

Center for American Progress



SPECIAL PRESENTATION

“LOCAL IMMIGRATION ORDINANCES: THE RESULT OF FEDERAL INACTION ON COMPREHENSIVE REFORM”

MODERATED BY:

DAN RESTREPO, DIRECTOR OF THE AMERICAS PROJECT

FEATURED PANELISTS:

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MONTGOMERY COUNTY, MD**

KICA MATOS, DEPUTY MAYOR, NEW HAVEN, CT

**WALTER TEJADA, VICE CHAIR, ARLINGTON COUNTY
BOARD, ARLINGTON, VA**

**WITOLD (VIC) WALCZAK, LEGAL DIRECTOR,
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MR. DAN RESTREPO: (In progress) greatest sense of that tradition, but I'm not going to read you the resumes because otherwise we'd listen to the resumes and then we could all go home because we'd run out of time. I'll introduce them en masse and then get out of their way.

Sitting immediately to my right, your left, is Arlington County Board Vice Chairman Walter Tejada. To his right, ACLU attorney and the Hazelton litigation Vic Walczak. To his right, Montgomery County County Executive Ike Legget; and to his right, deputy mayor of New Haven, Connecticut, Kica Matos. I'm going to open by asking the opening question to Mr. Tejada, who is from a county that has a large Latino population, Arlington County in the commonwealth of Virginia.

In full disclosure I was raised just outside of Arlington County in the commonwealth, so as the saying goes, a Virginian by the grace of God, and it's unfortunately become a less hospitable place for folks who are Latino like myself and for immigrants from across the world, because it's not an issue that is limited to our neighbors from the Americas but rather to people who are born and raised in this country and who are born elsewhere and have come here seeking what immigrants have come here seeking for centuries.

So Mr. Tejada, I'm going to turn it over to you to talk a little bit about what's going on in Northern Virginia at the moment. Obviously, the Prince William in Loudon County ordinances have gotten the headlines, and your reflections on those and the general atmosphere at the local level in light of the broken immigration system that we have in this country today.

Chairman?

MR. WALTER TEJADA: Thank you. Thanks for the invitation. It's great to be here and have a distinguished audience joining us as well. I know we have folks from many walks of life, and thank you for your interest in this very important and difficult subject.

In Northern Virginia and in Virginia, the saying goes that Virginia is for lovers, and one wonders whether it's for friendly or angry lovers these days – (laughter) – and we do have a reputation of a well-managed state. We were ranked number one in the United States as the best managed, and in great part it's because the economy is thriving in our commonwealth. And during the 1990s, for example, 40 percent of the job growth was because of immigrants taking on jobs that were available.

So as a backdrop to that, it is odd that places like Prince William and Loudon County have passed resolutions – not legislation, resolutions – which are proposals to direct their staff to see if they can enact something in the future regarding immigration, so it's important to clarify that nothing has been approved as far as what the staff was able

to do and not to do, and so these are proposals to be for consideration. And then in the case of Prince William, you have 90 days for the staff to come back with recommendations of how they can implement restricting services for undocumented, denying whenever – under the law what they might be able to deny. And Loudon has basically followed the same path with slight modifications, watered it down a little bit, but it's the same thing. They have asked for staff to look into could they implement restricting immigrants for services that allegedly they are using.

Now, this is – as a local elected official and as a direct result of the failure of our U.S. senators specifically, all 53 of them, failure to act and to bring to the floor a comprehensive immigration reform bill, while not perfect, and we all could argue something that we didn't like, but there were some things that at least moved things forward. And the responsibility is on the federal government to act on immigration. That's what the courts have indicated. That's what the Constitution says and so on, until there's another change in the law where the local or state governments can enact immigration laws. As far as we're concerned at the local level, we have got to provide security, welfare for our local residents – all of our residents – and in Arlington, a community that is friendly, inclusive, and welcomes all immigrants, we have a tradition for years to be a welcoming community. In the '70s with the Asian community, in the '80s and '90s we have a large Latino community, and we'll continue to be that way.

Now, the background of this is the failure of the federal government to act has – the federal government to act, failure to act – has unofficially given a green light for those who are hateful and who are angry. And based on the polls we've seen nationally, it seems like a minority of angry people who are savvy to maneuver the political process and the local elected officials and then give them bad information on how to exclude people from their community. In my opinion, the Prince William-Loudon ordinances are nothing more than government sanctioned xenophobia at its very ugliest.

So we can go on describing it, but what seems the bottom line to me is what is it about the community that some people do not like? Now, while (it accounts for?) Northern Virginia's growing economy – that means there are jobs there. People are coming to work. And by the way, if they're committing a crime – drugs, murders, whatever – they're just going to have to do the time. That's just how it is. Nobody is defending the criminals. What I think we need to focus is on the 99.9 percent of the rest of the population who are working two, three jobs and building all those that grow that Loudon and Prince William been ranked the top counties of growth in the nation, and who is putting the bricks and the mortars and doing the landscaping and raising the kids and cleaning the windows on the tall buildings and all of that?

So it's important that folks do not just focus on the negative part and start asking what exactly is it that immigrants – all immigrants – are contributing to our community. And we're not doing enough to highlight that, and I think that's the part where it's important to create some balance. In Arlington, just to wrap up for now, we are very proud of our immigrant community and seek ways to reach out and include folks. We have one of the largest websites in Spanish. We conduct public forums in Spanish to inform what the county's up to, what the initiatives are going forward, and ask questions

of people to get our elected officials engaged. We provide information in English and Spanish, so we try to keep an informed community and try to engage them in our civic life, which part of our motto is that we are a caring and inclusive community in which each person is important. So we do (a little extra?), and I just wonder what other outreach efforts have others done to then focus on the positive attributes that immigrants bring that are untapped apparently in Prince William and Loudon County.

MR. RESTREPO: Thank you. Thank you very much.

Vic, you've been at the literally ground zero of this national debate in the Hazelton litigation. If you could just for folks here and the folks at home give us a brief insight into what the highs of lows of that litigation that have people on both sides of this may have found things to hang their hats on, and where you think things are going from here.

MR. WITOLD WALCZAK: Thank you, Dan. It's a real privilege to be here. Ordinarily, I would tell you a funny story or try to say something profound, but they basically asked me to talk about the history of the universe, and by the way, you have four minutes to do it – (laughs) – so I'm going to jump right in, but at the outset, let me just give a disclaimer. I'm not an immigration expert, I'm not an immigration lawyer. I am a civil rights lawyer and have been for over 20 years and I happen to have the privilege of litigating this Hazelton case.

Let me just tell you a little bit about what was going on there and then share a couple of insights. Hazelton about a year ago, thanks to their seemingly ubiquitous mayor, now Lou Barletta, decided that illegal immigrants were the cause of all the problems in Hazelton and he decided that he was going to make Hazelton the most difficult place in the country for illegal immigrants to live, and so they passed a series of ordinances. And I say series because they pass something, we point out constitutional flaws, they change it, so we're like on the fifth or sixth iteration of this.

But basically what the ordinances do is require all – anybody who hires somebody else, not just employers, if you hire a maid or somebody to cut your lawn, you have to verify that that person has work authorization and is here legally. And if you're a landlord, you have to do the same for any kind of tenant. If you get it wrong, even if it's mistakenly, you are subject to losing your operating privileges for a very long period of time. There's also a tenant registration component to Hazelton's ordinances, which requires all tenants to register with the city and part of that registration requires you to demonstrate your immigration status in this country.

