

ACE Fellowship Professional Report
Immigration: In or Out
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Introduction

When the subject of immigration is brought up, common terminology paired with this topic typically centers on such concepts as “illegal”, “undocumented”, and “alien”. This negative perspective toward an immigrant population, a population that encompasses peoples, cultures, and languages from all over the world tends to fall hardest and quickest upon the Hispanic populace. Due to the large presence of Hispanics and Latinos in the United States, it is reasonable that some Americans might see this as an intrusion on their “home” soil. People tend to fear what they cannot see or what they do not understand. Only by realizing that the United States was once home to a native population which is no longer representative of that fact, and that the United States comprises a diverse and distinct people having merged from different backgrounds and ethnicities under common goals, can this fear and panic be subdued and eliminated.

In addition, a rational and commonsense approach to immigration reveals that the majority of immigrants come to the United States for economic and educational reasons. That is the basis of the famed and much promulgated “American Dream.” The overarching perspective taken by opponents of immigration to the presence of undocumented immigrants is that they are simply here to steal American jobs and benefits, take advantage of American schools and welfare, and simply transport with them a propensity to commit crime. This is neither entirely false nor true. In aspiring for a better life and future for their children and families, immigrant families do seek to benefit from the relatively higher level of education that is obtainable in the United States, one which is relatively free up to a university level. As for the parents and elders of the family, education is not a personal concern; the focus is rather on obtaining a job, in whatever menial industry will allow the family to survive and in the near future, thrive and

prosper. In migrating to America, immigrants, whether legal or undocumented, do tend to obtain benefits that the state and local government dispense. These tend to be benefits that give a hand to the poor and low-income classes, as immigrants, most of all undocumented ones, tend to fall under this socio-economic category. As for the case that immigrants are here to cause havoc and disrupt peaceful Americans, this is typically not the case, as recently migrated peoples seek to become accustomed to their new homes through assimilation. In causing uproar and committing crimes, they would simply be placing themselves in a public position that would attract attention and negative feelings; something most immigrants seek to avoid. Economic stability is a priority that necessitates diligence and a lot of hard work, which mutually pairs the interests of immigrants with those of employers and businesses.

The U.S. economy and its respective condition is the reason behind much of the U.S. fluctuation in the flow of immigrants. During harsh economic times when the U.S economy is in a recession or has recently come out of one, the flow of border crossings decreases significantly (*Tide Turns on Border Crossing*). The opposite holds true during times of economic prosperity. As a 1st generation Hispanic myself, I can attribute my family's migration to the United States due to the positive outlook of the American economy at the time. My parents came to San Antonio looking for a better opportunity for work and the hope of providing their children with a superior education. Though my parents started a small business that has now successfully operated for the past 20 years, most immigrants settle for low-paying, low-skill jobs that are made available to them. Employers in the construction, manufacturing, meat, fruit, and vegetable industries demand a large quantity of cheap labor. This supply of abundant and cost-effective labor gives these industries the ability to offer lower prices and benefit consumers in a competitive environment. The common argument that immigrant workers steal jobs from

American citizens and inhibit the ability of citizens to find work implies that Americans are willing and ready to take menial, back-breaking jobs that tend to be insecure and have a high-turnover rate. Though most Americans do not consider themselves predisposed to such types of work, a small portion of lower-socioeconomic income workers do find themselves in competition for the same low-paying jobs as immigrants (Addy, 4). These Americans face a crowded labor market and consequently a declining wage bracket.

The majority of this research centers on cultural, economic, and crime related analyses in regards to immigration, as those are the frequent issues utilized to argue that undocumented immigrants are a drain on the U.S. economy, stealing jobs and benefits from fellow American citizens while failing to learn and utilize the English language and increasing the crime rate of the regions in which they settle. These arguments are then put into a political context, where the respective parties and players dispute the numbers, statistics, and reasoning behind the various stances on immigration. This comprehensive analysis is exactly that; an inclusive investigation targeting the main factors making up the immigration debate while seeking consensus on the vast quantities of studies and investigations committed to this confrontational and often emotionally charged national discussion. The following work looks to dispel any questions lingering as to what is fact and what is farce, which arguments are conjured and which hold empirical evidence, starting with the cultural aspects.

