

Reacting to Undocumented  
How new legislation will affect immigrants.

[By Bonnie Hobbs, Centre View](#)  
Wednesday, April 09, 2008



The local group discussing immigration-related issues and sponsored by Wellspring United Church of Christ is trying to find amicable solutions for everyone, rather than deport immigrants just for being undocumented.

And to Tim Freilich, legal director of the Legal Aid Justice Center in Charlottesville, its attitude was refreshing. "It's nice to see a community with this [inclusive] approach to immigrants," he said during the group's March 27 meeting. "I wish more communities were like this."

Freilich's organization wants immigrants to find justice in the workplace. But unfortunately, he said, "Congress's inexcusable failure to pass comprehensible immigration reform on the federal level has left the states to try to solve this problem for themselves."

He said more than 442,000 people living in Virginia are not yet U.S. citizens, but have legal permission to be here. He also noted that more than 10 percent of Virginians were born outside the U.S. — and in Fairfax County, that number is 26.8 percent.

"There are between 250,000 and 300,000 undocumented immigrants living in Virginia," said Freilich. "The majority of all immigrants in Virginia are from Asia and, then, Latin America." And they're not freeloading.

"According to Michael Cassidy of the Commonwealth Institute, \$260 million to \$311 million in taxes are paid per year by undocumented immigrants in Virginia," said Freilich. "When you add in payroll taxes — what their employers pay legally for them — the total tax contribution of undocumented immigrants in Virginia rises to between \$379 million and \$453 million a year."

HE THEN DISCUSSED some of the immigration-related bills that will and will not become law, as of July 1, courtesy of the 2008 Virginia General Assembly. Among those bills that failed were Senate Bill 441



Photo by Bonnie Hobbs/Centre View  
Tim Freilich discusses immigration-related legislation.



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and House Bills 1472, 91 and 436.

The Senate bill would have protected crime victims and witnesses. It would have afforded them protection from routine inquiries by law enforcement into their immigration status. Without it, these victims and witnesses will be far less likely to step forward when they or others are taken advantage of, lest they be victimized again — and possibly deported — by the government.

House Bill 1472 would have authorized small businesses in Virginia to discriminate in employment against legal immigrants speaking anything but English in the workplace. Said Freilich: "This was a horrendous bill that was clearly unconstitutional."

House Bill 91 would have given police wide discretion to arrest anyone caught driving without a license, and House Bill 436 would have afforded police the same power in misdemeanor cases. "Some officers might have used these laws in ways that are unacceptable and could have led to racial profiling," said Freilich. "Traffic enforcement would have led police to be doing immigration enforcement."

SOME OF THE BILLS that did pass deal with housing and day laborers seeking work. House Bill 350 and Senate Bill 428 enhance the powers of zoning administrators to address overcrowding issues. If unable to find a home's owner, local zoning administrators will be able to obtain subpoenas for documents, plus warrants to enter private homes.

House Bill 470 prohibits loitering in the right-of-way of any highway where it has been determined that loitering presents a public-safety hazard and the local governing body has posted signs prohibiting such activity.

Freilich said he was surprised the zoning-enforcement bill "sailed through with virtually no opposition from the civil-liberties groups." He said all three of these bills contain "pretty sweeping, new powers, and I trust that Fairfax County will apply them carefully. I personally think we need more policies to develop affordable housing."

Overall, he said, "The policies put forward impacted all immigrants. We need sensible policies coming out of the General Assembly, recognizing Virginia's dependency on immigrants — both legal and illegal — who are willing to do the type of labor that nobody else wants."

"The federal government's leaving immigration-enforcement to states

and localities is dividing communities and wrecking economies and is disastrous to the U.S.," continued Freilich. "We need more thoughtful, community groups like this one — trying to come up with positive solutions to immigration problems — rather than divisive rhetoric tearing communities apart."



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