Now, leading a wonderful team of lawyers from the ACLU, from the Puerto Rican Legal Defense and Education Fund, from the law firm of Cozen O'Connor and others, we've litigated this case for the past year. We had a two-week trial in March, and on July the 26th we got a decision from a federal judge in Scranton, Pennsylvania, and what the judge found was that these ordinances are unconstitutional and cannot be enforced.

There are two basic constitutional flaws with these ordinances: one is something known as the supremacy clause or preemption: local, state, county government cannot pass laws that are inconsistent with what the federal government does. There are some things that the federal government does that are and must be uniquely federal: think postal service, currency, customs, foreign policy. Immigration is one of those, and what the judge found is that even if the federal government in Hazelton had similar goals in identifying and excluding undocumented immigrants, the means Hazelton chose are inconsistent with the means the federal government uses; therefore, it's unconstitutional.

The second big problem with Hazelton's law was a matter of due process. They did not give notice, for instance, to tenants and employees who had to be fired or evicted, and then the only proceedings they gave them was to go to a municipal court that had neither jurisdiction nor expertise to resolve the matter, so there's due process problems.

Let me just tell you very quickly lessons that I learned from this. And, again, I'm not an immigration expert, I'm an immigrant – just from litigating this from the last year. First, these local laws are unconstitutional, and while Hazelton is the first decision to come down after a full trial, there are five or six other judges across the country that have dealt with challenges to these ordinances in a preliminary injunction posture, every single judge – this includes state and federal, appointed by Republicans and Democrats – every judge has said these laws are likely to be unconstitutional. We're battling 1,000 in challenges to these local ordinances.

Second, these ordinances are doomed from the outset. They are not going to solve whatever immigration problems people think exist in this country. They are just going to displace the problem. So Hazelton passes one of these, if it's allowed to go into effect, they're going to move to New Haven or they're going to move to Arlington. This is not going to solve the problem. It's going to create a patchwork of laws, different standards, different procedures. If you think immigration law is a mess now, wait till you have 10,000 municipal ordinances all regulating immigration.

And finally, and I think most importantly, these ordinances promote and generate xenophobia and discrimination, especially against Hispanics. Let me just quickly explain that. First of all, the ordinance says you got to identify illegal immigrants. Well, that's the problem, it's hard to do that. So how do you decide as an employer, as a landlord, as somebody in the community who's illegal? Are you going to think, I'm illegal? No. I may have a Jersey accent but you're not going to think – (laughter) – I'm a foreigner. You're going to look at people who look and sound foreign, and studies have shown that because people know – and this is a fact – that the large majority of undocumented people in this country are Hispanic, there is something called the information shortcut, and so a prospective employer, a prospective landlord looks and say, oh, this person is Hispanic looking or sounding, I don't know whether they're legal or illegal, but it's just going to be easier for me to rent or employ somebody else. This is a phenomenon that's been documented by federal government studies, so it's going to promote discrimination.

The second thing that's going on, and we saw this in spades in Hazelton, is that they are scape-goating undocumented immigrant, right. They are taking a page from

FAIR and other anti-immigration groups. They're claiming undocumented immigrants commit crimes at unbelievably high rates, that they are destroying the local economy. We showed in this trial that this is absolutely not true. If you've read Alex Kotlowitz's piece in the Sunday *New York Times Magazine*, excellent piece, we've seen the same things happening in Hazelton. So not only are these local laws unconstitutional, not going to work, but they create an environment that's toxic for all foreigners in the community. That's not good for America.

Thank you.

MR. RESTREPO: Thank you very much.

Mr. Legget, you came to office and faced an issue regarding immigrants right off the bat. I'm a constituent, so I followed this in the local press in terms of the day labor – siting of a day labor center in Montgomery County. Obviously, that had an impact on governing in the county. How else has this issue come to the fore in your time as the county executive in Montgomery County?

MR. ISIAH LEGGET: That was the latest work center that we established in Montgomery County, but Montgomery County started establishing work sites as early as 1994, and we've had two in operation prior to the third one just provided in the county in the Gaithersburg area.

Unfortunately, we've had a somewhat of a negative consequence for some, but overall throughout the community they've been welcomed fairly well. We've had demonstrations, we've also had an attempt to firebomb the latest center, but this is a reflection of what we see as a failure at the national level. That failure really sends a very chilling message throughout the entire community. And here's what has happened.

I had an opportunity during the national debate to respond to a constituent who had asked me why should Montgomery County support the centers? Why not close the centers? And why not pass similar legislation as we've seen in Virginia and in other places? And I (was asked to respond?) to that, I said, why should we do that?

And here's what the person said. He said by passing such legislation, we eliminate this sort of safe haven that people can move from jurisdiction to jurisdiction. We'll make it so unwelcome, so toxic, is the word he used, so chilling, that there's nowhere in America you can go at the local level. And by doing so, we will have an opportunity to send everyone back from which they've come. I said, boy, that's a really astounding feat of dominos that will fall. I really don't think that would work. I don't think it's constitutional. He said, I don't believe it's constitutional either, but I think it would work. (Laughter.)

And so the fact that we see here today, knowing that something is unconstitutional, knowing that it will have a chilling effect, knowing that it will divide communities, is precisely what many want: to remove this welcome sign in America, to have local officials respond by passing such legislation. And to do so at the rate of

people returning, I said, this will take 45 or 50 years. We're talking about 12 or better million people in this country who've lost (hope?), having this chilling effect. But we have to look at this from a governance perspective, and my belief is that if we allow the response to be solely at the local level, we will in fact have the kind of chilling effect described earlier, and this is where we need to stand in resistance to that because we are talking about the lives of people who are impacted each and every day.

And so for me as a county executive, I look at this in a very direct, personal impact, and the local laws that we've seen in Virginia and other places are not the kinds of things that I think that we need in our community, or any community, because it will in fact divide communities. It will in fact have us go out and to get engaged in the kind of discussions that we're having today, that we should in fact put behind us.

I'm a firm believer in the law. I believe that there are certain procedures that we must follow. I'm a firm believer that we should have rules and regulations that should be followed, but we need to also be compassionate about what we're talking about here. We're talking about the impact at the local level of lives of people, and we talk about people who are simply looking to be a part of the American dream. And so as a local official, I want to do what is right and what is proper within the frame of the law, but also need to recognize the challenges we have. And the failure at the national level to resolve this impacts us greatly. We will see a continuation of this. Even in one community we passed such legislation even in Montgomery County. And by the way, this is one of the more progressive communities in America, one where you would not otherwise believe that we will have this type of debate, but we are having it even in Montgomery County.

It is important for us to note, also, that as we move forward, it will be even more challenging because I am not as hopeful, at least in this term of this Congress, in this term of this president at this time, that we will have national legislation. And what we end up with is something that is akin to people now talking about providing legislation in my view that is nothing more than providing many with what I call a second-class citizenship. This is what we saw recently, we saw the article by Senator Specter; that is, let's not dream beyond having a full debate and disclosure about an effort to have legislation that provides a meaningful answer for the long term. Let's do something short term, but let's do something that is less inviting to people and will (unintelligible) with an underclass that will have to continue for years to come.

It is a challenge at the local level, but is a challenge that I think we would need to look at in a way with compassion, with justice, with hope and provide people with an opportunity and access to the American dream.

MR. RESTREPO: Thank you very much.