Cultural Aspects

Since the year 2000, the number of anti-immigrant racist hate groups, covering the spectrum from the KKK to the neo-Nazis and skinheads, has risen by 40% according to the Southern Poverty Law Center. Mark Potok of the SPLC says, “The immigration furor has been critical to the growth we’ve seen,” and the growth of the hate groups is being fueled by a wildfire

of aggressive anti-immigration rhetoric by relentlessly nativist crusaders like CNN's Lou Dobbs, Fox News' Sean Hannity, and those on AM talk radio, promulgating false statistics, popularizing conspiracy theories, and conjuring up fake public health dangers (Rivera, 20-21). These "concerns" have little to do but with the racial integrity of America as it has been in the past. The *American Political Science Association* reports "a clear majority of Hispanics reject a purely ethnic identification and patriotism grows from one generation to the next" (*Immigration and American National Identity*). With only temporary and reasonable lapses, principally among newly arrived immigrants and physically isolated communities of Native Americans, English remains the overwhelming dominant language of government, business, and education (Rivera, 80). According to a recent study published in *The Population and Development Review* (PDR), the use of non-English languages virtually disappears among nearly all U.S. born children of immigrants in this country.

Spanish shows more staying power among the U.S.-born children and grandchildren of Mexican immigrants, which is not surprising given that the size of the Spanish-speaking population provides near ubiquitous access to the language. But the survival of Spanish among U.S.-born descendants of Mexican immigrants does not come at the expense of their ability to speak English and, more stingingly, English overwhelms Spanish-language use among the grandchildren of these immigrants (Massey, PDR 2011).

Cultural propagandists wonder whether America's essential character as an English-speaking, democracy loving, law-abiding, hardworking, Anglo-Protestant-dominated society will be lost in the flood of welfare-grubbing, Social Security-sucking Hispanics of a Catholic background (Rivera, 50). Mark Krikorian sees it as disturbing evidence of the persistence of

foreign attachments that one out of every six grandchildren of immigrants will retain Spanish and speak it fluently (21). Yet rational and historical support signals that our extraordinary national culture will do as it has always done: change immigrants more than immigrants change America. In 1950, there were fewer than 4 million Hispanics living in the United States; by 2007, according to the U.S. Census Bureau estimates, there were over 45 million, at least 12 million of who were here illegally, disproportionately of Mexican origin. The sheer magnitude of that population should rationally dictate future policy decisions, influencing political outcomes and elections. This is a huge concern and the primary motivation behind the anti-immigration rhetoric, emotions, and legislation spurned forth largely by the Republican Party. A rational fear of forgoing an electoral advantage in large part to immigrant-spurred population growth is innate in this bashing behavior by the uninformed far right. The way the political makeup stands now, Republicans have a geographic advantage when it comes to presidential elections and securing the electoral vote, as they are more evenly distributed around the country in rural locations and have higher tendencies to turn out to vote in higher numbers. Democrats might win certain states by a far superior margin as they are generally more concentrated in cities, but Republicans will win more states by closer margins. In order for Democrats to emerge victorious, they have to conduct extremely effective and energetic “get-out-the-vote” efforts. As of now, Hispanic immigrants are primarily concentrated in cities as well, but as future population targets predict, their numbers will grow and they will begin to migrate within the U.S. to less populated areas. In my view, this poses the most significant and realistic fear for the Republican party’s hopes to compete in near future elections: a mobilized and dispersed Democratic-leaning immigrant force. Thus, the staunch anti-immigration stance promulgated by the unflinching right appears all at once rational in politically geographical senses.

