

# Illinois Driver's Licenses For Undocumented Immigrants Bill Signed Into Law Sunday

AP | By REGINA GARCIA CANO AND MICHELLE JANAYE NEALY Posted: 01/27/2013 12:31 pm EST | Updated: 01/28/2013 11:14 am EST

CHICAGO — As Illinois becomes the fourth and most populous state to give undocumented immigrants permission to drive, nagging concerns remain about whether there are enough safeguards to avoid the identity fraud and other pitfalls other states faced.

Democratic Gov. Pat Quinn signed Illinois' measure into law Sunday in Chicago. Backers, including Quinn, Chicago Mayor Rahm Emanuel and some of the state's top Republicans, tout it as a public-safety measure. They argue that required facial recognition technology is reliable enough to prevent fraud.

They hailed it as an important step for immigrant rights in Illinois, which approved its own Dream Act in 2010 to create a privately-funded scholarship program for immigrant students. President Barack Obama plans to discuss his plan to overhaul the immigration system during a trip to Las Vegas on Tuesday.

"This was a bipartisan effort to pass an important law," Quinn said. "When the president speaks on Tuesday, he can say about his home state of Illinois ... we not only passed the Dream Act last year, we passed driver's licenses for those who are undocumented ."

However, the law's opponents have pointed to hundreds of fraudulent cases in New Mexico, Washington and Utah after those states began giving undocumented immigrants permission to drive. Illinois will not require applicants to be fingerprinted, for fear that would discourage immigrants from applying.

"How many people would apply for this document knowing that fingerprints will be going to (federal authorities)? Probably not all that many," said Fred Tsao, policy director of the Illinois Coalition for Immigrant and Refugee Rights, a driving-force behind the measure.

Proponents say it will allow an estimated 250,000 people unlawfully residing in the state to apply for a three-year temporary driver's license and require them to get training and insurance. The Illinois secretary of state's office said the licenses will be available starting in October.

Those ready for the change include 45-year-old Victoria Chavez.

"I need to get my driver's license because I have two kids," the Chicago woman said. "They need my support. This is a victory for all of us in the immigrant community."

The licenses will be like those already issued to certain foreign-born, legal visitors. Applicants will be photographed, and their photo will be entered into the state's facial recognition database — like the rest of Illinois' licensed drivers\_ to verify their identity.

But other states' driving programs for undocumented immigrants have been abused. New Mexico and Washington both issue licenses, while Utah issues a permit.

An Associated Press investigation last year found a striking pattern in New Mexico, suggesting immigrants tried to game the system to obtain a license. In one instance, 48 foreign-born individuals claimed to live at a smoke shop in Albuquerque to fulfill a residency condition.

Authorities also busted a fraud ring last year that forged documents for undocumented immigrants to use after driving from as far as Illinois and North Carolina to obtain a New Mexico license. Republican Gov. Susana Martinez has vowed for years to repeal the decade-old measure, but the Legislature has rejected such efforts.

Washington's requirements attracted national attention when Jose Antonio Vargas, a Pulitzer Prize-winning journalist, revealed his undocumented immigration status in an essay for the New York Times Magazine in 2011. Vargas chronicled how he obtained his Washington license. State authorities conducted an investigation that revealed Vargas did not reside at the address he stated in his application and canceled his license.

Utah's permit is not valid for identification. Illinois' law follows suit.

Utah's Republican-controlled Legislature amended the state's law in 2011 to require undocumented immigrants to be fingerprinted, and mandates that the state notify U.S. Immigration and Customs Enforcement if an applicant's fingerprint check yields a felony on record. If the applicant has a misdemeanor warrant outstanding, the state must notify the agency that is seeking the person's arrest.

That kind of information-sharing between state and immigration authorities worries Illinois' immigrant-rights advocates, such as Tsao, who pushed for the legislation without a fingerprinting requirement. They say fingerprinting could deter potential licensees from applying for fear of being identified and deported.

Local law enforcement officials argue in favor of fingerprinting.

"We could see if they have committed a crime; it could be a crime in another state or it could be a crime in their home country," said John Kennedy, executive director of the Illinois Association of Chiefs of Police.

The Illinois secretary of state's office says its facial recognition database is highly sophisticated and accurate. The program uses an algorithm to match more than a dozen facial features that are not easy to alter, such as eye sockets and sides of the mouth.

"The integrity of our driver's license system is a priority," said Henry Haupt, a spokesman for the office.

The bill's sponsor, Rep. Edward Acevedo, a Chicago Democrat, said state roads will be safer because undocumented immigrants will receive training and be tested before obtaining a license. They also will be required to purchase insurance, Acevedo said.

Tsao's organization estimates uninsured undocumented immigrant drivers cause \$64 million in damage claims each year, an expense currently covered by increased premiums.

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