions law mandates that employers use E-Verify and gives authorities the power to close down businesses found to be knowingly hiring illegal workers.

"Arizona employers are relying when they sign up for E-Verify that this is an accurate program," said Glenn Hamer, president and CEO of the Arizona Chamber of Commerce and Industry. "If the system is busted, it's obviously unfair to punish employers."

In 2008, Arizona became the first state in the nation to require all employers to use E-Verify. Since then, more than 33,000 Arizona businesses have signed up for the program, the highest number of any state, according to U.S. Citizenship and Immigration Services, which oversees E-Verify.

Maricopa County Sheriff Joe Arpaio has raided 30 businesses under the employer-sanctions law and has arrested hundreds of workers accused of using forgery, fraud and identity theft to gain employment illegally.

In November, County Attorney Andrew Thomas also filed a complaint against a custom-cabinet and -furniture business, the Scottsdale Art Factory.

And, in December, Thomas announced sanctions against a water park, but the sanctions never took effect because the park closed after it was raided. The water park has since reopened under new management.

State Rep. John Kavanagh, R-Fountain Hills, who co-sponsored Arizona's sanctions law, said he is disappointed E-Verify has such a high inaccuracy rate for illegal workers, but he defended the program.

"It's disappointing to know that the best tool available is not that effective, but it's better than no tool," he said.

"It also shows the need to improve the system," either through enhancing photo checks or introducing biometric checks, such as fingerprint scanning.

Arizona's sanctions law spurred other states to pass similar laws as part of an effort to crack down on illegal immigration. Eleven other states now require at least some, if not all, businesses to use E-Verify.

The program is voluntary in other states. A total of 188,358 businesses out of about 7 million employers have signed up to use E-Verify nationwide. However, some members of Congress are pushing to make E-Verify mandatory nationwide.

E-Verify allows employers to use an online program to run a worker's information against Homeland Security and Social Security databases to check whether the person is authorized to work in the U.S.

The Westat report, which studied data from September 2007 to June 2008, found that 93 percent of the workers checked by employers were accurately deemed authorized to work. The system wrongly flagged less than 1 percent of legal workers as being unauthorized.

About 6 percent of the people run through the system should not have been authorized to work, the report said, but nearly 54 percent of them were wrongly deemed authorized. That 54 percent amounts to about 3.3 percent of the total workers run through the system.

The accuracy checks are estimates based on federal records and interviews with employers, workers and federal staff.

Last fiscal year, about 8.5 million queries were run through the system.

Bill Wright, a spokesman for the CIS in Washington, said the Westat report shows that overall, E-Verify is effective at preventing illegal immigrants from getting jobs, but he acknowledged the system has problems screening out those using stolen identities.

"I don't mean to trivialize it. Certainly, it's an issue," he said.

The government recently added a tool aimed at cutting down on the number of illegal workers who slip through E-Verify using stolen identities by letting

employers match photos on green cards against photos in government immigration databases, he said.

The government also wants to work out agreements with states that incorporate driver's-license databases into the E-Verify system to further screen out illegal workers using stolen identities.

Marc Rosenblum, a senior policy analyst at the Migration Policy Institute, a research group in Washington, D.C., said the fact that 54 percent of illegal workers are slipping through E-Verify shows that the program is not an adequate tool.

"That's a pretty bad success rate," he said. "The bottom line is we can't expect E-Verify to solve the problem by itself."

Jim Harper, director of information-policy studies at the Cato Institute, said the study shows E-Verify is not only ineffective but that the program likely has spurred more illegal immigrants to use stolen identities to circumvent the system.

"The chances are very strong that is what happened," Harper said. The institute is a libertarian group in Washington, D.C., that favors increases in legal immigration over enforcement measures to solve illegal immigration.

In the past, illegal immigrants mostly used fake documents with invented Social Security numbers to get jobs. But recently, law-enforcement officials in Arizona have seen an increase in [identity theft](#) involving Social Security numbers and other information belonging to real people.
"We've probably arrested 30 individuals (since November) that all had to do with [identitytheft](#) involving real (Social Security numbers)," said David Lugo, a detective who investigates document fraud for the Arizona Department of Transportation.

The increase in identity theft comes as the state's ability to investigate such crimes has been diminished. In November, the Arizona Fraudulent Identification Task Force made up of investigators from several law-enforcement agencies was eliminated due to budget cuts, said Lugo, a former member.

Republic reporter JJ Hensley contributed to this article.

Reach Gonzalez at daniel.gonzalez@arizonarepublic.com or 602-444-8312.