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News Releases

OCTOBER 31, 2011 TUCSON, AZ

Head of Arizona drywall company pleads guilty to charges in ICE worksite investigation

TUCSON, Ariz. – The president of a Sierra Vista, Ariz., drywall and stucco company pleaded guilty Friday to federal criminal charges resulting from a probe by U.S. Immigration and Customs Enforcement's (ICE) Homeland Security Investigations (HSI) that revealed he hired unauthorized alien workers.

Ivan T. Hardt, 44, of Cananea, Sonora, Mexico, admitted in federal court to conspiring to harbor illegal aliens for profit and employing illegal aliens. As part of the plea agreement, the top executive of Sun Drywall and Stucco agreed to pay \$225,000 in restitution to the Department of Labor for overtime back wages owed under the Fair Labor Standards Act. He also agreed to pay an administrative forfeiture of \$225,000 to ICE HSI.

Sun Drywall, through Hardt, also pleaded guilty to unlawful employment of aliens. Under the terms of the plea agreement, Sun Drywall cannot knowingly hire, recruit or employ unauthorized aliens, and the firm is required to maintain I-9 employment verification forms for each of its workers. The company further agreed to waive a three-day notification requirement with regard to inspection of its hiring records.

"Working with our partners at the Department of Labor and U.S. Immigration and Customs Enforcement, we will continue to hold employers who participate in illegal practices accountable," said Acting U.S. Attorney Ann Birmingham Scheel.

Hardt was arrested following a 16-month ICE HSI investigation. In March 2007, ICE HSI agents determined that at least 27 of the company's employees were not authorized to work in the United States and that Hardt and Sun Drywall did not present the paperwork for these individuals upon request for inspection.

Conspiracy to harbor illegal aliens carries a maximum penalty of 10 years in prison and a \$250,000 fine. Knowingly hiring illegal aliens is punishable by up to six months in prison and a fine of \$3,000 for each unauthorized worker.

Hardt and Sun Drywall and Stucco, Inc. will be sentenced on Jan. 26, 2012, by U.S. District Judge Raner C. Collins.

ICE HSI received substantial assistance with the investigation from the Department of Labor. The prosecution is being handled by Assistant U.S. Attorney Jane L. Westby.

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