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BUSINESS COURIER

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Book revisits rough time in Fischer Homes' history

Business Courier of Cincinnati - by [Lucy May](#) Senior Staff Reporter

It's been almost three years exactly since federal officials descended upon **Fischer Homes** work sites in Northern Kentucky, arresting 76 illegal alien workers and charging four of the company's construction supervisors with aiding, abetting and harboring illegal aliens.

While a number of subcontractors and undocumented workers themselves ultimately were convicted, all charges against Fischer employees eventually were dropped. The home-building company, the second-largest in Greater Cincinnati, itself was never charged with wrongdoing. And in February, Fischer Homes was allowed to go to the U.S. Attorney's office to pick up the records the government seized in 2006.

Now Henry Fischer, CEO of the company that bears his name, has decided to tell his side of the story in a book called "No Crime But Prejudice: Fischer Homes, the Immigration Fiasco, and Extra-Judicial Prosecution," written by journalist and consultant Jon Entine. In Fischer's view, the story isn't about immigration, undocumented workers or enforcement. For him, it's a story about the power of the federal government and how he believes that power was wielded based on politics, not evidence.

Lost trust in government

During a recent interview at his Crestview Hills headquarters, Fischer sat in a conference room overlooking the parking lot where federal agents carried boxes of records from his offices May 9, 2006, while television cameras rolled. Why, he was asked, did he decide to go public now? Why stir up the whole thing after it's been mostly forgotten?

"You'll have to give me a minute here," Fischer said as he looked down on the parking lot, too choked up to speak. "I guess ... I don't want this to happen to others."

Fischer said later he was surprised at how emotional the interview had made him.

"Maybe it's part of the grieving process. It was a major loss for me," he said.

What was he grieving for?

"Trust for government," he said.

That's not all Fischer lost. Fischer Homes was posting record sales, said Robert Hawksley, the company's president. But after the arrests, sales dropped 70 percent in May compared to the month before, he said. The housing market started to soften, too, of course. But there's no question that potential buyers were gun-shy, worried about buying a home from a company that seemed at risk of going out of business.

"It was a good year before people lost it out of their minds," Hawksley said.

Big toll on everyone

But Fischer said it's not the money that bothers him so much. It's the way his employees were treated, were threatened with big fines and prison sentences. Hawksley said he is sickened by the toll the ordeal took on Fischer and his wife.

Fischer believes his company, for reasons he still doesn't understand, was made an example of the federal government's efforts to get tough on companies that employed undocumented workers. His company never did, he said.

While that's correct, the government was investigating whether Fischer Homes "turned a blind eye" to its subcontractors' use of undocumented workers, said Bob McBride, assistant U.S. attorney who worked on the case at the time.

McBride said he can't comment on whether the Fischer Homes investigation is closed. "We don't comment on investigations past, present or future," he said.

But he said that, back in 2006, he and everyone in his office were "extremely careful never to make any allegations against Mr. Fischer or Fischer Homes in public. What we operate on is the evidence and where we believe the evidence will go."

"I think we acted properly in that case and judiciously, and I'm disappointed that Mr. Fischer feels differently," McBride said.

Fischer figures the government could still charge his company at some point. Fischer Homes has put new procedures in place for employees to alert the company if they suspect undocumented workers on their job sites. But mostly Fischer Homes has continued to do



what it's always done because, Fischer said, it was never doing anything wrong.

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