That actually sets my next question up beautifully and our next speaker up beautifully, because some communities have answered this challenge in a very different way, and chief among them has the New Haven, Connecticut. And we are very fortunate to have the woman who's been the leading force or one of the leading forces in New

Haven behind a very different ordinance, a very different approach, and that's Deputy Mayor Kica Matos.

If you could tell us a little bit about the experience in your city, how that came to be, and what the reaction has been – both the positive and undoubtedly the negative reaction that it has drawn.

MS. KICA MATOS: Sure. I think where our story really begins is about three years ago. I worked at a community-based organization called JUNTA for Progressive Action that did advocacy for Latinos, and we started really noticing the changing demographics of the community and a real absence of measures to deal with the problems that the immigrants we were facing in New Haven, but we also had a very progressive city hall and a very progressive mayor, so a number of community-based organizations – JUNTA, Unidad Latina en Acción – and faith-based communities really got together and starting identifying public policy initiatives that we thought we should present to city hall.

We approached Yale Law School and asked them to conduct legal research about all of these policy initiatives that we wanted to see happen in New Haven. Yale Law School came back with their opinion. We turned it into a report and we asked for a meeting with Mayor John DiStefano, who's the current mayor of New Haven. And at that meeting, it was comprised of community-based organizations, faith-based organizations, and immigrants themselves, as well as the New Haven Police Department and city hall and we talked about the different problems that immigrants were facing: victimization in all sorts of different ways; talked about how one particular community, Fair Haven, was seeing a lot of criminality because immigrants were uniquely targeted. They're known as walking ATMs in that community because people see them as exactly that. Immigrants cash their checks on Thursdays, they walk around the community, and they're targeted as victims or robberies.

So we presented all of these initiatives to the mayor and asked him to consider implementing them through city hall. He was incredibly receptive. He's somebody who has not forgotten his past. He's a son of immigrants, Italian immigrants, and he understood the current problems that the city was facing and really saw this in the context of an issue that really was affecting not just immigrants in New Haven, but the city as a whole.

So I just want to quickly mention some of these initiatives that we presented so you get a sense of really what it was that were trying to accomplish in New Haven. We asked the mayor to translate all city hall documents into Spanish. We asked the New Haven Police Department to consider issuing a general order barring the local police from immigration enforcement outside of the context of a criminal investigation. We asked the new Haven Police Department for help in enforcing immigration wage laws. We asked the new Haven Police Department to think about ways to improve their community policing models so that it would include the immigrant community. We asked city hall's help in encouraging banks to allow immigrants to open bank accounts. We asked city hall to establish an office of immigrant affairs. And the last one that we're

really known for is we asked the city to create a resident identification card that would be available to everybody, irrespective of their immigration status.

The mayor was very receptive and he assigned his staff to look into these issues. The chief of police was very receptive and he assigned his district manager to look at all of these issues, and so over the course of the last two years we worked closely with city hall to implement these initiatives.

Last December, the police passed their general order, and the only two things that were really left were the ID card and the creation of this office of New Haven residents. And last December there was some level of I think reticence on the part of city hall to move this issue forward. I was brought into city hall in January, and I think one of the stories that I learned is you have to be careful what you ask for. I've been pushing from the outside for so long for all of these initiatives, including the ID card. The mayor asked me to join his staff as deputy mayor. I agreed, and the first order of business from his side was to say to me, you wanted this ID card? Okay, go ahead and do it. (Laughs.)

So over the course of the last seven months we worked to develop an ID card that would not be a scarlet U for undocumented for residents in the city of New Haven, but that would be a resident card that would serve multiple purposes and would have wide appeal for immigrants in the community. The reason we really worked hard to create this card and the reason why it was so badly needed in the community were a number of reasons.

One is for public safety reasons. Immigrants were reluctant to report to the police when they were victims of crime because they're afraid that if they showed some sort of foreign form of ID that they would be reported to immigration and deported. Immigrants were also unable to open bank accounts because their forms of IDs were not accepted by the banks. We ended up creating this card, and I know that it's been subject to a lot of controversy and it's been described as a card that's for, quote, unquote, "illegal aliens in new Haven." It is absolutely not that. It is a resident card that's available to everybody, and the way that we created this card was to load it up with a number of services that we felt would appeal to residents of New Haven.

So what is this card? It's an ID card per se. It's got your name, your address, your date of birth. It's got an expiration date. It's also a library card, so you can use this card at any public library in the city of New Haven. It gives you residential access to the beach, the golf course, and the recycling center. It's also a debit card, and so you can use it to pay for goods and services in 50 stores, you can use it to pay for parking meters and you could use it to pay for the garages.

Now, I just want to sort of – I know I have very little time left, but I want to say a little bit about what happens when as a city you really try to really do things to make everybody in your community safe and welcome, and you do things that really cause a level of concern at the federal level. This ID card ordinance was passed by measure of 25 to one in our city hall. Two days later, the federal government came to New Haven and they conducted sweeps. They went into the Latino neighborhoods, they broke into

people's homes, and they arrested people. At the end of the day, they took away 32 people, only five of whom had arrest warrants for them.

And we nevertheless went ahead. We really felt strongly and were very loud and vocal about the fact that we saw this as retaliation, and that what we were doing was perfectly legal and we were trying to do everything we could to protect our community. Most of those people that were arrested are thankfully out on bond and they're back in their communities and we have the Yale Law School again representing us.

A little bit about this ID card program. We launched it two weeks ago. In the course of the last 10 days we've issued about 2,000 cards. I want to say a little bit about who the people are that are coming to New Haven. Because of the overwhelming rush of people wanting to get their ID cards, a lot of New Haven residents have sort of sat back and said, let the people who need these cards most come forward to get them, so over the last two weeks we have really seen literally and figuratively immigrants coming out of the shadows of New Haven, coming to claim their stake in the city that they call home.

The first day of the launching, we had about 250 people: a combination of immigrants and supporters. The second day we had 300 people. By the fourth day, on Thursday, we had about 400 people, and the first person in line – the mayor comes to work really early. He went downstairs at 6:30, talked to the first person in line and asked him how long he'd been there for. He said he'd been there since 4:00 in the morning.

I'm going to stop right there and turn it over to Dan.

MR. RESTREPO: Thanks.

And I'm actually going to take the moderator's prerogative and start by asking a few questions and then we'll turn it to the audience for questions, but I'm sure everybody in the room has questions for this panel.

I'm going to start with our two elected officials, with Mr. Tejada and Mr. Legget. Given the inaction at the federal level, given the loud, xenophobic minority that is pushing things like what has happened in Hazelton and elsewhere, how do you combat that? How do you go about the business of making everyone feel welcome in your communities? We've just heard one example of how the city of New Haven has approached that issue, but what are the practical ways localities can go about – mindful of the rule of law, as we all are – to make people feel welcome, to feel safe, to feel part of vibrant communities that are made up of an incredible diversity of people, as particularly Montgomery and Arlington counties are very good examples of that kind of diversity.

MR. TEJADA: First, good question, and it's important to also say that for some people who are hateful and are full of xenophobia – it's really hard to find other words to describe it – they need to understand particularly the message from the Latino community: (foreign phrase). So you need to understand that we're here, we're here to stay, and we're not leaving.

So if we have that as a perspective, we need to look at what has been done in the past in this country for other waves of immigrants: assimilation, integration, reaching out, educating the community, providing them more outlets to learn English. And somehow there's this thought for some people that people don't want to learn English. If they have time after their second or third job at midnight, if there were classes at that time, perhaps that could be one option that we can start classes that start at midnight to teach English as a second language.

