

Friends,

Below is a recently published Denver Post article about events in Maryland, and 9/11FSA member Bruce DeCell's participation.

The Post is generally quite hostile to immigration reformers, but this piece is actually balanced.

Regards,

Peter

The Denver Post

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States forced to deal with migrant issue

Sides entrenched as debate reverberates across country

By Michael Riley
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ANNAPOLIS, Md. - Outside, men with calloused hands and mud-covered boots sheltered themselves from the icy Maryland wind with signs shouting "We are a nation of immigrants."

Inside the red-brick statehouse, a debate over a slew of bills that would affect many of those newcomers provided more heat than most of the button-down lawmakers bargained for.

Conservatives supporting a bill to require local police to enforce federal immigration laws rattled off crime statistics and warned of the growing threat of the Russian mafia and Middle East terrorists.

Advocates for immigrants [*illegal aliens*] countered with stories of the newcomers' hard work and success - and lobbied for in-state tuition for undocumented immigrants [*illegal aliens*].

Six hours and more than 50 witnesses later, state Assemblyman Ted Sophocleus, a Democrat from Linthicum, was clearly frustrated.

"We'd love to leave this up to the federal government, but this is starting to affect local jurisdictions," Sophocleus said of the 11 immigration-related bills Maryland lawmakers will consider this session.

"Are we going to resolve all the problems of illegal immigrants? Of course not. But we can't sit here and do nothing."

Maryland's heated debate over immigration two weeks ago in many ways typifies a battle that is moving from Washington to state legislatures nationwide.

On both sides of the debate, lobbyists have leveraged the same political forces with local lawmakers that are driving the issue nationally: the desire to court the Hispanic vote versus a growing fear that immigrants [*illegal aliens*] are taking American jobs or threaten security.

"It's a pretty polarizing debate," said Ann Morse, director of the Immigrant Policy Project at the National Conference of State Legislatures. "Partly what you're seeing is the recognition that there is this huge illegal population and it's starting to affect public safety. Partly it's a post-9/11 concern worrying about who's in the community.

"The result is a philosophical divide between those who want to be pragmatic and bring these people into the mainstream versus an ideological persistence that says these folks broke the law and ... the law should be enforced."

With President Bush's immigration reform plan still little more than good intentions, states across the country are entering the immigration debate with their own proposals:

On just a single issue - whether illegal immigrants should get driver's licenses - 40 states considered a total of 119 bills in 2003, and groups monitoring legislation say they expect a similar tide again this year.

While seven states have passed laws granting in-state tuition to undocumented residents, another 10 will take up the issue in 2004. Although most are considering bills that would grant in-state tuition to longtime residents regardless of immigration status, three - including Colorado - are considering bills that would explicitly deny it.

If proponents can gather enough signatures by the midsummer deadlines, voters in Colorado, California and Arizona will decide in November whether to cut off most state services to anyone who can't prove they're in the country legally.

While the majority of propositions still focus on the granting or curbing of some benefit, Josh Bernstein, a policy analyst for the National Immigration Law Center, said that states increasingly are venturing into areas of punishment and enforcement.

Maryland lawmakers introduced a bill this year that would make it a crime to knowingly loan a car to an undocumented immigrant. In Arizona, a House committee this month passed a bill to strip state business licenses from anyone who knowingly hires an illegal immigrant.

The cost to cash-strapped states of most of the proposals is estimated to be small, though some - such as requiring police to arrest undocumented immigrants - could swell jail populations and burden local authorities.

"The federal government has failed abysmally to take leadership on the immigration issue and has conducted a laissez-faire border policy, and the states are left cleaning up the messes," said David Ray, assistant director of the Federation for American Immigration Reform (FAIR) in Washington.

"They can't stop illegal immigration. All they can do is pay for the bills incurred by illegal immigration once they get here."

In states as diverse as New Jersey, Virginia, Kansas and Colorado, lawmakers say they have taken up the issue out of necessity. Large numbers of undocumented immigrants without driver's licenses make the roads less safe and push up insurance rates, they say. And local police across the country are struggling to cope with growing immigrant populations that are hard to identify and often afraid of the law.

