

Speech delivered by Betsy Lamb of the Immigrant Family Advocates to the City Club of Central Oregon

July 2011

Thank you for providing me with a few minutes to join this conversation. **A number of us who have worked locally as volunteers and friends of those threatened with deportation and with the families and friends of deportees felt that ours was a perspective that should not be overlooked. As members and friends of the Deschutes County-based Immigrant Family Advocates, we have personally and empathetically felt the disastrous consequences of deportation to the individuals directly involved as well as those remaining behind without husband, father, breadwinner. It is difficult for me to focus these few words on the legalities surrounding deportations. While the legal concerns that clearly surround the issue of deportations will be the focus of my remarks, at the same time I pray that we never forget that it is a human issue as well.**

A number of legal approaches, programs and concerns affect deportations. I wish to address four of these briefly: Secure Communities, E-Verify, Arizona-type anti-immigrant laws, and international trade agreements.

Secure Communities

Over more than the past four years, IFA has tracked local practice in regard to deportations, over several of those years researching the legal context for it as well. During this period the intervention of local law enforcement in enforcement of immigration law—previously considered federal purview—has extended considerably, especially with the introduction of the new Secure Communities program in 2008.

Secure Communities is the newest deportation tool that ICE is promoting - they plan to implement it in every county in the country by 2013. Although the federal government claims that it targets dangerous criminals, the vast majority of people deported are convicted of minor crimes, or no crimes at all.

They say that “Secure Communities is a simple and common sense way to carry out ICE's priorities,” while, in fact, nationwide, more than 2/3 of deportations are of people who have not been convicted of any crime. These deportees are the hardworking immigrants that are the backbone of our economy in sectors like agriculture, food service, and hospitality. To deport these people en masse weakens our country's families, economy, and puts our communities' future at risk.

Nationwide, during the two and a half years from the initial introduction of Secure Communities technology through May of this year, ICE used that technology in the removal of 115,000 immigrants, with only 29,800 of them identified as “criminal aliens convicted of a Level 1 offense.” That means that more than 74% of those deported in that same time period did not fit into ICE's own priority of deporting high-level criminals.

According to the ICE website, as of Tuesday (7/19), 22% of Oregon counties had been “activated” as Secure Communities. [The 8 are: Clackamas, Marion, Multnomah, Washington, Columbia, Clatsop, Jackson and Josephine.] Of those eight counties, four were just activated in the last 3 months.

Although Central Oregon counties are not yet involved in SComm, we expect to be affected by it here before long, and it is likely that Deschutes County is already producing about the same number of deportations that would come from Secure Communities' presence here. (We do not have current numbers from the other Central Oregon counties.)

Deschutes County has contributed significantly to ICE's flow of deportees, having imposed a total of almost 650 ICE detainees over the past four full years. During that period, 68% of those turned directly over to ICE from the Deschutes County jail have had only minor criminal charges against them, if any. Many have not been convicted of anything. ICE is saying one thing and doing another. **Very important numbers and great framing!!**

Many jurisdictions throughout the country are challenging involvement with SComm, or dropping out, eg Springfield MA Monday night (along with the gov's previous withdrawal of the entire state) Amplify**

E-Verify

Since 1986, controlling illegal immigration by regulating who is entitled to work in the U.S. has been a key component of US immigration policy. Today, E-Verify is a federal program designed for this purpose, a through which US businesses can attempt to verify the work authorization of new hires. Its use is required for federal contractors and in some states. The program has serious faults and glitches:

- **E-Verify has a 54% fail rate. By the government's own statistics, E-verify will correctly identify undocumented workers less than 50% of the time.**
- **Pushing undocumented workers off the tax rolls would decrease federal tax revenue by \$17.3 billion, according to the Congressional Budget Office.**
- Even if E-Verify is "mandatory," many employers will choose not to participate or will go into the underground economy to avoid the system. In Arizona, only half of all new hires were run through the system after it became mandatory for all employers.
- **The program also erroneously flags legal workers due to errors in government databases. According to the Social Security Administration, mandatory E-Verify will force 3.6 million legal workers to have to get their records corrected by a government agency or lose their jobs. 770,000 workers would likely lose their jobs due to database errors, according to conservative estimates based on government data.**
- E-Verify will destroy American agriculture, driving up food costs, sending jobs overseas, and forcing us to import more of our produce from foreign sources. Up to 75% of the US agricultural labor force is comprised of unauthorized workers. Even in this difficult economy, experts agree that Americans are not going to return to the fields to pick crops if we force out 3 million agricultural workers.

