

Where have the illegal immigrants gone?

Oklahoma law targeting illegal workers had some unforeseen results

chicagotribune.com

Nation

By Howard Witt

Tribune correspondent

10:08 AM CST, February 10, 2008

TULSA

The splintered trees, downed branches and piles of wood still littering nearly every neighborhood of this sprawling city two months after a devastating ice storm stand as a testament to something more than the ferocity of nature.

The debris is also a sign of the effectiveness of Oklahoma's new law intended to drive illegal immigrants out of the state -- the strictest such statute in the nation.

The branches are still here, many of the law's critics say, because the undocumented workers who would have cleaned them up are not.

"You really have to work hard at it to destroy our state's economy, but we found a way," said state Sen. Harry Coates, the only Republican in the state Legislature to vote against the immigration law. "We ran off the workforce."

Frustrated by the federal government's failure to stem the flow of illegal immigrants and to address the status of the estimated 12 million already here, state and local governments across the nation have been enacting immigration crackdowns. Oklahoma's new law, which cuts off undocumented immigrants from most government programs and mandates felony charges against anyone who transports or shelters them, has emerged as Exhibit A in the struggle.

Three months after the law took effect Nov. 1, anecdotal indications are mounting that many of Oklahoma's estimated 100,000 illegal immigrants have fled the state. But so are indications that the new law is triggering unforeseen consequences.

Construction companies that relied on undocumented laborers are having trouble completing jobs. Thousands of undocumented children have been dropped from the state's Medicaid program. And business is down sharply at the stores, groceries and restaurants that serve a Hispanic clientele.

To the law's supporters, who contend that illegal immigrants cost the state more than \$200 million each year in extra health, education and welfare spending, those indicators are cause for rejoicing.

"The state of Oklahoma ought not be in the business of subsidizing the presence of people who are here illegally," said Republican state Rep. Randy Terrill, sponsor of the

Oklahoma Taxpayer and Citizen Protection Act of 2007, also known as House Bill 1804.

"HB 1804 proves that attrition through enforcement works," Terrill added. "All you have to do is enforce the law, deny them the jobs, deny them the public benefits, give state and local law enforcement the ability to enforce federal immigration law, and the illegal aliens will simply self-deport. And it will solve the problem."

Ripple effect in state

But to the law's opponents, including Hispanic activists, religious leaders and many small-business owners, HB 1804 is wrongheaded and immoral.

"These are hardworking people who have been here for 10, 20 years, who have contributed to this economy," said Jose Alfonso, senior pastor at Tulsa's Cornerstone Hispanic Church. "These people are not criminals."

Alfonso said he has seen his congregation of 425 shrink by more than 15 percent, an exodus fueled by stories of illegal immigrants caught in the crackdown. One man was arrested by police as he changed a tire, Alfonso said, while a woman was seized at a mall when her toddler bolted away and she sought the help of security guards to find him.

Not far from the church, Emilio Gutierrez, manager of TacosSan Pedro, is feeling the strain as well.

"If you had come here at lunchtime just a few months ago, every table would have been full," Gutierrez said as he sat in his nearly empty restaurant on a recent weekday. "We laid off half our employees. If this continues, we will probably have to close."

No one knows for certain how many undocumented immigrants have left Oklahoma, or where they've gone. But immigration activists suspect some have returned to their countries of origin, while others have moved to neighboring states in search of work -- a development that has prompted nearby states to consider their own Oklahoma-style crackdowns.

"The dominoes have been flicked," Terrill said. "The folks in the surrounding states got the message. What was our problem has now become their problem."

More than 1,500 pieces of legislation related to immigration were introduced in the nation's 50 state legislatures last year, according to the National Conference of State Legislatures.

But immigration experts say Oklahoma's law goes further than any other. Among other provisions, the law makes it a felony to knowingly "transport, move ... conceal, harbor or shelter" any illegal immigrant; mandates that government agencies verify the legal status of any applicant for public programs; requires many employers to participate in a federal verification system to confirm a job applicant's immigration status; and expands the

ability of state and local police to enforce federal immigration laws.

Carol Helm, director of Immigration Reform for Oklahoma Now, says the Oklahoma law was necessary to stop a burgeoning population of illegal immigrants from "multiplying faster than the American citizen race" and overwhelming the state's social services.

But Hispanic activists assert that such justifications smack of barely concealed racism in a state with a bitter history of discrimination against Native Americans and African-Americans.

"The pundits and the politicians are saying there is an invasion of brown people who are importing illness and financial burden into the United States," said Rev. Miguel Rivera, president of the National Coalition of Latino Clergy & Christian Leaders, which has challenged Oklahoma's immigration law in court. "It is very difficult to conceal the animosity and racial intolerance of people who think that immigration is the worst thing that could happen to the United States."

Lives in the balance

Whether the presence of illegal workers helps or harms Oklahoma's economy is a subject of fierce debate.

Proponents of the crackdown assert that undocumented immigrants cost state and local governments more than they contribute through payroll or sales taxes -- a contention supported by a study issued in December by the Congressional Budget Office in Washington. And they say that undocumented workers depress prevailing wages for legal workers, because the illegal immigrants are willing to work for less.

But critics of Oklahoma's law counter that such calculations understate the positive economic effects of the undocumented workers' consumer spending. And they argue that illegal workers fulfill a need: There are not enough willing U.S. citizens to fill the low-skilled farm and construction jobs that keep the state's economy growing.

Ultimately, critics believe the solution is some sort of guest-worker program that permits foreigners into the country to work temporarily but does not grant them access to most government programs and services.

Meanwhile, Victor Algarin and his wife live in fear. Algarin, 27, is an American citizen, born in Brooklyn, but his wife crossed the border illegally from her native Mexico seven years ago. Since Oklahoma's crackdown took effect, Algarin says he worries every time his wife leaves the house that either one of them could be arrested.

"They've made me into a criminal for being married to my wife," Algarin said. "The law states that if I'm harboring an illegal immigrant, I'm breaking the law. What am I supposed to do? Kick my wife out of the house?"

Oklahoma's law

Major points of the law:

- *Makes it a felony to harbor, transport, conceal or shelter unauthorized immigrants
- *Restricts access to driver's licenses and identification cards
- *Terminates several forms of public assistance
- *Expands authority of local law-enforcement agencies to enforce federal immigration law
- *Requires verification of employment eligibility using a federal database