Political Factors

In the political arena, the question of whether current immigrants have what it takes to assimilate and be as successful as those who came before is a frequent one. Stories that establish European immigration of the nineteenth and twentieth centuries often replace methodical studies; emotion is the currency of Congress as it engages in policy debates and designs that rely on national mythology about what types of immigrants made America, and which ones lack the values, traits, and contributions that would earn them inclusion in that story (Newton, 4). There exists a constant need for distinction through rhetorical devices between *right* and *wrong* immigrants, between *Us* and *Them*, as though past immigrants were not once *They* but rather always *We*. As framed by House Speaker Newt Gingrich, illegal immigrants are attracted to the United States by the prospect of living off public programs, implying that restricting access to those programs is the solution to illegal immigration (Newton, 43).

The various problem definitions are the result of an ideological shift that produces different policies to deal with the same problem. If access to public programs such as education and healthcare was cut-off, I do not believe this would generate a solution but rather produce uneducated children of native-born immigrants with a higher tendency for crime involvement and lack of health. The language of deserving and undeserving captures a host of other social divisions that don't simply mark people in terms of their roles as policy target populations, but judges them, prematurely and stereotypically, based on their potential to be considered present or future members of the state (Newton, 137-138). This is racism in blunt terms, though also stylized as "racialized discourse," referring to an attachment of specific characteristics as well as value judgments to a group based on its physical attributes or national origin (Newton, 139). This

zero-sum narrative contains many references to immigrants as burdensome and intolerant to society. Yet the issue here is not whether immigrants construe the economy and burden society with their needs, as empirical evidence suggests that in the short run, the undocumented can add substantial costs to the municipalities and states that host them, where on the flipside, businesses receive a boon, and in the long run, localities with immigrants enjoy economic growth and diversification (Newton, 143).

The issue is an incomplete presentation of the conditions that policy is supposed to address, sidestepping talk on “troubling” conditions for talk on “troubling” people portrayed as society’s detractors. The fact that legal immigrants with Social Security identification numbers that pay income taxes and own property and thus pay property taxes, is disregarded. The fact that unauthorized immigrants residing in the U.S. purchase goods and services from stores that do not ask for one’s legal status before exchanging money, and thus pay sales taxes is ignored. Yet official discourse pays regular homage to immigration as our national story - our civic myth – but immigration policy language reveals an ambivalence that sits quite comfortably alongside our nation-of-immigrants mystique, which is ready and available for deployment during immigration reform discussions (Newton, 163-164). Thus, when things are good, let’s leave them alone politically and profit from their hard work and cultural attributes, but when the going gets tough and our economy is in shambles due to no fault of the immigrants, heap on the blame and whip out the scathing rhetoric; this is quite similar to the China-bashing politicians routinely engage in, which the media gladly showcases, prior to elections.

The major reason for the Republican Party taking such a harsh view and stance on immigration issues lies with its base, who resoundly see immigrants as a drain on our economy and as disproportionate committers of crime. If the Grand Ole Party’s key backers and supporters

had a more malleable opinion on immigration, I believe one would see the GOP seek to attract this critical and decisive segment of the population in the hopes of obtaining their votes come election day. Given the crucial role Florida's electoral votes played in handing Bush a marginally miniscule victory over Gore in 2000, the Cuban Americans almost singlehandedly gave Bush the state, and by consequence, the presidency. It is reasonable to assume then that the way in which Cuban Americans are relatively graciously treated when entering the country without proper documentation, as opposed to their immigrant cousins, is one factor in their subsequent choice of political affiliation (Rivera, 241). As ideologically driven political views can be instantly fomented and emotionally charged and thus fickle in nature, economically driven analyses on the other hand inherently dictate hard data and emotionally detached statistical facts.