There are a number of steps that we need to have and I think all of us have responsibility in our different communities to build a political will to engage the (community?) civic engagement. For those who qualify to become U.S. citizens, please encourage them to fill out the citizenship application and become citizens immediately. For those – there are some other things. This year, we have what we call multicultural dialogue in my community. It's one of the proposals I put forward this year. And one of the steps is to do citizenship workshops, and we help out folks who qualify to become U.S. citizens, but beyond that, those who are not yet, we provide some advice, community organizations that can get them on the road to legalization if they're undocumented.

So there are many other ways if there's truly the political will to do it, it can be done. But we also have to look at the realities of where some of these big tensions are rising. And I used the example, and 40 percent of the job growth in the state of Virginia was because immigrants took on those jobs. If they had not and only 60 percent of the jobs had been filled during the '90s, would Virginia be the number one managed state today – the best managed and the sound economy that we have? The fact is that folks are here to work, and so that's another realization that we need to implement.

The other thing is that our local representatives in Congress, members of Congress, representatives, senators, need to hear from us, and what I think that we have not done a good job on many fronts – the local, state and national level – is to counter the demagogues who have millions of people as an audience like the Lou Dobbs, the Bill O'Reillys and the Rush Limbaughs. Now, I'm not taking partisan shots here, but in particular I think what we need is the Americans for progress, like this organization, to be more visible and to highlight more – perhaps it is not sexy to highlight positive contributions that immigrants bring to this country day in and day out, but we need to find a way to make it sexy, or sensationalize the positive contributions because the other side's been pretty good at highlighting all the negative things. So there are ways that we can do civic engagement at the local level, informing the community. And, yes, we all need to speak English, no question about it, but on the road to assimilating, there's absolutely nothing wrong in a global economy to address things in another language in the locality in order to have an informed community.

If for example, if the local police is in charge of enforcing immigration laws, somehow if they're taking a couple weeks courses they'll be experts on immigration. I know people who have been – I'm not an expert on immigration, but I know people who have been in the profession for years and they're still not experts, and so the thought that somehow you're going to become an expert on immigration law after a couple of weeks

training, somehow it's just – it's mind boggling, and so what we are losing in that regard will be trust that the community places on the police, the community policing effort, millions of dollars of local dollars invested in community policing efforts so that if a crime has been committed, someone needs to report it. And if they are victims of a crime, will we then victimize that person twice by the person fearing reporting the crime because she or he may have a family might be undocumented, or might be a person undocumented themselves. Is that what we really want to do? I think not.

Instead, we then need to realize the community is here, is here to stay, just like the Italians were one time. And the article that you mentioned in the *New York Times*, mentioned that Italians at one time were thought that they didn't want to assimilate the American way of life – such a preposterous thought now, right? It takes one or two generations for full English mastery or complete assimilation. That thought needs to be reminded to today's demagogues because they think that they've gone far too much, too long, without being checked.

MR. RESTREPO: That kind of thinking is older than the republic actually, and before turning to Mr. Legget, the following was said by one of the great Americans of all time: why should Pennsylvania, founded by the English, become a Colony of Aliens who will shortly be so numerous as to Germanize us instead of our Anglifying them? Ben Franklin was lost for a while on this issue. Our body politic, or at least a small portion of it, is lost – unfortunately a controlling portion of it is lost on the issue at the moment. Ultimately, Mr. Franklin gave a large monetary donation to the first bilingual university in the United States, which today bears his name: Franklin and Marshall. So I guess there's hope out there.

Mr. Legget, how do you create welcoming communities – functioning, diverse communities in the environment where you have dysfunction at the federal level and xenophobes trying to push this deportation by attrition fantasy or nightmare that has become kind of the restrictionist battle cry at this point?

MR. LEGGET: Well, before the quote that you gave from Benjamin Franklin, there were also the American Indians who were here much longer than them. (Laughter.) There are several ways and I think Walter's touched on a number of them, but here's one of the things that we may make a mistake on. There are a number of people who are actually confused about this issue, and we should not lump those who are confused and people who are uninformed with the sort of right-wing response that we've seen and the efforts that are being made.

And there are several categories of people that are out there, and I think it is a mistake to assume that all of them are some type of right-wing nut who are off on a tangent. There are some people out there who literally are not properly informed about this issue, and part of the effort should be to properly educate the American public about the contributions, to remove many of the fears that people currently have today, and to engage in a dialogue that really sets out some empirical information so that we can look at a large number of people who I think will make up the vast majority of people in this country who are still probably open and welcoming of the ideas. But if they only hear

from one side of this debate, then we can very well can lose those, and so do not make the assumption that what we see and what we hear from some of the communities and the leaders of those communities and the leaders of some of these organizations represents the vast will of the American people. But we need to make certain that we go out and better educate, so one of the things we need to do is better education.

The other part of it is leadership – that we will be challenged, for those of us who have a different view than those who want to oppose immigration, we will be challenged on that. And it takes, as Walter indicates, some political will to do that. But we demonstrate that by the things that we actually do in the community that first of all it's consistent, that reflects the true American dream of inclusion, that has a level of compassion that reaches out to properly educate all people about this issue. And if we do that in a consistent manner, it is my belief that certainly you would not win everybody over on that argument, but we certainly will include our leaders and the vast number of people who I think are fair and just and prepared to make certain that this issue's put behind us in order to go forward.

MR. RESTREPO: And I pose a question to the unelected I guess, the other two panelists, and that is, what are the effective, kind of the rhetorical – one of the most rhetorically effective lines that the restrictionist movement has is the vast oversimplification of illegal means illegal. You've undoubtedly faced that in New Haven as you went to the residents – the New Haven resident card. It is certainly an issue in the Hazelton litigation. What's the answer to that? It's obviously an oversimplification, but articulating the response to that is not all that easy, so can you help us out?

MR. WALCZAK: Let me give it a try. The problem is that is you can't respond to that in a sound bite. If I had a quarter for every time I heard what part of illegal don't you understand – (laughter) – I wouldn't be sitting up here right now. One of the really – as I said, I'm not an immigration lawyer. One of the things we did in the Hazelton trial was we presented an immigration law expert, somebody who's written the leading treatise in the country, to give background on how immigration law works, and this was an education for me as well. And when Dan says it's an oversimplification to say illegal is illegal, that is just the case.

There are many people in this country who have kind of uncertain status. There are people who come here on some kind of visa, the visa expires, they apply for an extension and because the federal government is so dysfunctional in this area, it could take months, even years, for you to get that authorization. Now, in the meantime, technically you're illegal, but the federal government is not going to deport you if they find you in that situation. There are also people in this country who have been adjudicated, quote, unquote, "illegal." They can't get asylum or anything like that. They're here illegally and yet the federal government for all sorts of reasons, humanitarian and otherwise, will exercise their discretion of follow law and say, even though you're illegal, you can stay here and you can work here. And as the judge pointed out in his opinion, what happens is to all these folks is the federal government knows they're here, allows them to be here, allows them to work here, except in Hazelton if this law was to go into effect.

