

FRAUDULENT MARRIAGES:

Not always for 'all the right reasons'

By STACIE THOMAS

Love isn't always the motivating factor when a couple decides to get married, some area immigration officials said. Convenience may take the place of love, especially when it means the convenience of lawful permanent residency status.

When a foreign person marries an American citizen, he or she can then become a permanent resident and receive a "green card," which is required for later application for permanent U.S. citizenship.

"The one best way to stay legally in the U.S. is to marry a U.S. citizen," said Robert Esbrook, press information officer for the Office of Immigration and Naturalization in Chicago. However, marrying strictly to gain permanent residency status constitutes fraud.

A couple will be investigated if they are suspected of fraudulent marriage, said Dennis Holm, deputy district director of the Office of Immigration and Naturalization in Omaha. If the marriage is fraudulent, the foreign citizen is put under deportation proceedings. Esbrook said no legal action usually is taken against an American involved in a fraudulent marriage.

Esbrook said the majority of the marriages between a U.S. and foreign citizen are bona fide, but a large number also are fraudulent. He said many cases involve men who marry young women that may not know the man's intentions or that the marriage is fraudulent. They may be fooled into thinking it is a marriage "for all the right reasons," Esbrook said. Once the man gets his green card, he tells the woman he's leaving.

In other cases, the foreign citizen may pay an American citizen to get married, Esbrook said. But most Americans don't do it for the money, he said. They or their relatives may meet someone they want to stay in the United States and they think the best way would be to get that person married, Esbrook said.

Esbrook said investigation of a marriage believed to be fraudulent is done in several ways. The couple may be called into the immigration office for an interview. In Omaha, every couple must be interviewed before the foreign citizen can receive a green card. However, because of the number of petitions for green cards the Chicago office receives in a month, only about 10 percent of the couples are interviewed.

If the officer conducting the interview thinks the marriage is fraudulent, an investigation is started. Immigration officers may question the couple's

neighbors and friends to determine if the marriage is bona fide. They may go to the couple's apartment to see if the couple is living together.

Stanley Krieger, an Omaha immigration lawyer, said there are several conditions most likely to raise the suspicion of immigration officers. An extreme difference in age, if the couple lives apart after the marriage or if the couple appears to be lying all cause some suspicion, he said. Krieger said a petitioner may admit to fraud during an interview because he gets scared.

Krieger said he represented a case once which was approved although the couple was separated. The couple was trying to work out marital difficulties.

Krieger, who works on about 20 marriage cases every year, said he won't take every marriage case offered him.

"If a client tells me it is a fraudulent marriage, I won't represent them. If they don't flat out tell me, I don't make moral judgments."


Krieger said the law is very favorable toward the immigrant and it isn't easy for the immigration office to prove a marriage is fraudulent. Immigration officers operate on the theory, "if it looks and acts like a marriage, it probably is one," he said.

Krieger presently has five marriage cases pending under investigation by the immigration office. He said he has never handled a case in which the marriage was proven to be fraudulent.



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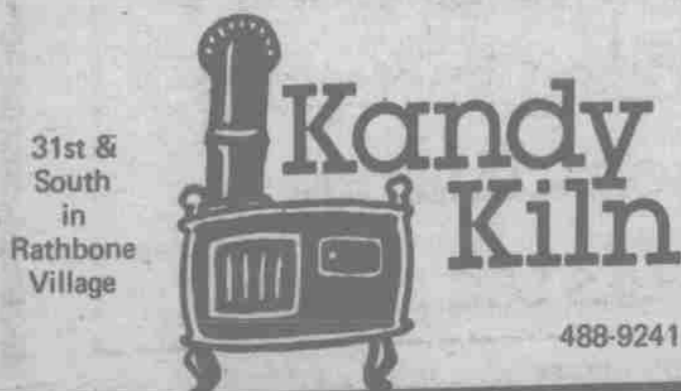
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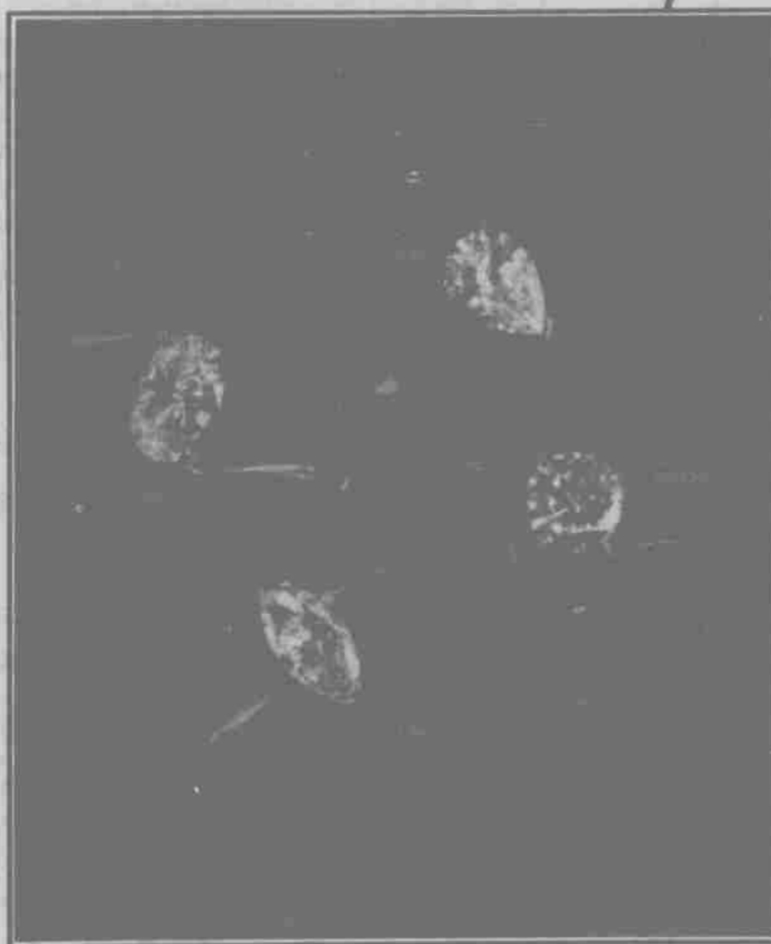
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