

DEKALB 9-12 ILLEGAL IMMIGRATION DECISION

CONCLUSION: Illegal immigration is a very serious and costly issue in Indiana. The Federal Government has failed to enforce Federal Laws on this subject resulting in huge burdens and security risks to the states. Indiana must take matters into its own hands like other states to deal with this issue.

RECOMMENDATIONS:

1. Indiana needs to have tough rules which discourages illegal aliens from coming to Indiana and encourages those already here to leave.
2. We oppose any amnesty plan for those who entered illegally. We believe that illegal aliens should leave voluntary or be removed.
3. Legislative actions followed by effective implementation and enforcement are the means to reduce the number of illegal aliens and their associated costs.

DISCUSSION: Per the National Conference of State Legislatures, in the first half of 2010, state legislators in 44 states enacted 319 laws and resolutions relating to immigrants and refugees. As in past years, employment, identification/driver's licenses, and law enforcement remained top areas of interest. States such as Arizona and Missouri have passed legislation to address illegal immigration issues. It has been estimated that Arizona's illegal immigrant population has declined by approximately 100,000 as a result of legislation and increased enforcement. Many other states are in the process of introducing immigration legislation including South Carolina, Pennsylvania, Minnesota, Rhode Island, Michigan Utah, Florida and Texas.

Actions that can be taken to reduce the number of illegal aliens is as follows:

- The State of Indiana should notify illegal aliens that Indiana policy is changing. Indiana, by public media, should notify illegal aliens that they need to leave the state by a specified date.
- Legislation needs to be put into place that would penalize those companies that knowingly hire illegal aliens. The E-Verify program should be used.
- Illegal aliens should not be eligible for welfare or other social service programs.
- Illegal aliens should not be eligible to access public schools. Illegal aliens should not be allowed to attend state supported colleges and universities.
- Fully implement the Secure Communities program. Broaden the authority of the police to investigate and detain offenders.
- Pass legislation that challenges the current interpretation of the 14th amendment which allows children of illegal aliens to be U.S. citizens. Illegal aliens are not "subject to the jurisdiction" of the United States nor should their children be.
- Pass legislation that prevents an illegal immigrant from bringing a claim in state court.
- All applicants for drivers licenses must show proof of citizenship. Illegal aliens are not eligible for a drivers license.
- Establish English as the state language. Restrict state agencies from spending money on materials that are not in English.

Backup Information for Illegal Alien Legislation in Indiana

The illegal alien question has broad philosophical and pragmatic ramifications.

The philosophical point is very simple. When a society allows certain crimes to go unpunished, two things happen. You get even more of the illegal activity (the “everyone is doing it” mentality). You also undermine the general Rule of Law, especially since the illegal status of these people requires them to break a multitude of other laws to survive. Selective and arbitrary applications of laws represent the essence of tyranny and chaos. The United States and Indiana have their foundations in the Rule of Law.

The pragmatic resolution of the illegal alien problem for Indiana has a constructive impact on all legal citizens, legal aliens and legal immigrants. This impact helps rectify budget problems; sets a path for welfare reform; alleviates many school problems; provides a partial solution to the unemployment problem including job availability and the status of the Unemployment Insurance fund.

The Indiana state legislature has a moral and political obligation to draft and pass legislation to address the illegal alien problem in Indiana.

Such legislation should include, at a minimum:

- English as the official language for schools, official state business
- No state-funded benefits for illegal aliens such as health care, education, worker’s compensation, unemployment, welfare, health assistance, poor relief, etc.
- Employers of illegal aliens are heavily fined
- Illegal aliens are fined on a per day basis of residing in the state as an illegal
- Fine those who knowingly aid, shelter or transport illegals
- Require use of E-Verify and deem its use as due diligence.

We have reviewed the efforts of the assembly to study the illegal alien problem in the FINAL REPORT OF THE INTERIM STUDY COMMITTEE ON IMMIGRATION ISSUES November 2008. In particular we observed the major categories examined in the committee work as follows:

“A. The financial impact of individuals unlawfully present in the United States on the following, in Indiana:

- (1) Education.
- (2) Health care.
- (3) The criminal justice system.
- (4) Social services.

B. The impact of individuals unlawfully present in the United States on the following, in Indiana:

- (1) Wages and employment.
- (2) State and local entities that issue or routinely check identification.

C. Federal limitations on state actions regarding immigration.

D. The current and future potential of the E-Verify system (including its successors and/or alternatives) regarding reliability, accessibility, and dependability.”