So, again, I think it's an education process, and as Mr. Legget said, I couldn't agree more that we need to educate people about not only the law and the complexity of the law, but I think also to attack the premise of the people who are proposing and pushing these laws, which is that undocumented immigrants are a real problem. You can look in the trial record in Hazelton, which I think is a microcosm for the argument and for the country when Mayor Barletta says undocumented immigrants destroyed the financial plight of the city. If you look at the record, they turned around a budget deficit. They had \$1.3 million budget deficit on a \$7 million budget. Then they had a surplus and now they have a balanced budget. They haven't cut services. When they say undocumented immigrants have made crime skyrocket, that's not true. We took their numbers, we looked at it, we found less than 1 percent of all crimes were committed by undocumented immigrants, so don't accept their premise.

And I think what happens is that the uninformed or the confused buy into this, whether it's Lou Dobbs or Bill O'Reilly or FAIR, they buy into this mindset and immediately say, these people are a problem, we've got to do something. That's not the case. People need to be educated about who undocumented immigrants are in this country: by and large they work hard, they stay beneath the radar, they don't commit crimes, they're trying to make a better life for themselves. And if we're going to have a real debate in this country, as we need to have, we've got to have our facts right, right. We can't be out there having this discussion based on myths, based on prejudice, based on exaggeration, which is what we're seeing.

MS. MATOS: I think my response is a little bit more practical. Certainly, all of us can engage in philosophical debates about immigration, but the city officials – the bottom line is that we're the ones who have to respond to the problems and challenges and needs of people in our community. New Haven has historically been a community of immigrants and historically made immigrants feel welcome. Because the latest wave of immigrants are Latinos is not going to change our position and how we're going to respond to the needs of immigrants.

At the end of the day, the federal government has engaged in a lot of talk about immigration and not a lot of action, and meanwhile our communities are the ones that are affected. Our communities are the ones that have to deal with it and we've had to respond, and we've chosen to respond in a way that we think makes sense for folks in New Haven.

MR. RESTREPO: All right. We're going to open it to questions. Please make sure your question is in the form of a question rather than a statement that trails off sort of into a question eventually. (Laughter.) And if you can please identify yourself, and if you're here with an organization, what organization you're here with. A microphone will come to you and we will start right back, four rows back. Right there. Yes. Wait for the microphone, please. And actually one other ground rule, sorry. I'm going to take several questions, and then we'll allow the panel to respond. Thank you.

Q: Thank you. I'm Sarah Meléndez, chair of the board of the Latino Federation of Greater Washington, and I have – I think it's a dual question starting with Ms. Matos. Was there any political fallout in New Haven? And then the others, how do you deal with political fallout, because I think that's a great obstacle to local level people doing the right thing?

Q: Hi. I'm Kim Propeack with CASA de Maryland, and I also had a question for Ms. Matos. I was wondering if you could speak about another policy in New Haven that has gotten a lot of interest and play in our region which is about the NCIC database and enforcement of the civil warrants and how that's actually been implemented for your local police.

MR. RESTREPO: Somebody who has a question for somebody other than Ms. Matos? Right in front of you, Paige.

Q: Yes, thank you. I have a question for Mr. Legget and Walter. I was born and raised in Baltimore and I live in Alexandria and Mr. Legget, I think you know Baltimore, so everyone should go see "Hairspray." It's a great movie, but integration didn't start.

For both of you, one, as elected officials, do you think you should not stop the hate and negative language you're using to describe the immigrant or illegal population, and not everyone who's coming here is Latino, and I think that really, that's a message that if you want to educate – and I agree a lot with Mr. Legget and Walter, it's stop the negative language and words that you're using. It doesn't change anything.

And secondly, do you think as elected officials that you should be pushing the federal government to help the countries where these folks are coming from to create jobs so they can go back and live in their country and live where they have come from. That's why we did NAFTA, GATT, and what have you. And is that an issue that should be on the table for you as elected officials to push the federal government? Thank you.

MR. RESTREPO: And we're going to right here for the fourth question of this round, and then we'll let the panel actually answer and then we'll move on to the next set.

Q: Yes. My name is Michael (inaudible). I'm with the New Sanctuary Movement in Northern Virginia. My question is for Mr. Legget and Mr. Tejada. The question Dan asked about how a local jurisdiction can make a community more welcome towards the immigrants was best answered by Deputy Mayor Matos. She was not asked the question, but she described the New Haven ordinance. My question for the two of you is, have your jurisdictions considered similar ordinances and would thus qualified for consideration under the New Sanctuary Movement as the sanctuary jurisdiction?

MR. RESTREPO: Right. We will – I'll start with Ms. Matos because she was mentioned more times than anybody else, and (unintelligible) round for questions.

MS. MATOS: Sure. I feel a little spoiled being here because New Haven is such a progressive community, but I do want to say that a lot of the work that we did in

community-based organizations in the community really focused on education and outreach, so for the last four to five years in the course of really pushing forward our immigration agenda, we did a lot of outreach to people in the community, not just the Latino community. We talked to folks in the African-American community. We talked to our legislators. We issued fact sheets and really worked to create a climate that was conducive to the policies that we wanted to see implemented.

The fallout really has not been in New Haven. The fallout has been outside of New Haven in the surrounding towns, as well as the rest of the country. The mayor has been bombarded with – for example, one of the things that happened – I could tell you many stories about this ID, but one of the things that happened around this ID is that in the last day of deliberations in the state legislature, a Republican introduced an amendment to bar municipalities from issuing residential cards, and so there were a lot of efforts at the state level to shut this down.

The way that we've dealt with this I think is in a forthright way. We don't think that what we're doing is wrong. There's nothing illegal about what we're doing, what we think we're doing, is what makes sense for us, and so we've just been responsive. We've continued to engage in education. Having said that, the hate mail is horrendous. The phone calls that we get have been really quite scary, but there's a reason why it's called a struggle. There's a reason why it's so difficult to push forward civil rights agenda, human rights agenda.

In terms of NCIC database, we've been working with the New Haven police chief and the New Haven Police Department to train officers so that they know how to read the database and they know what it is an arrest order for deportation reasons are, so we're engaging and continuing to engage in dialogue and education with the New Haven Police Department around that.

MR. RESTREPO: Mr. Legget?

MR. LEGGET: I think there were two questions directed to me. One was the efforts I think in reference with the federal government. Yes, we've engaged and talked with our elected officials at the federal level and we've really pushed very hard to resolve the overall national immigration problem because, as you can see, it implicates us here.

We've also included in that argument what you have to do and how you can possibly reduce the potential flood of immigrants into the country, and certainly it is the improvement of the economy and some of the jurisdictions around it – counties around in the Americas. If that happens, I think that will certainly reduce and mitigate it to some degree, but I think we'll still continue to have large numbers of immigrants coming to this country because there's no way that I could see in the foreseeable future that you could have such a turnaround in many of these countries that would have such an impact that it would reduce totally the amount of people coming in. It may reduce it to some degree, yes.

The second question was on the ID. I think that was looked at some time ago in Montgomery County and there was not enough support for it. We will look at that in the discussion –

Q: Not only the ID, the entire spectrum of the (inaudible).

MR. LEGGET: Yes. I think everything that has been –

Q: (Off mike.)

MR. LEGGET: – everything that has been stated here, believe it or not, at some point in time, it has been either discussed or voted on in Montgomery County. It's a pretty progressive community. Either because of the lack of political will or there was not enough leadership to get it through.

MR. TEJADA: To address some of the – I think there were about two or three that were directed at us. As far as the language that is used in this conversation, I think it's a – we need to recognize that on both sides. Yes, we are using tough language that could be better from both sides, admittedly. There is a tendency of time to engage in hyperbole on these issues and the language reflects the sentiments of the community, however. And in the case of Prince William and Loudon, there is an enormous amount of fear that the proposed ordinance (has caused?) in the community, so therefore (it figures that?) there's a sense to match that. But I think the comment is well taken that, indeed, we have a responsibility to use the language that is appropriate. And sometimes, though, it's hard no to call an ace for what it is. And so there's something to give some thought and the comment is appreciated.