Assuming that the mandatory implementation of E-Verify would have the same consequences as mandatory implementation of Homeland Security's "No Match" immigration rule that was rescinded in 2009 for being harmful to legal workers, the projected results would have disastrous effects on Oregon:

- *Add a few stats from Coalition for a Working Oregon's Economic Study Summary (from 2008)—Amanda... didn't know whether my sense that E-V wd have the same effects wd be correct... should I continue with this?*

Arizona-Type Anti-Immigrant Legislation

We have some examples of states taking the deportations approach. States like AZ and GA are suffering from the passage of their anti-immigrant legislation.

Georgia, for example, recently passed a bill that would make it illegal to harbor or transport undocumented people, and allow local police to question and detain immigrants who have committed no criminal offense. Even though the bill has not been fully implemented, immigrants are leaving the state. Georgia farmers are panicked to find out that there is nobody to harvest their crops, and that crops are literally left rotting in the fields. Oregon's agriculture-based economy can simply not take this kind of blow. The fact that the citizens of Georgia are not flocking to take the jobs left behind by fleeing immigrants clearly contradicts the idea that "immigrants are stealing out jobs".

In AZ where they passed SB1070, the notorious, "show me your papers" law last year, the tourist business is down, and the state is paying \$mns to defend what may turn out to be an indefensible law. (Fox News has reported that this law will end up costing Arizona over \$250 million dollars in three years.)

These anti-immigrant laws cost money. There are many communities that have tried to close their doors to immigrants. Cities have passed local policies allowing law enforcement to use skin color as probable cause for questioning; they've passed laws that penalize employers for hiring undocumented labor, and to penalize landlords for renting to undocumented families. This approach has only had negative consequences. It has brought lawsuits, created ghost towns, caused economic losses, and stirred up racial tensions that may take decades to heal.

International Trade Agreements

International trade agreements may seem out of place in a discussion of deportations from the U.S. However, probably the majority of undocumented immigrants present in our country are here as economic refugees from their home countries. Such agreements as NAFTA and CAFTA, in addition to contributing to the outsourcing of many needed jobs from Oregon, have also further impoverished the poor of many signatory countries. Local economies have had to adapt to the arrival of big businesses, especially in the agricultural sector, and hundreds of thousands of families have been left with no way to sustain themselves at home. After emigrating, they have established new lives in their new countries, becoming contributors to our economy and communities, paying taxes like the rest of us. When examining systems that affect people, we cannot refrain from examining their root causes and effects. International trade policy is an enormous area of concern that must be included in any effort toward comprehensive immigration reform.

Oregon

Finally, I want to say something specifically about Oregon.

Every bill that Mr. Ludwick's organization stood behind this year failed. We believe that the Oregon legislature's rejection earlier this year of all of all of the OFIR-supported anti-immigrant bills means that Oregon is unwilling to become another anti-immigrant state like AZ or GA. This is a sign that Oregon does not need Arizona or Georgia-style enforcement. We need ways to build a strong economy. NOT by deporting more immigrants from our communities, which would do just the opposite.

In Oregon, we do things differently. We depend on immigrant labor and cannot afford deportations even at their current rate.

As I said earlier, it was difficult to focus these remarks primarily on legal issues.

We believe that the economic impact of deportations alone, on an economy dependent on immigrants, is sufficient reason to severely limit deportations, if any, to those of individuals who have been convicted of serious crimes, those who are a danger to our community.

We believe another reason for limiting deportations is the effect they have on public safety, terrorizing the immigrant community, making people fearful of—rather than collaborative with—local law enforcement.

Further, many of us as people of faith from a variety of traditions recognize that federal and state immigration laws exist alongside of a higher law that calls us to welcome the stranger, love our neighbor, and treat others as we would like them to treat us.

You will find at your table a summary of talking points from this presentation, the Executive Summary of IFA's research findings, a sign-on sheet for your use if you would like us to send you a complete copy electronically, and a petition available for those wishing to encourage local law enforcement to better conform to ICE guidelines and international law.

Thank you.