Economic Analyses

A majority of people considers the United States a land of freedom and opportunity and rightly believes that people from around the world are eager to come here. For those driven to migrate here, a combination of three main factors influence where they choose to go: economic opportunities in the destination country; the presence of family or friends who can facilitate getting a job or place to live; and the distance, difficulty, and expense of the trip (Guskin and Wilson, 22). Thus, migrants look at the differences, economically speaking, in wages and job opportunities from their country to the potential destination. They also look for help from family and friends previously migrated for suggestions and assistance in resettling, and then analyze the logistics of the trip such as risks and costs, in that order. The biggest impact on immigration from Mexico has been the rising gap between Mexican and U.S. wages. In the 1970s, Mexican workers averaged one-fourth of their U.S. counterparts earnings, and wages dropped drastically in the 80s and by the late 90s were at one-eighth for the same job in the U.S.; Mexican laborers

are now paid one-fifteenth of what they would get north of the border (Guskin and Wilson, 25). The current exchange rate per U.S. dollar is 13.1245 pesos and using the Economist's Big Mac Index, the purchasing power parity between these two neighboring countries stands at 7.87. In essence, one U.S. Big Mac would be worth almost 8 Big Macs in Mexico. This then points to the economic argument that immigrant flows fluctuate depending on the status of the U.S. economy, and not necessarily on the amount of law-enforcement personnel on the border. By this measure, the various enforcement operations of the 1990s did almost nothing to slow unauthorized entry: the total arrests on the southwestern border were 1.3 million in 1995 and 1.2 million in 2005 (Rodriguez).

Apart from failing to stop the influx of undocumented immigrants, side effects of border patrol operations and increases in manpower ended up "squeezing the balloon" – forcing immigrants to change their routes and methods (Guskin and Wilson, 98). One result was that migrants started hiring professional smugglers known as "coyotes" at higher rates. From 1994 to 2005 the average price for being smuggled through the San Diego area jumped from \$300 to \$2,500; the cost of being smuggled through the Arizona desert rose to \$1,800 (Rodriguez). In seeking to cross remote sectors of the border, migrants faced increasing chances of death along with a lower chance of being apprehended; the stepped-up enforcement actually decreased the odds of detainment (Massey, PDR 2011). Whereas migrants would actually come temporarily for work and then return home with their earnings, increased border enforcement had the paradoxical effect of keeping more out-of-status immigrants from leaving the U.S. Due to the greater danger and expense of entering, the undocumented are now less likely than in the past to work here for a few months and then return home – settling here longer or permanently (Guskin and Wilson, 99). In the 1980s, about half of all undocumented Mexicans returned home within

twelve months of entry, but by 2000 the rate of return emigration stood at just 25%, according to Princeton sociologist Douglas Massey.

Immigrants, and indeed all people, affect the budget through four broad categories of government expenditures: public goods and services, servicing of public debt, congestible goods, and transfer programs (Smith and Edmonston, 187). On the controversial matter of taxes and welfare, it is safe to assume that when first arriving to the U.S., some immigrants may get more out of the system than they put in. Since immigrants tend to be younger than the population as a whole and like younger working people, make less money and pay fewer taxes at the same time that they are raising children - most of them U.S.-born citizens – these benefits accrue a cost, as undocumented children attend school and benefit from a public education and the accompanying health services (Guskin and Wilson, 63). The *National Academy of Sciences* calculated in 1997 that households headed by immigrants were costing native-born citizen households some \$166 to \$226 a year, mostly in public education and health expenses for children (63). In comparison, native-born young people with families are also a “burden” on the system in the exact same way. Both immigrants and the native-born usually end up paying more into the system than they take out once they’re older and their children have finished school and left home. These benefits to the system from immigrants come in multiple ways.

In the context of taxes and welfare, out-of-status workers and their employers pay an estimated \$6 billion to \$7 billion in Social Security taxes each year and about \$1.5 billion in Medicaid taxes. This amount accounts for about 10% of Social Security’s annual surplus. Very few of these workers are able to get back what they paid in and most never expect to apply, but if they did, the Social Security Protection Act of 2004 would bar them from doing so (Guskin and

Wilson, 65). This law in effect confiscates these workers' benefits because they worked here without authorization, and thus passes them on to American citizens.