As far as working with the federal representatives – absolutely. I can speak for my congressman. Jim Moran is a champion on comprehensive immigration reform efforts trying to lead that discussion there. I cannot say the same about my U.S. senator, Jim Webb, whom I met with leading into the last days of loture – the debate of cloture. And unfortunately that conversation and other efforts did not work out. So we will continue to engage our representatives in Congress on that because we have been doing it and we'll continue to do so.

As far as NAFTA, and there's also something called CAFTA, the Central America Free Trade Agreement, and as far as NAFTA, I'm a proponent of mending it, not ending it, because there are some things that need to be checked on. For instance, labor laws need to be respected and enforced, the ones that exist, without even creating new ones and they're not being, and we can ensure if that were to be the case that the people at the lower end of the economy would start benefiting more and we'd have less incentive then for people who come for economic reasons to this country. The ideal is the same thing for Central American Free Trade Agreement. That might happen. Some of us who were very active in that discussion and insisted without any negotiating room that those labor laws be enacted or respected, and some commitments were made that that would be the case.

Commitments and things that are written here is one thing. In the real world in Central America and in other places, it's another. And so until there's enforcement of those agreements that we purport to agree to here, unless we really find ways to enforce and to follow through there, probably we will not have much change. There's a lot of economic disparity between the haves and the have-nots in Central America. As a native of El Salvador, I know this first hand. I go once in a while back to my native land and I know what's going on and I try to be vocal about that and try to help, so we'll continue to do those efforts.

As far as an ordinance, we can pass another ordinance. We've had a number of ordinances since I've been on the board in the last four years in which we have highlighted contributions and values of having an immigrant community and the more rich we become as a society for that.

Our last board meeting was on July 9th, the day before Prince William and Loudon Counties were to take on their (unintelligible). And the next board meeting I will propose an ordinance on September 8th that will be an inclusive and highlight positive contributions that immigrants make, again – and I say again, because we've done this before, and so we need to use the models that others can use. If governments and local governments is usually typically to say, well, who has done what here like (unintelligible) my community? Well, we're going to try to come up with an ordinance that maybe others can consider as well as a model for their community. And very briefly, (foreign phrase).

MR. RESTREPO: Thank you. For the non-Spanish speakers in the room, he just reiterated what he had said in English. (Laughs.)

I'm going to take more questions, and we did a great job of actually asking questions in the first round, so let's keep the momentum going. Paige, the arm right in front of you.

Q: Hi. This question is for the ACLU. We know that based on what's happening with the environment and the fact that some of these initiatives are being introduced, whether or not they are constitutional because of what they're inciting in many communities, but nevertheless we know that legal strategies are going to be one of the most effective ways to stop them. At what point do you reach a critical level where you can stem the tide, because we know these are going to be popping up everywhere and also being translated to state and national legislation?

MR. RESTREPO: Paige, literally right in front of you. There you go.

Q: Alan Milliken, Washington Independent Writers. Have any of you seen or implemented a solution for the problem of foreign language-speaking immigrants gathering to try to get temporary or short-term employment and for the existing or potential employers looking for help on limited work they need done, and a solution that would consider, I guess, the English-speaking residents and businesses near the gathering and hiring area that they would be satisfied with?

MR. RESTREPO: All right. Two more – I'm going to take two more. We're going to go all the way to the back of the room in the red shirt and then in the suit and yellow tie.

Q: Hi. I had two quick questions. One of them is on a practical level. In mounting some of these challenges to laws and also challenging the racial profiling that comes about – and my name is Marisa Vertrees. I'm the social justice coordinator at St. Charles Borromeo Church in Arlington, Virginia, and we've had people report of almost immigration checkpoints kind of on 395 which is being stopped, but it's really difficult to get people to come forward outside of sort of the area where I work where they feel safe, and so I'm just wondering some practical ways to encourage people to talk to more legal groups that can do more of a challenge that I can do in my office.

And then the other one is primarily for Mr. Tejada, which is that Arlington is really doing a lot of wonderful things to be a welcoming area, but they've lost almost all of their affordable housing and I can't help but think that that's helping push people out into these unfriendly counties, so how can you make it not rhetorically a nice place for immigrants, but more of a practically nice place for immigrants and where they can live?

Q: Thank you. I'm Tony Ramos. I'm the executive director of the Somos Unos Political Committee and the Fairness Act PAC, and I'll try to follow the moderator's instructions and ask a simple question to the panel.

I've heard a lot of discussion, but would the panel members be willing to actually push for a compromise bill in Congress that would provide a practical, political solution to the question of immigration at the federal level? And I ask that because I have been walking the halls of Congress for several months now. You can go to our website, somosunos.com. We've actually introduced a bill that we're hoping we have somebody drop into the hopper. It's called the Fairness Act. It calls for a 25-question civics tests in English, provides for a W Visa, provides for a new Social Security card, provides for consumer rights, provides for a right to travel, and provides for retroactive employer immunity.

And I have walked those hallways and folks do want a practical political solution on Capitol Hill. I realize I'm in a progressive forum here, but the fact of the matter is we do need Republicans, and it's not a good thing to be maligning Republicans when, in fact, for the fourth year in a row they killed immigration reform. And so my question is, again, would you be willing to break with that past frame of mind and do something to support a bipartisan, practical, political solution at the national level to the question of immigration reform? Thank you.

MR. RESTREPO: I think we're going to start with you because you got skipped on the first round on both where's the critical point of turning these back through legal mechanisms and other, obviously you need folks to come forward to bring these cases. How do you go about doing that in a way in the environment in which we're operating at the moment?

MR. WALCZAK: That's a good question. I'm not sure I have the answer to that. What I will tell you is that for the ACLU, this is a very important civil rights issue. And some folks say, why are you out there defending undocumented immigrants? First of all, everybody in this country has constitutional due process rights, regardless of your immigration status, so that's part of it. But the other thing is these laws do not just with laser precision affect undocumented immigrants. They affect employers. They affect landlords. They affect anybody who looks and sounds foreign, so they have a very broad effect in the community.

I think there are six or seven lawsuits right now ongoing. Hazelton is the leading one – the first decision after trial. And as I mentioned earlier, we've had success in every single one of those. We are prepared to file more lawsuits working with PRLDEF, working with MALDEF, working with other civil rights groups in the community.

I fear that it will not stop. There's a couple of things that will happen. One is eventually you'll get appellate decisions and eventually the Supreme Court will have to rule on this issue, but my fear is that we're looking at at least a year and a half, if not more, before you get some kind of a appellate decision, and may be two, three, four years before the Supreme Court weighs in on something like that. So that's not going to be helpful.

The other thing that I think may happen is that these communities are – hopefully our elected officials are going to realize that they are pushing their own political ambitions on the backs of their taxpaying citizens, so when you bring a civil rights lawsuit and you win, Congress has said that the prevailing party is entitled to attorneys fees. We haven't added up all our hours in the Hazelton case, but I can tell you: it's well over \$1 million already in that case, and that doesn't include the money that they pay their own lawyers. So there may be some deterrent effect there.

