

## Legal OK sought to target illegal migrants

### Sen. Patrick, Rep. Corte ask Abbott's opinion on plan to punish cities, businesses

By PEGGY FIKAC and SUSAN CARROLL Copyright 2008  
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AUSTIN — Some Texas lawmakers could launch a new effort to crack down on illegal immigrants by punishing businesses that employ them or cities that give them sanctuary, if the ideas get the legal go-ahead from Attorney General Greg Abbott.

Sen. Dan Patrick, R-Houston, and Rep. Frank Corte, R-San Antonio, asked Abbott this week for his legal opinion with an eye to the legislative session that begins in January.

The legislation would spark a fiery debate in a state where illegal immigrants have a significant impact on the economy and have roots going back many generations. The state has roughly 1.6 million illegal immigrants and a foreign-born population of nearly 4 million.

If Texas approved anti-illegal immigration laws, it would join a growing list of states that have enacted such proposals in recent years.

"I would move forward on legislation to end

sanctuary-city policies, if Abbott says such a move would be legal," Patrick said.

He said he would focus on employers who pay unauthorized workers with cash and don't pay taxes, creating an unfair environment for other businesses.

Unlike Patrick, Corte said he hadn't made a decision yet about pursuing legislation, but he said the immigration issue is front-and-center for his constituents.

Immigrant advocates are voicing concerns over such measures, saying they would tear apart communities and families and hurt the state's economy. Meanwhile, at least one Democrat is embracing the debate.

"The only thing I can say is, Pete Wilson is the best thing that happened to the California Democratic Party. Go for it, baby," said Sen. Leticia Van de Putte of San Antonio, Senate Democratic Caucus chairwoman, citing the former California GOP governor who sought to deny most state services to unauthorized immigrants.

"The more mean-spirited they get, the more mainstream Texans realize that those types of policies aren't in the best interest of our state, and they certainly aren't in the best interest of our families," she said.

The question posed by Corte and Patrick on businesses was about the constitutionality of suspending or revoking business licenses of those who employ unauthorized workers. They

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referred to a recent Arizona law, which has been challenged in federal court, that enacted such penalties for employers.

Citing an Oklahoma law barring sanctuary cities, they asked whether Texas lawmakers have authority to deter local governments from policies "which would hinder state enforcement of the federal immigration laws."

Patrick didn't offer specifics of repercussions cities might face, but he acknowledged that one option would be a loss of funding to cities. A measure last year would have affected federal security funding for cities that don't fully enforce immigration laws.

Bill Hammond, president of the Texas Association of Business, said his group opposes the idea of the state revoking businesses' licenses for immigration offenses "primarily because we believe this is a federal issue that needs a federal solution."

### 'Creating a culture of fear'

Van de Putte said revoking businesses' licenses could ensnare well-meaning employers confronted with false work documents.

Annica Gorham, director of the Houston Interfaith Worker Justice Center, said she was concerned that an employer sanction law would have an impact in Texas similar to that in Arizona. Gorham said worker rights advocates in Arizona reported "a lot of pre-emptive firings" to head off potential state sanctions.

"In order to avoid sanctions, they're letting go of their work force before anything can happen," she said. "It's creating a culture of fear in the entire community. It's bad for everybody. It's bad for the workers and their families. It's bad for the businesses owners. It's bad for the community, for people who depend on the services of these businesses."

Cesar Espinosa, community outreach coordinator for the Central American Resource Center in southeast Houston, said laws targeting undocumented immigrants in other states, most recently in Oklahoma, prompted some people to pack up and leave. He said laws that target Texas employers may have a similar effect here.

"If this were to pass in Texas, we might see an increase in migration away from Texas, which might be what they want, but it would be very difficult for communities here and cause a lot of strain on families," he said.

### Earlier attempts died

The GOP lawmakers went to Abbott first because numerous immigration measures died in last year's legislative session after Rep. David Swinford, R-Dumas, said Abbott's office had told him they would violate either the state or federal law.

"We do get a lot of constituencies ... concerned about illegal immigration in regards that it's impacting our communities from a tax dollar standpoint, and our education systems, our health care systems," Corte said.

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The definition of sanctuary city is imprecise. Police departments may set policies focused on what officials see as their primary responsibilities.

Houston Police Department officers aren't authorized to detain people solely on the belief that they are in the country illegally. People arrested for criminal violations are asked their legal status by Harris County Jail personnel.

The Houston Police Department says Immigration and Customs Enforcement will be contacted if people are confirmed to have a deportation warrant, for example.

Houston Mayor Bill White has said emphatically that this isn't a sanctuary city, and White spokesman Frank Michel echoed that sentiment Wednesday.

"Clearly and demonstrably, Houston is not a sanctuary city," Michel said. "Our police department cooperates fully with federal immigration authorities, and the ICE officials have confirmed that repeatedly."

Patrick disagreed: "We may not have billboards up that say, 'Welcome, illegals, to Houston,' but it's clear we have a 'Don't ask, don't tell, don't look, don't apprehend' policy."

Abbott's decision is due by early February.

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