In the framework of jobs and economic growth, immigrants take jobs, but they also buy goods and services, creating more jobs. In fact, immigrants probably generate more jobs than many older residents: immigrants are younger and more likely to have children at home, spending a larger proportion of their income on goods like clothes and food, which involve labor-intensive production (Guskin and Wilson, 68). Older, more settled people are more likely to put their money into luxuries and speculative investments, which generate relatively few jobs.

Immigrants also form the backbone behind agricultural labor that entails physical toil under adverse environmental conditions of heat, cold, rain, and sun. "It is work that many Americans would be physically incapable of doing on a sustainable basis, and that most of the rest would prefer not to do if there were better alternatives available," as James S. Holt, an economist for a labor law firm testified to Congress in 1995 (McCuen, 137-138). On the other side, the drawback to the increase in low-wage immigrant workers, according to the National Academy of Sciences, is a cut in pay by 1-2% for "all competing native-born workers" – that is, people looking for jobs that immigrants take, ones that generally don't require a strong command of English or a high level of formal education (Guskin and Wilson, 69). The National Research Council concluded, in a wide-ranging study of immigration, that immigration "harms workers who are substitutes for immigrants while benefitting workers who are complements to immigrants" (Krikorian, 138). This effect was obviously strongest on the 10% of U.S. workers who have dropped out of high school; competition from immigrant workers may have lowered their wages by about 5% between 1980 and 1994 (Edmonston and Smith, 219-228). Though these statistics might seem relatively insignificant in terms of the U.S. workforce, they

nonetheless pose a serious problem for working people who are trying to survive on a low income. For example, 5% of the \$24, 800 a male high school dropout made on average in 2006 comes to \$1,240; a real hardship for a family struggling to make ends meet (Lowenstein).

On a broader economic scale, it would appear that one could track the spread of prosperity in America by charting the pattern of settlement of Hispanic migrants. A Pew Hispanic Report on the surge of Hispanics into cities in the burgeoning West and South points to the minimal Hispanic population growth in many cities that are currently economically depressed. Cities such as “Cleveland, Philadelphia, and St. Louis look to the west with envy” concludes the report (*U.S. Unauthorized Immigration Flows*). The Carsey Institute at the University of New Hampshire has noted previously how rural communities experienced dramatic population loss as millions of mostly white residents, particularly those in their twenties, left to find opportunities in the booming cities. The report notes that otherwise depopulated or even defunct towns have been recharged by Hispanic population growth, that which “grew at the fastest rate of any racial or ethnic group during the 1990s and the post-2000 period.” In June 2007, the White House issued a report prepared by the President’s Council of Economic Advisors (CEA) concluding that foreign-born workers have accounted for half of the labor force growth in the past decade, fueling overall economic output, creating jobs, and increasing earnings for native-born workers by as much as \$80 billion a year; lower-paid foreign workers have also contributed decidedly to suppressing inflation the report asserted (*Immigration’s Economic Impact*).

Non-partisan, non-ideological, scientific data attests that immigrants contribute significantly to the American economy. Five points summarize this impact: the high labor force participation rate of immigrants, high immigrant saving rates with subsequent investment in

residential structures and the capital necessary to operate private businesses, the role of immigration in stimulating inventive activity, the benefits of economy of scale thanks to immigrant labor, and immigrants' importation of significant stocks of human capital into the U.S. (Smith and Edmonston, 291). Immigrants also contribute to the crime rate, yet not in a disproportionate manner as argued by political pundits.