We fully understand that the quantifiable data on illegal aliens is hard to verify. This fact results because the illegal aliens are involved, by definition, in an ongoing criminal series of illegal actions. Thus the data on illegal aliens are often intentionally corrupted or hidden. Many groups have attempted to collect data and information to assess the negative impacts of the continued violation of the law by the illegal aliens and the failure of law enforcement to enforce the existing laws. There are mitigating factors that make it difficult for state authorities to enforce current statutes and this reality makes it even more compelling to produce legislation now that serves the interests of the legal citizens of Indiana and sets a clear datum on the Rule of Law.

Indiana & Illegals

- There are an estimated 110,000 illegal aliens (as of 2008) in the State of Indiana, a 61% increase during the years of 2000-2008. (Some sources go as high as 200,000)
- Currently, there are over 294,000 unemployed in Indiana. This number could be significantly lower if illegal aliens held no jobs in Indiana. This would also help solve the deficit in the unemployment insurance fund.
- Large percentages of illegal aliens have no health insurance and the cost of their health care must be absorbed by hospitals and the public at large due to the Emergency Medical Treatment and Labor Act.
- Statistics from 2008 indicate \$389 million dollars earned in the state of Indiana was not spent here but was wired to Latin American countries.
- On average, illegals have less education than legal citizens, earn considerably less, and pay less in taxes.
- It is estimated that half of illegal workers pay no state income taxes
- A 2004 study by the Federation for American Immigration Reform (FAIR) estimated educational expenditures for illegal immigration were costing the Indiana taxpayer \$206.2 million dollars annually.
- FAIR estimates as of 2010: At the state and local level, an average of less than 5 percent of the public costs associated with illegal immigration is recouped through taxes collected from illegal aliens; Education for the children of illegal aliens constitutes the single largest cost to taxpayers. Nearly all of those costs are absorbed by state and local governments.
- Indiana Federation for Immigration Reform & Enforcement reports the cost of illegal aliens to Indiana on an annual basis exceeds \$700,000,000. This does not include lost taxes.

The specific amounts and specific numbers as to the costs and negative impacts on Indiana generated by the presence of illegal aliens can be debated. However, there is no debate that there is a substantial monetary cost and societal cost due to the presence of persons illegally here in Indiana. The legislature can easily correct these problems by instituting illegal alien legislation now in Indiana. As noted, such an action will also bring relief to Indiana taxpayers in current budget problems and provide an opportunity to improve unemployment and social services for legal residents.

Opposing Arguments in the Illegal Alien Discussion on Indiana Illegal Alien Legislation

The arguments for amnesty and other non-punitive solutions for the illegal alien problem tend to be subjective and emotional. Further, these arguments undervalue both the Rule of Law and the actions by legal immigrants, legal aliens and taxpaying citizens of the United States and Indiana.

Arguments in support of illegal aliens:

We need to be compassionate, fair

This argument only addresses one side and ignores the penalties incurred by persons here legally. The Rule of law is the standard for being "fair".

They do jobs US citizens will not do.

This argument is specious and insulting to legal residents. Occupations such as roofing, building trades, child care certainly are not occupations legal residents will not do. Further, the state of Indiana should not have to pay unemployment benefits when jobs could be available but are filled by illegal aliens.

Possible negative impact upon:

Schools
Housing demand
Businesses
Difficulty/higher costs for food production

This argument also is specious. To argue that reducing quantifiable costs such as needing fewer school teachers or school rooms due to the exit of illegal aliens is a misrepresentation of logic. Making housing more available to legal residents, opening jobs, and so forth cannot be construed as "negative impacts".

Impossible/expensive to round up and deport that many illegal aliens

The annual costs of illegals to the United States dwarf the costs of enforcing the laws. In any event the argument is not pertinent. When the Rule of Law is followed the reason for the illegals entering the state will be eliminated. The illegal aliens will self-deport at no cost to the state. This has been proven in other states.

Would possibly separate families

These illegal aliens who made a conscious decision to violate US and certain state laws should not be rewarded for their illegal actions. We do not reward persons with families who are sent to prison for violation of the law. Illegal aliens should not receive consideration not afforded to legal citizens who break the law. In any event we will see the illegal aliens and families self-deport at no cost to the state. This has been proven in other states.

There are number of arguments in the INTERIM STUDY COMMITTEE ON IMMIGRATION ISSUES November 10, 2008 meeting report that parallel the above arguments. Careful reading of these

arguments shows the lack of hard data to support the arguments and the generally emotional appeals. Even those testifying stated they did not oppose following the rule of law. Ultimately this illegal alien problem is not one of culture or ethnicity or even economics; this problem is about respecting and enforcing the Rule of Law.