But local legislatures also have been caught up in the fierce ideological debate that has swirled around immigration - and especially the country's 8 million to 12 million undocumented immigrants - since Sept. 11.

"We simply don't want to be giving what has become a de facto national ID to those who are in the country illegally," said Tennessee state Rep. Donna Roland, a Republican who is sponsoring one of seven bills this session to make it harder for undocumented immigrants to get a driver's license in that state.

Legislators like Roland are inheriting a complicated set of federal mandates and a patchy record of national enforcement. But they also are inheriting the bitterness of a debate that has divided federal policymakers for decades.

President Bush was booed at the California Republican state convention Feb. 21 by party faithful opposed to his immigration reform plan.

Republicans at this year's state convention in Arizona rebelled against the state party leadership in January by endorsing Protect Arizona Now, the proposed ballot initiative that would require proof of legal status for everything from a business license to medical care in the state.

"There is no question that immigration is now at the level of abortion or civil marriages in terms of how hardened and ugly the debate is," said Kim Propeack, an [\[illegal alien\]immigrant](#) advocate with the group Casa de Maryland, based in Silver Spring.

The tone and tactics of that debate are being driven by powerful national groups, which see in statehouses across the country a checkerboard of promising new battlegrounds.

Bruce DeCell left his New York home at 5:30 on a February morning recently so that he could make it to Annapolis in time to testify on a bill that would crack down on the issuance of Maryland driver's licenses.

A retired New York cop and father-in-law to a Wall Street trader killed on Sept. 11, DeCell makes a powerful witness as he travels across the country testifying on similar legislation.

"We received my son-in-law in five different increments. We buried him five different times," said DeCell, adding that terrorists today could use legally obtained licenses to board planes. "No one in the country can understand how hard it was for us."

Clutching a poster with the faces of attack victims, DeCell gave a passionate plea to Maryland lawmakers to pass the new restrictions. But he conceded that his travel expenses were paid for by FAIR, a large national lobbying group whose involvement in the immigration debate goes back to the 1970s.

Effectively coordinating state lobbying with media campaigns on local drive-time radio, FAIR helped derail an in-state tuition bill in Maryland last year and helped pass new restrictions on driver's licenses this year in North Carolina.

The group has sent lawyers and lobbyists to Virginia, Maryland, North Carolina, New Jersey, California and Tennessee this year.

"The anti-immigrant movement is dramatically media driven. Whether it's FAIR, the Center for Immigration Studies or Numbers USA, those groups have real media operations, and they deploy them more effectively than the other side," said Rick Swartz, a Washington political strategist allied with the pro-immigrant movement.

Nor are restrictionist groups the only players in the state-level battles.

As early as 2000, immigrant advocates began swapping information, strategies and bill language for proposals granting in-state tuition and driver's licenses in states across the country. Two years later, Mexican consulates began a successful push to get local governments and business to accept consular cards.

The result: a smorgasbord of liberal and conservative approaches that produce a patchwork of conflicting immigration laws.

Last year, Colorado became the first state in the country to ban the acceptance of the Mexican consular ID, while Indiana became the first to accept it statewide.

Some local authorities in Florida and Alabama are empowered to enforce federal immigration law, while police in most other states are prohibited from doing so.

Like the predicted interstate effect of Massachusetts' legalization of gay marriages, those conflicts can reverberate across state lines. The flood of bills to change Tennessee's liberal driver's license law is in part a reaction to a case last year in which two undocumented immigrants apprehended in Green County told authorities they came to the state to get a license they could use in Florida.

In Maryland, a vote on the proposal to clamp down on driver's licenses was postponed, while many lawmakers said they wanted to wait for the recommendation of a task force formed last year to study the issue.

If it fails to pass, the bill's sponsors said they will be back again next year.

"From our point of view, this is the first inning of a nine-inning ball game, and I think across the country it's the same situation," said Maryland Assemblyman Pat McDonough, a Baltimore Republican and conservative radio talk show host.

"We have lawmakers in all the states who are just starting to pick up on this issue, and it's not going to go away because the problem is getting worse," McDonough said.