Crime and Illegality

“Few stereotypes of immigrants are as enduring, or have been proven so categorically false over literally decades of research, as the notion that immigrants are disproportionately likely to engage in criminal activity,” states a 1997 paper jointly sponsored by the Carnegie Endowment for International Peace and the Urban Institute (Guskin and Wilson, 83). A 1998 study analyzed FBI Uniform Crime Reports and Census Bureau data from several dozen U.S. metropolitan areas and confirmed that recent immigrants had no significant effect either on crime rates or the change in rates over time (Butcher and Piehl). The authors of this study also analyzed data from the National Longitudinal Survey of Youth and found that young people born abroad were significantly less likely than native-born youths to be criminally active (Butcher and Piehl, 457-63). The National Commission on Law Observance and Enforcement advances the view that acculturation rather than immigration is associated with crime. One of its authors, Edwin Sutherland, reports evidence that second-generation immigrants had higher rates of crime than first-generation immigrants, and that immigrants to America had higher rates of serious crime than their counterparts in their native countries. The strength of extended and nuclear families and religion in Mexican families is an argument attributed to the findings of these reports (Smith and Edmonston, 382). One reason for the myth of immigrant crime persisting is the impact which media coverage has on public perceptions of crime and criminals. A study published in

2002 in the *Journal of Research in Crime and Delinquency* reviewed television newscasts over a three-week period in Orlando, Florida and found that 28% of all “Hispanics” appearing in the news did so through the role of criminal suspect - more than twice the rate for African Americans and 5.6 times the rate for whites (Chiricos and Eschholz). In light of these studies and the evidence they provide, it is important to recognize that immigrants do still increase the rate of crime; the sheer fact that more people are entering the country than are currently present argues this point. People commit crimes and with the influx of people that is immigration, the amount of crime that is committed in the U.S. is, statistically speaking, likely to increase. This does not mean that immigrants commit disproportionately more crimes, because the evidence proves otherwise, but that they engage in activities that are at times criminal, such as drug-related crimes. Estimates hold that 4 to 7 percent of the 1.5 million inmates in American jails and prisons are noncitizens (Smith and Edmonston, 367). These approximations do not take into account those placed in jail or confinement simply for being here illegally, in the run up to deportation.

As of February 2007, entering the U.S. without permission from the federal government is a criminal offense - a minor misdemeanor, with a maximum sentence of six months and/or fine of \$50 to \$250 (Rivera, 98). Living or working here without permission from the federal government is just a civil infraction, comparable under the law to a ticket for jaywalking (Guskin and Wilson, 40). The option of obtaining a U.S. visa and entering the country legally as many Hispanics do is not feasible for many, as U.S. visas are very difficult to get and a quarter of the people who apply are rejected, after having waited in long lines and paid hefty application fees. Mexicans applying for U.S. visas in 2006 had to pay a \$100 fee, plus an additional \$85 if embassy officials require a complete fingerprint check; \$185 in Mexico is more than a month's

salary at minimum wage (Guskin and Wilson, 43). In order to get a visitor visa, one has to show that they don't plan to stay in the U.S. To demonstrate this, one is expected to prove work stability, close family ties in country, several thousand dollars in the bank, and a home or other property (43).

These previously discussed topics of cultural, economic, political, and criminal aspects encompass the viewpoints and arguments, that when not given scrutinized attention and consideration, lead to the growth of racist and stereotypical sentiments. These then facilitate and practically give politicians the ammunition needed to pass legislation that harshly alienates immigrant populations, both documented and not, and supposedly reclaims jobs and spurs economic growth.

Case Study: Alabama

As of this past year, there has been an increase in alienation and mistrust toward immigrant populations, with the culmination of several *tough* laws being passed and enforced by mostly Republican-leaning southern states. These laws have sought to target the presence of undocumented migrants, though not nearly as numerous as the overall population of immigrants residing in California, Texas, and Florida, and to curb their presence and ability to function and maintain a livelihood in their respective states. They have changed things for farmers, businesses, and schools, for law enforcement and of course immigrants, both legal and undocumented. One law in particular, HB 56, has gone further in seeking to drive out and expel the presence of undocumented immigrants in the state of Alabama. Whereas prior immigration news was dominated by the passage of Arizona's SB 1070, House Bill 56, passed in June 9, 2011 and implemented on the fourth of September, extends the arm of law enforcement into the previously neutral domain of public schools. Principals and faculty administrators have been

obliged to present documents authenticating the status of those enrolled. This practically had school faculty partake in tasks that before now, pertained to border patrol agents. What once embodied a shelter for knowledge and education, a center for community meetings and learning, has instead now been at the forefront of the ever-passionate immigration debate.

