

## Illegals target of strict new law

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The nation's strictest immigration crackdown went into effect this week in Oklahoma after a federal judge refused Hispanic and immigrants rights groups' attempt to block it.

The new law prevents illegal aliens from getting driver's licenses, denies them every possible public service or benefit not required by federal law, gives state and local police the ability to enforce immigration laws and, beginning next year, requires employers to check new employees' identities through a federal database.

"It is the toughest state-level immigration reform bill in the nation," said state Rep. Randy Terrill, the Republican who wrote House Bill 1804, which became law on Thursday. "The judge has effectively validated this approach, and he has effectively given the green light to other states to begin to proceed with measures that are similar to House Bill 1804."

As important as the new law was this week's decision by U.S. District Judge James H. Payne, who rejected immigrants rights groups' request for an injunction. In his ruling on Wednesday, Judge Payne said the groups didn't have any evidence to support their claims of harm.

The judge allowed the law to take effect while the case proceeds. The parties will be back in court next week.

It was the second time Judge Payne rejected a challenge, and Mr. Terrill said that's a testament to how carefully the law was drafted not to step on federal agencies' toes or to discriminate on the basis of race or ethnicity.

"Opponents to House Bill 1804 have now had more than six months to **plaintiff-shop, forum-shop and judge-shop** to try to find someone who's sympathetic to their cause. They haven't had much success," Mr. Terrill said.

Juan Miret, a spokesman for the United Front Task Force, a group fighting the law, said opponents are putting together other cases to challenge the law.

"The problem with 1804 is it was a wrong answer for a very complex matter," he said. "We're talking about human rights and civil rights."

Mr. Miret said the failures of federal immigration agencies have created problems that could end up with legal immigrants being detained.

He said that could happen to someone who is a green-card holder, or who applied on time for a renewed card, but whose application is delayed by a backlog of cases. If that person is pulled over, he said, police have a dilemma.

"Probably they will be deporting somebody who has the right to live and work in the United States. This is the kind of mess we're dealing with," Mr. Miret said.

About 500 protesters, most of them Hispanic, came to the state Capitol this week to protest the law, which has drawn fire from religious leaders and immigrants rights groups.

Other states — notably Arizona and Georgia — also have passed laws cracking down on illegal entry, as have some localities. Rulings on those regulations have been mixed, including a judge who overturned an effort in Hazleton, Pa., to try to prevent landlords from renting to illegal aliens.

The adverse rulings have said immigration is a responsibility of the federal government, not states.

But the Oklahoma law was written carefully to get around those prohibitions by weaving together places where the state has a right to act in such a way that can "functionally criminalize" illegal entry, Mr. Terrill said.

Some states are going the other direction. New York Gov. Eliot Spitzer has announced his state will issue driver's licenses to some illegal aliens, while Illinois passed a law blocking companies from using federal databases to check employees' work eligibility.

But in Oklahoma, the crackdown is extremely popular.

The law passed with bipartisan veto-proof majorities in the state's House and Senate and was signed by Gov. Brad Henry, a Democrat. Mr. Terrill said polls show it has the support of three-quarters of state voters.

He said he expects dozens of other states to follow Oklahoma's lead.

"The states have always been the great laboratories of democracy. Whether it was welfare reform in the mid- to late-1990s or whether it's immigration in 2007, people shouldn't be surprised that when the federal government can't or won't act, people of the state of Oklahoma will step up to the plate and hit the home run," Mr. Terrill said. "States have always filled that policy vacuum."

## CRACKDOWN ON ILLEGALS

A federal judge this week allowed Oklahoma's law cracking down on illegal aliens to go into effect. As the toughest law in the nation, it would:

- Eliminate illegal aliens' ability to get an official government identification card, such as a driver's or occupational license.
- Prevent illegal aliens from obtaining public benefits or assistance other than what is required by federal law, such as education and emergency medical care.
- Create a state felony offense for persons who knowingly harbor, transport, conceal or shelter illegal aliens. Each offense is punishable by a \$1,000 fine and up to a year in jail.
- Make illegal aliens arrested for felonies or alcohol-related misdemeanors generally ineligible for parole, meaning they must be held until federal authorities come to pick them up.
- As of July 2008, businesses will have to check new employees' work authorization with federal databases.
- Create incentives for businesses not to hire illegal aliens, including creating a private cause of action for anyone who is fired from a position that later is given to an illegal alien.