



University of Farmington sting shows that U.S. Immigration and Customs Enforcement is really, truly, not messing around

From practically the moment President Trump took his oath of office on January 20, 2017, United States Immigration and Customs Enforcement (ICE) has been in the spotlight. From [large-scale immigration raids of convenience store franchises](#) to [separating immigrant families at the United States-Mexico border](#), ICE has employed a number of high-profile tactics to carry out its mission of promoting “homeland security and public safety through the criminal and civil enforcement of federal laws governing border control, customs, trade and immigration.”

But ICE’s most recent high-profile initiative may have also been its most ambitious—and certainly has immigration attorneys concerned.

A *POTEMKIN* UNIVERSITY ...

Late last month, unsealed federal indictments revealed that [Homeland Security Investigations \(HSI\)](#), a division of ICE, [had created a fake university in Michigan](#) as part of a sting operation to catch people engaging in immigration fraud. As a result of the sting, [eight people were arrested and indicted](#) for conspiracy to commit visa fraud and harboring aliens for profit. Another roughly 130 foreign students who enrolled at the fake university were [arrested on civil immigration charges](#). Prosecutors alleged that hundreds of foreign citizens enrolled in the fake university so they could remain in the United States in what prosecutors called a “pay-to-stay” scheme.

According to the indictments, ICE created the “University of Farmington” in February 2017, with undercover agents from HSI posing as the owners and employees of the school. The university had a website but had no instructors or actual classes. The physical location for the school was a suite inside a suburban office park in Farmington Hills, Michigan—about a 30-minute drive from downtown Detroit.

... WITH REAL STUDENTS

ICE and HSI created the sting to ensnare foreign students who wanted to fraudulently continue to stay in the United States through their F-1 student visas and obtain work authorization under the Curricular Practical Training program.

Undercover agents used “recruiters”—the eight people who were arrested and indicted—and paid them thousands of dollars to connect foreign students to the school. These students, prosecutors alleged, enrolled at the University of Farmington despite knowing they would not attend any classes nor earn any credits toward an actual degree. The students also allegedly knew that the University of Farmington’s program was not approved by the Department of Homeland Security and thus the “school” was not an educational institution where the students could have enrolled in order to extend their student status.



Naturally, defense attorneys for those arrested and indicted disagree with the federal government’s version of the facts. They claim that the U.S. tricked or entrapped the foreign students into enrolling at the University of Farmington. They also claim that the school stated that it was a legitimate educational institution and that DHS listed the university as an approved institution for foreign students.

Some of the defense attorneys’ arguments appear to be supported by [emails obtained by the Detroit Free Press](#). Those emails show, among other things, that the University of Farmington held itself out as being approved by DHS to enroll international students, the school was registered with the state of Michigan as a university using a fake name and a national higher education accreditation agency listed the school as being accredited.

THE TIP OF THE ICE-BERG?

ICE’s University of Farmington sting was not the federal government’s first university-sting rodeo. In Spring 2016, the “University of Northern New Jersey” was [revealed to be a fake university](#) created by DHS to catch criminals involved in student visa fraud.

ICE appears to have been emboldened by President Trump’s focus on immigration—legal and illegal—during his presidency. As evidenced by its aggressive tactics and enforcement—exemplified by the University of Farmington sting—ICE has not been shy recently about its role in the criminal and civil enforcement of our nation’s immigration laws.

While it is impossible to know whether ICE will attempt additional stings on the scale of the University of Farmington sting, one thing is for sure. As long as Donald Trump is in the White House, ICE is going to be actively carrying out its mandate—and immigration attorneys are going to be busy.

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