This research seeks to analyze the status and perspectives on immigration and undocumented migrants in the state of Alabama. Whereas Texas has built and benefitted from a progressive relationship with Mexico and the large immigrant population residing in the state, Alabama has the “toughest” anti-immigration bill in the land. This study looks at the overall impact of the law, gauging the effect such legislation has had on the state of Alabama in pushing forth a recommendation to states considering similar action.

The effects of such tough laws are having drawbacks for legal residents as well, regardless of the intended effects of the law. As is currently being seen in Alabama, both legal and undocumented residents are fleeing the state; an exodus of one fourth of the Hispanic population has already relocated to a bordering state, with Texas a choice destination (Addy, 6-8). This has left approximately 182,000 Latinos, approximately 4% of the Alabama population, who still remain in Alabama in a state of fear and insecurity, a sense of fear and insecurity that stems essentially from the state congressmen and senators that saw this law passed (Gates, 2012). Reading the transcript from the committee sessions shows damning proof that Alabama’s anti-immigration law was born of xenophobic and vile stereotypes, straight from the mouths of these lawmakers. This was sufficient evidence for U.S. District Judge Myron Thompson to rule a temporary stay on several draconian elements of HB 56 on December 12, 2011. Thompson described the legislative debate as “laced with derogatory comments about Hispanics,” even going as far to say that it’s likely the entire law was “discriminatorily based.” Over the course of

the 108-page ruling, Thompson cited examples of lawmakers delving into ethnic stereotypes and using “Hispanic” and “illegal immigrant” interchangeably. “This use is dramatically reflected in how HB 56’s drafter, Representative Micky Hammon, conflated race and immigration status,” Thompson wrote (*Court Cites Discriminatory Intent*). The most revealing example is Hammon’s claim that Alabama was home to the second fastest growing population of undocumented immigrants in the nation. Hammon repeatedly cited the claim as he pushed the bill through the legislature, making it sound as if though the state were facing a major crisis. The problem here however was with Hammon’s source; the legislator produced an article that showed the growth of the state’s Hispanic population from 2000 to 2010 when induced by a reporter to do so. The article “says nothing about unauthorized immigration whatsoever,” judge Thompson wrote in his ruling (*Court Cites Discriminatory Intent*). Legislative debate also included a reference to seeing 30 undocumented immigrants get out of a car or visiting a poultry plant and seeing “4-foot Mexicans in there catching them chickens” – an example cited by the judge; it’s understandable that with these sort of allusions, Latinos worry about racial profiling.

As the legal showdown has drawn out in the courts, various concerned parties have professed their commitments to their positions, while solidifying their stances for the long battle ahead. Republican Gerald Dial, acting majority whip in the Alabama state senate, proposed changes to the state’s immigration law, upon notice by the attorney general of the indefensibility of several aspects of the law (*How New Immigration Laws Are Changing States*, 4). In his view, the law he helped pass has “damaged our image” and “affected us not only on tourism but on industrial recruiting” as well; people “are probably going to go somewhere else” (5). In the neighboring state of Georgia, which also implemented a similar law, Dick Minor, partner at Minor Produce and president of the Georgia Fruit and Vegetable Growers Association, tabulates