The second question about people who are feeling victimized in the community, whether it's by checkpoints who are afraid to come forward, two things. One is that in the Hazelton opinion there is a very strong discussion about protecting the anonymity of folks who filed the lawsuit. And you hear the other side saying, ah, we can't even confront our accusers. Read the opinion. Granting pseudonymity or anonymity in litigation is not that unusual. It's appropriate in this case, not to say that it will be granted in every case, but this is a good precedent.

The second thing would be to encourage people who come to your organization, because obviously they have some comfort level they're willing to talk to you. When you come to an organization like the ACLU or the other civil rights groups, you are immediately subject to the attorney-client privilege, regardless of whether we take your case or not. So we will talk to the individuals. We can tell you about your rights. We'll get the information. Even if we don't end up taking that case, when you're looking at issues of profiling, you need a large sample size. You can't show profiling or it's very hard in an individual case. I would encourage people to go to whatever local civil rights

group exists that does litigation – certainly, the ACLU is in all 50 states – and assure them that they will have confidentiality and that their identity will not be broached.

MR. LEGGET: let me just to add on to one part of the question raised about the compromise legislation. I am not sure, and certainly at some point you may want to look at some aspect of that, but not having all of it before me and looking at what the attitude and reactions may be in Congress a long time would be somewhat speculative to say that that is something that we should or recommend. But I will say this, though: if you look at much of the debate that has occurred thus far, the compromise has only been on one side virtually, and there's no real compromise and so you negotiate essentially with yourself. And I don't find that to be a very attractive position to be in.

As related to the question of stemming the tide, at what point do we get to a point that we've gotten over the hill, if you will, I'm not sure. I'll know it when I see and feel it, understand it. I just know we're not there today and it's a long time before we get there and we need to continue to struggle and try first of all to better educate people about this issue and to continue to resist some of these local draconian laws that we have.

MS. TAMOS: I think I would – the only thing I would add is to encourage those of you who are in communities where there is a climate that's ripe for really engaging in a positive immigration debate to think about really coming up with policy initiatives and other initiatives to help push the agenda forward. I think for far too long we've been very aggressive, and appropriately so, about really fighting against these anti-immigrant ordinances. I think we have to be equally aggressive about putting pro-immigrant ordinances forward.

MR. TEJADA: There were so many things said, it's hard to – but let me try to be as brief as I can. Just for the gentleman who asked about bipartisan efforts and compromising, ideally we'd like to get to a point where we could say yes to something like that. It would depend on what it is, of course. And as we said before, in this last round there were some things that nobody was happy with, but there were some things that people were willing to take.

Now, there are some fundamental elements that we have got to deal with whether people want to or not. We cannot just be saying that we're going to deport the millions of people – whatever the number is – out of this country. It's just not going to happen. And so if that's not going to happen, then we do need to look at a criteria in which people have to path to earned legalization, whether you don't want to use the word citizenship – whatever language is the case. We also – particularly when it comes to young people. We have kids who are going through out public school system, graduating from high school with better grades than their peers, sometimes valedictorians being denied in-state tuition to continue their secondary education. That's a big problem. We have vivacious kids being denied a life opportunity to become better contributors to our society.

So there are these hard, difficult decisions that need to be made and we need to stop confusing Mexico and Latin America with terrorism. It has nothing to do with us. September 11 had absolutely not a thing to do with Latin America or any other

immigrants that are coming here to work hard. It's hard to think about someone who's washing dishes or cleaning offices is a terrorist. So there's that kind of discussion we need to get through, so ideally it would be a bipartisan effort that would like to get to what that is, has to include some of those elements.

And you mentioned Republicans. It's hard not to highlight the Republicans – the outrage that was expressed in the demonstrations last year were sparked by a Republican proposal – Sensenbrenner – that upset a lot of people. The numerous bills at the state level in my state that have been deemed anti-immigrant, close to 60, were led by Republicans. The ordinance in Prince William and Loudon County that we have in front of us at the local level are led by Republicans, and so it would be ideal to work with Republicans. What it is that they are willing to work with others – that's what the question would be on that point.

As far as the question on housing, I appreciated the question indeed. It's a difficult thing. It's a long answer, but it's – for now, the fair market value is not controlled by local elected officials, unfortunately. That which we can control, however – in 1999 there was this place called (unintelligible) Valley in Arlington. I was one of the rabble-rousers at the time fighting to keep the people in the community. I and many others failed to do that, but I vowed then that someday I'll do something about it. Well, someday for me came in the Buckingham neighborhood discussions in which hundreds – well, actually over 1,000 people were facing displacement. But I said to the developer, just one moment, we need to talk. And we did, and now we have preserved Buckingham. It is on negotiations but hundreds of people have been preserved in that community. Not everybody: we lost 74 units, but these are the hard decisions. They're hard, tough that we're going to have to do and we're going to have to make some compromises at the local level, but the migration to other areas it's a natural one. It's been happening for generations. It's just logical for folks who have a more affordable housing someplace else for the larger families to somewhere else where they can afford to.

So that's difficult to keep. That which we can, we will try to control, but we're not going to succeed always. We have done some successes and we'll continue to hard on that.

And the final comment here, the gentleman who mentioned something about a place with workers along the lines that everyone can be happy about. I don't know if everyone can be happy about something along the lines. I may have misstated what the gentleman said, but the fact of the matter is we have in this country workers who are looking for employers, employers are looking for workers. And no matter where the locality might be, it's in all of our interests that it happen in a coordinated manner. It's best for simple safety in the communities, community harmony and local governments do have a responsibility to coordinate and facilitate. And if a workers' site is the best solution to do it, so be it. If you have another solution, bring it to the table and let's talk about it.

So that is the kind of situation that I think goes away and part of the efforts in many of these worksites are that at a time when folks do not find employment, the idea is

that there are supporting efforts like English as a second language opportunities and awareness of other opportunities for immigrants that can educate the community even more so that we can have a better way to integrate them in the community and educate them more. So there are ways to do that, and local governments do have a responsibility. The reality is that workers are looking for employers, employers are looking for workers and it's best if it happened in a coordinated manner in a work site.

MR. RESTREPO: We're going to take two more questions in a second, but before doing that there's a host of people who made this event possible today. If I named them all, I'd run out of time. Particularly want to thank Vanessa Cardenas, who was the driving force behind putting this panel together and who keeps our feet to the fire on this issue on a regular basis.

(Applause.)

And also a plug for the work that we do here on immigration. The Center is engaged on immigration reform issues. You can learn more about it at AmericanProgress.org. Among the things you'll find, a series of studies we've done over the last two years of dispelling many of the myths that are associated with the immigration debate, trying to put the facts out on the table so we can have a reason to debate as has been mentioned here today.

Mr. Tejada just mentioned deportation isn't going to happen. Mass deportations – you'd be hard-pressed to find any country proud of one in its history, but also we actually put a dollar figure on it. We sat down and crunched the numbers and figured out it would cost more than \$200 billion – with a B – to attempt to deport the folks who are here in an undocumented status. That and a bunch of other reports, again, can be found at americanprogress.org.

Now, I'm going to take two questions. They have to be quick ones, and then we'll exit round for the panel and if they thought the four minutes before were short, they'll think this is really short. Paige, all the way in the back.

Q: My name is Laura Valle and I'm the executive director of La Voz of Loudon, which is a nonprofit organization, obviously in Loudon County, and we're working on education as our campaign and response, but we're sort of – we tend to get into this battle of my study versus your study. Are there a couple of studies, whether be economic or healthcare related, that you can recommend as being somewhat conclusive and nonpartisan that we can present to your average Loudon citizen who is really up in the air on this issue?

