

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
HATTIESBURG DIVISION

UNITED STATES OF AMERICA

v.

Criminal No. 2:11cr8KS-MTP

HOWARD INDUSTRIES, INC.

18 U.S.C. § 371

The United States Attorney charges:

COUNT 1

1. At all times material to this Information, the defendant, **HOWARD INDUSTRIES, INC.**, a privately held Mississippi corporation, was a leading manufacturer of electrical transmission and distribution equipment with a transformer manufacturing facility in Laurel, Mississippi.

2. At all times material to this Information, Jose Humberto González served in various positions in the Human Resources Department of **HOWARD INDUSTRIES, INC.**, leading up to serving most recently as Human Resources Manager at the **HOWARD INDUSTRIES, INC.** transformer manufacturing plant, where he was responsible for human resource activities, including hiring.

3. Defendant **HOWARD INDUSTRIES, INC.** is legally responsible for the actions of Jose Humberto González as his employer.

4. From in or about August 2000, until on or about August 25, 2008, in Jones County, in the Hattiesburg Division of the Southern District of Mississippi, the defendant, **HOWARD INDUSTRIES, INC.**, by the actions of its Human Resources Manager, Jose Humberto González, did knowingly and willfully conspire with others known and unknown to commit offenses against the United States as follows:

a. to knowingly encourage and induce aliens to reside in the United States, knowing and in reckless disregard of the fact that such residence is in violation of law, as prohibited by Section 1324(a)(1)(A)(iv), Title 8, United States Code; and

b. to knowingly conceal, harbor, and shield from detection, and attempt to conceal, harbor, and shield from detection, aliens knowing and in reckless disregard of the fact that such aliens had come to, entered, or remained in violation of law, as prohibited by Section 1324(a)(1)(A)(iii), Title 8, United States Code.

5. It was a part of the conspiracy that Jose Humberto González, in the course of his duties for defendant **HOWARD INDUSTRIES, INC.**, would routinely hire illegal aliens and in the process of such hiring would accept false identity documents, including alien registration receipt cards and Social Security cards, despite such documents being invalid.

6. It was further a part of the conspiracy that Jose Humberto González, in the course of his duties for defendant **HOWARD INDUSTRIES, INC.**, would submit to the Social Security Administration for verification Social Security numbers provided to him by applicants at the Laurel plant and, after being notified by the Social Security Administration that the Social Security numbers of such applicants could not be verified, Jose Humberto González would nonetheless hire and allow such persons to remain employed at **HOWARD INDUSTRIES, INC.**

7. It was also a part of the conspiracy that Jose Humberto González, in the course of his duties for defendant **HOWARD INDUSTRIES, INC.**, would assure Spanish-speaking foreign nationals working at the **HOWARD INDUSTRIES** plant that they would be warned if immigration authorities were coming to the plant.

OVERT ACTS

8. In furtherance of the unlawful conspiracy and for the purpose of effecting the objectives thereof, the following overt acts, among others, were committed:

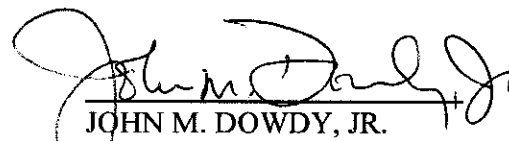
a. On or about December 17, 2005, Jose Humberto González went to the **HOWARD INDUSTRIES, INC.** plant after reports of a false immigration raid rumor had circulated at the plant, resulting in numerous Spanish-speaking employees leaving the plant.

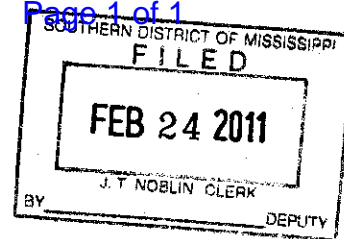
b. Also on or about December 17, 2005, Jose Humberto González visited the **HOWARD INDUSTRIES, INC.** plant floor for the purpose of assuring Spanish-speaking foreign nationals working at the plant that there was no immigration raid and that they would be warned if immigration authorities were coming to the plant.

c. Also, on or about December 17, 2005, Jose Humberto González recruited the assistance of other Spanish-speaking employees in the Human Resources Department at the **HOWARD INDUSTRIES, INC.** transformer plant to contact Spanish-speaking foreign nationals who had left the plant to assure them that there was no immigration raid and that they would be warned if immigration authorities were coming to the plant.

d. On or about August 25, 2008, as a result of an immigration sweep at the Laurel transformer plant, defendant **HOWARD INDUSTRIES, INC.** was found to have approximately 592 employees present who were determined to be unlawfully in the United States.

All in violation of Section 371, Title 18, United States Code.


JOHN M. DOWDY, JR.
United States Attorney



CRIMINAL CASE COVER SHEET

U.S. District Court
PLACE OF OFFENSE :

RELATED CASE INFORMATION :

CITY: LAUREL

SUPERSEDING INDICTMENT _____ DOCKET # _____

COUNTY: JONES

SAME DEFENDANT _____ NEW DEFENDANT _____

MAGISTRATE JUDGE CASE NUMBER: _____

R 20/ R 40 FROM DISTRICT OF _____

DEFENDANT INFORMATION:

JUVENILE: _____ Yes X No

MATTER TO BE SEALED: YES X NO

NAME/ALIAS: HOWARD INDUSTRIES, INC.

U.S. ATTORNEY INFORMATION:

AUSA: GAINES CLEVELAND MS BAR # 6300/ D.MICHAEL HURST, JR. MS BAR #99990

INTERPRETER: X NO YES LIST LANGUAGE AND/OR DIALECT:

LOCATION STATUS: ARREST DATE _____

 ALREADY IN FEDERAL CUSTODY AS OF (_____)

 ALREADY IN STATE CUSTODY

 ON PRETRIAL RELEASE

U.S.C. CITATIONS

TOTAL # OF COUNTS: 1 PETTY MISDEMEANOR X FELONY

(CLERK'S OFFICE USE ONLY) **INDEX KEY/CODE** **DESCRIPTION OF OFFENSE CHARGED** **COUNT(S)**

<u>(CLERK'S OFFICE USE ONLY)</u>	<u>INDEX KEY/CODE</u>	<u>DESCRIPTION OF OFFENSE CHARGED</u>	<u>COUNT(S)</u>
Set 1 <u> 18:371.F </u>	<u> 18 USC 371 </u>	<u> CONSPIRACY TO ENCOURAGE/INDUCE ILLEGAL ALIENS TO RESIDE IN UNITED STATES AND TO HARBOR ILLEGAL ALIENS </u>	<u> 1 </u>

Date: 2-24-11

SIGNATURE OF AUSA: D. Michael Hurst, Jr.