a 40% shortage of workers needed to harvest this year's crop; he estimates a \$390 million economic loss from crop revenues (2). This shortage cannot be replaced by just any workers, but only by the skilled labor that it takes to harvest and pick the crops, those who know how to work the long and arduous process. It is a "fallacy that we use cheap labor" Minor states, "we pay these people pretty well...\$15 to \$20 an hour" (2). The labor used for crop harvesting is considered skilled and professional; they are skilled to particular crops and work long hours in tough conditions. Consistent and substantial efforts have been made to attract and hire local or domestic workers, yet this form of labor has not had a track record of being able to do the work in a timely manner - nor has it shown the interest. Those not accustomed to the grueling and backbreaking work that is harvesting "do not stay more than a day or two, and they are off to find another job," Minor asserts (2). Workers face 100-degree days for 10 hours straight and realistically speaking, supplementary laborers are not skilled in the technique nor are they physically able to do that work (3). Sadly enough, the comments and objections brought to the attention of the legislature by such informed and relevant individuals as Dick Minor fall on deaf ears; he is of the opinion that legislatures "had a political agenda, they were going to accomplish it, and they didn't really think about the impacts of - on the economy of our state or especially on agricultural industry" (3).

The negative sentiments in Alabama culminated dramatically in the passage of HB 56, which has sought to diminish immigrant populations by identifying people based on their immigration status through the use of school documentation and spur-of-the moment stereotyping (*Court Cites Discriminatory Intent*). So far this has had a detrimental effect on the state. Farmers and various employers have complained that their work forces have decreased exponentially. The result is that crops are rotting in the fields, buildings are not being rebuilt

after the devastating tornadoes earlier this year, and many small businesses are suffering huge losses in customers and workers (Gates, 2012). People are afraid to leave their houses let alone make contact with police or social services. Domestic violence help-centers such as those set up by the Southern Poverty Law Center say many immigrants have stopped reporting their abusers to police for fear of being detained; the SPLC received 1,000 calls on the first weekend the law was put into effect and has received 5,100 calls up to late January 2012. Principals have gone live on TV to plead with families and parents to maintain their children's enrollment status and keep sending them to school. These numbers and statistics do not solely pertain to the undocumented immigrant residents in Alabama, but rather to the whole population of immigrants, legal and undocumented. The governor of Alabama has had to specify that these repercussions were not the intentions and targets of HB 56, yet that is the outcome; many legal, law-abiding immigrants have left as well. In seeing their families and friends' livelihoods restricted and their presence marginalized, legal residents chose to migrate with them, once again.

Conclusion

The focal point of this work is to present a justifiable argument about whether it is in a state's best interest to pass certain legislation curtailing the presence of undocumented immigrants. With this information, states considering whether or not to pass laws similar to HB 56 or SB 1070 will have viable and well-founded data on the past outcomes that are the consequences of such legislation. In Prince William County, Virginia for example, the passage of a law that required police to question people who appeared to be undocumented immigrants sparked racial tensions and threats of violence, as documented in *9500 Liberty*. Other states such as Georgia, South Carolina, Indiana, Utah, and Arizona have passed or are in the process of

passing similar draconian legislation that would only see immigrant communities marginalized, further damaging these state's economic and cultural woes in the midst of an unsteady and diluted recovery. Thus, it is without question and unwavering verification that this paper recommends the speedy and effective nullification of this law, HB 56.

It is not only an injustice to the hard-working immigrants that make-up a significant quantity of the labor force, but also to the people of Alabama in general who now see their state on news reels and headlines once again, not in a congratulatory gesture or positive way. A state that once made headlines for attracting international automakers, such as Mercedes-Benz, Hyundai, Toyota, and Honda, now does so with police detaining their foreign employees – employees with every right to work and participate freely in American life. Neighboring states that once questioned how they could compete with Alabama for international companies see their competitiveness rising. Families have lived in fear of being broken up, losing their homes, jobs, and friends. Latino children have been pulled from school; others have been harassed by classmates. There's the constant fear that a routine traffic stop can turn into a harrowing ordeal – even if you have your “papers” in order. It is through the unflinching efforts of such organizations as the SPLC, the ACLU, and the afflicted and outraged that Alabama can hope to defeat these drastic, racist, and unsubstantiated measures in the anticipation of rekindling the spark that is immigration, for the cultural and economic benefits that such a diverse community brings to a struggling and ever-expanding America.

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