MR. RESTREPO: And there's a hand right over there, Paige. Right back there.

Q: Hello. My name is Radcliff Lewis (sp). I'm a member of the public. I understand that I'm in a progressive environment here. To the deputy mayor from New Haven, Connecticut, I would like to give you an opportunity to address this question. It has to do with reciprocity and equity. You now speak of putting forward pro-immigrant

immigration ordinances. My question is: why is that assisting undocumented immigrants through local ordinances and ID cards, irrespective of their status – why should that not be considered preemption? More specifically, if you focus your career on lobbying and partaking in local government power to address a national issue, why shouldn't locals who oppose you upon acquiring such power have the right to address the same issue as they see fit? Thank you.

MR. RESTREPO: Thank you. On the healthcare study, I'll shamelessly plug a study done by Meredith King here at the Center for American Progress that is available again at americanprogress.org, which goes about dispelling – and memory is short – it's either the five or ten biggest myths on immigrant use of the healthcare system in the United States and shows that it truly is a myth, most of the arguments that are being presented by the other side. That study also references other studies that may be helpful to you.

I'm going to give each of the panel members, two minutes, both to respond to very interesting and insightful question at the end, and what thought should we all walk out of here with today in terms of the impact of these local ordinances and the impact of the debate around the local ordinances, and I'm going to do it in reverse order, so I'm going to start with Deputy Mayor Matos.

MS. MATOS: Oh, you just caught me there.

MR. RESTREPO: Oh, okay.

MS. MATOS: Do you want to – go ahead. I –

MR. LEGGET: I'll start then. First of all the impact could be quite toxic. It doesn't necessarily mean that the local ordinances are always constitutional or that we agree with them, but the debate itself carries a very strong, toxic element that could in fact harm all communities, especially those at the local level.

The gentleman that raised the question a moment ago, and I think it's a proper assumption that clearly in this country you can pass, where it is constitutional, an ordinance that may be pro or anti-immigrant. It's not a question in my opinion that people have the right in some cases to pass it. I just disagree what they are doing, and I believe that it is not in the public's interest overall, especially at the local level, to pass some of the more draconian measures that we've seen in Northern Virginia and in other places, because it really does not solve the problem. That's in addition to any particular question that may be raised about the constitutionality of it. It's simply will not work in my opinion.

I hope that we leave here today with a very clear message that there's an awful lot of education and work that needs to occur in this community. We have large numbers of people out there, as indicated by I think one of the questions, that are quite confused; some people who really want to do the right thing, but they have misinformation, they are confused about what they see and hear. And I think one of the things that we can do is to

have a proper debate about this. And I think if we had such a debate, it would resist – I think that debate could help us resist many of the fears that people currently have. If nothing else occurs in this debate as we go forward – if we do that, a fair honest debate with empirical information, I think the vast majority of American people will give this a favorable consideration.

MR. WALCZAK: On the question about some studies that you could go to, there are a number of studies done by universities on crime rates. You could look at Ruben Rumbaut, University of California at Irvine, Roberts Samson at Harvard, and there are others. And outside of groups like FAIR – the anti-immigration groups – all of these academic studies have concluded that in fact undocumented immigrants commit crimes at lower rates than any other demographic groups, including legal immigrants. So this notion that, “oh, if people are willing to break the law to come here, they’ve already shown a disregard for rules, they’re more likely to violate the law” has absolutely been disproved empirically.

Let me just in closing, sort of keeping with that theme of looking at the facts, I think certainly every community, every government official is dealing with problems, and what we would urge is that people take a sound business or scientific approach. Don’t just say, you’ve got – every community’s got crime problems. Every community is now having gang and drug problems. Every community is having financial problems. Don’t just say, all right, these are caused by undocumented immigrants. If it’s a well-run business, if you’re a scientist, you’re going to approach it with an open, objective mind, do some kind of study, figure out what the reasons are and what the causes are, and then address those. And if you do that in a fair-minded way, I’m willing to bet that in most cases the problem is not going to be undocumented immigrants, which is something that we’ve shown in Hazelton.

And finally, I’ve had a blast litigating this Hazelton case – (laughs) – so you’re letting the trial lawyers loose. There’s going to be more lawsuits. These are not cost-free. And I think most importantly, and Mr. Legget said, these ordinances – just the passage of the ordinance, the rhetoric surrounding the passage, and the discussion create a toxic environment, which is just not good for this country and it’s not good for the community. So aside from the cost, please, please, think about what you’re doing and why you’re doing it.

Thank you.

MR. RESTREPO: Mr. Tejada?

MR. TEJADA: First on the to have another source of information for studies, in May of last year the Urban Institute put out a study on the tax payments by documented and undocumented immigrants based on the 2000 Census right here in the Washington metro region, so you might want to get a copy of that. The Urban Institute: nonpartisan, very highly respected think tanks.

This is a difficult subject. This is a serious subject: immigration. And I think as we take a step back and we need to recognize that people feel threatened – their way of life – when people who look different and may have other cultures than they may be used to come into the neighborhood. And part of our efforts need to be to educate all concerned, and folks who have lived American apple pie and all those, these are your values, the family values that people feel threatened about when others come to their neighborhood and may look a little different or have an accent.

And the policies that exclude and divide are not necessarily the way to go about this. We have had other policies in the past and in others areas of this country that focus on a particular group of people and it just didn't lead to good things. The ordinances in the Prince William and Loudon in this case, and in other places and around the country, because of a large number of immigrants today are Latino are interpreted as an attack to the entire community, not just the undocumented – all immigrants in fact, not just the Latino community.

And so we need to then say to ourselves, do we really want to go back to separate but equal? That was the law at one time, but it didn't make it right, did it? It had to be changed. And not that we want to engage here in hyperbole or exaggerate, but we have real people that every day are in our communities. They're not numbers. They're not just some person far away. These are human beings: moms, dads, sons, daughters, grandmothers in our communities. And so the reality is that the people are here, and so if they're not committing crimes – we already talked about for those who are committing crimes, they're just going to have to do the time, and no one's defending them. But then we need to look at how can we engage the community. In my opinion, it will be that we need to put more focus on civic engagement to integrate and incorporate the community, as has been done in other areas in this country, whether it is in Arlington County, Montgomery County, or other places. And call it for what you might want to call it, we need to think about including and not excluding the community. We all become better because of that. It's happened before and it can happen again.

MS. MATOS: To the gentleman who directed that questions at me, the (unintelligible) city resident card measure went through the appropriate legislative process, which meant that there was a public hearing at which people had the opportunity to be heard on the issue. At the end of the day, the city council voted on this issue. These are the elected representatives for the people and they took a vote on behalf of the people and approved this measure.

In terms of just briefly thoughts moving forward, I think it's an understatement to say that our work is cut out for us. I agree with Ike and Walter that our challenge really is around education. We have got to get out there and educate folks in the community about issues around immigration.

Behind a lot of this anti-immigrant rhetoric – let me be clear about where I'm coming from – a lot of it is hatred, bigotry, and racism, and we have to call it out when we see it for what it is. I think we need to take this issue head on. We have to be unafraid. We have push the agenda forward. And I think we should never forget that at

the end of the day these issues are about human rights and the recognition of a basic dignity of people in this country. Thank you.

MR. RESTREPO: I want to thank all of you for attending, and again, thank our panelists for their insights. Thank you.

(Applause.)

(END)