

The Anti-Immigrant Movement that Failed: Positive Integration Policies by State Governments Still Far Outweigh Punitive Policies Aimed at New Immigrants



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About the Progressive States Network

The Progressive States Network was founded in 2005 to drive public policy debates and change the political landscape in the United States by focusing on attainable, progressive state actions. The Progressive States Network advances this agenda by providing coordinated research and strategic advocacy tools to forward-thinking state policymakers, legislative staff, and non-profit organizations. We function as a meeting space for progressive legislators, activists, and citizens, and serve as a hotbed of information exchange. We track legislation in all 50 states, helping to spark change across the country. We make it easier for people to learn more about how to get good ideas passed into law – and how to take power into their own hands.

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Executive Summary

The Misguided Media Hype over Anti-Immigrant Legislation: Despite much media hype, the supposed wave of anti-immigrant politics has amounted to a few punitive laws in a handful of states, even as most states have quietly been moving forward with positive, integrative approaches to new immigrants in their communities.

The Failed Use of Immigration as a “Wedge” Issue: The current hype around anti-immigrant policies is, unfortunately, about electoral politics. The media largely fell for the tactics of political opportunists who hoped to use the issue of immigration as a “wedge” issue, much as they have used gay marriage and other social issues to undermine progressive coalitions and support rightwing politicians during elections. Yet the result has largely been political failure for rightwing politicians trying to play the anti-immigrant political card.

The Success of Positive Immigration Policy: Many states, including those where most immigrants live, now provide in-state tuition (so-called DREAM Acts) for undocumented immigrants going to public universities. Others are promoting policies to integrate immigrants through English language instruction and assistance in navigating the citizenship process. A number of states are providing health insurance to undocumented children. And instead of trying to punish immigrant workers, states are increasingly working with native and immigrant workers to crack down on bad employers who are violating minimum wage, safety and workers compensation laws.

Highlighting Positive State Legislation for New Immigrants: In this report, we have provided a state-by-state summary of major immigrant-related policies, both punitive and integrative, enacted in the last few years. We divide states based on those policies into six categories, from integrative to punitive, and highlight charts and graphs that demonstrate that positive integrative policies are far more common in the states than negative punitive policies.

A few key findings:

- Integrative policies are far more pervasive than punitive policies, with the later having been enacted only in a small minority of state populations.
- Only 11% of undocumented immigrants live in states that have enacted comprehensive punitive policies, while a significant majority of undocumented immigrants live in states with positive integrative or somewhat integrative policies.
- Only 16% of undocumented immigrants live in states that have enacted sanctions against private sector employers.
- On the other hand, over 50% of undocumented immigrants live in states that provide in-state tuition for undocumented immigrant children.
- Nearly the same majority of undocumented immigrants live in states that are promoting “New Americans” policies to better educate new immigrants and nearly a majority also live in states that have recently enacted new penalties for wage law violations in order to raise wages for all workers, native and immigrant alike.

Introduction: The Anti-Immigrant Movement that Failed: Positive Integration Policies by State Governments Still Far Outweigh Punitive Policies Aimed at New Immigrants

With most 2008 state legislative sessions at an end, we can take a step back and make a few conclusions about what happened in the states on policies effecting the immigrant population:

- In a few states where the right-wing controlled the legislature, they jammed through some laws creating punitive sanctions against undocumented immigrants.
- However, in states where moderates or progressives had any significant influence, the momentum for anti-immigration legislation stalled and almost all anti-immigrant legislation failed to pass.
- In the states where most undocumented immigrants actually live -- California, Illinois, New York, Texas and Florida -- no significant anti-immigrant legislation was enacted this session or last.
- Largely ignored by the media, over the last few years, quite a few states have pioneered programs and laws to positively integrate new immigrants into our communities and address citizens' economic fears in ways that raise wage standards for everyone, immigrant and native worker alike.
- In fact, when you look at what policies states have actually enacted, most undocumented immigrants live in states that have enacted positive programs to integrate new immigrants and rejected punitive approaches to new immigrants.

As the charts in the rest of this report demonstrate, punitive anti-immigrant policies have been enacted in only a handful of states, states where only a small percentage of the U.S. population live and an even smaller percentage of undocumented immigrants reside. Strikingly, given the national media focus on anti-immigrant legislative battles, only 11% of undocumented immigrants live in the states that have enacted comprehensive punitive policies.

Real Solutions, Not Scapegoating, Begin to Win the Public Debate

The bottom-line is that despite much media hype, the supposed wave of anti-immigrant politics has amounted to a few punitive laws in a handful of states, even as most states have quietly been moving forward with positive, integrative approaches to new immigrants in their communities. Many states, including those where most immigrants live, now provide in-state tuition (so-called DREAM Acts) for undocumented immigrants going to public universities. Others are promoting policies to integrate immigrants through English language instruction and assistance in navigating the citizenship process. A number of states are providing health insurance to undocumented children. And instead of trying to punish immigrant workers, states are increasingly working with native and immigrant workers to crack down on bad employers who are violating minimum wage, safety and workers compensation laws.

One reason bad legislation stalled in all but a handful of states in 2008 is that legislators and the public have increasingly recognized that scapegoating immigrants is not going to solve the economic pressure working families' experience. The real problem is a far more pervasive one of employers violating the workplace rights of all workers, both native and immigrant.

Notably, in states that have begun to consider new penalties for employers violating minimum wage and other labor rights, many of the right-wing politicians who had previously talked eloquently about the suffering of workers due to the supposed immigrant onslaught often back away from their concern about illegal activity in our workplaces. With lobbying by more responsible business leaders deploring the distraction of the anti-immigrant debate away from the real needs of state economies, you had a recipe in 2008 for putting aside anti-immigrant legislation in multiple states across the country.

How the Media Got Distracted by Anti-Immigrant Wedge Politics

The current hype around anti-immigrant policies is, unfortunately, about electoral politics. It is true that there is a vocal minority of the public that has promoted anti-immigrant policies for years, much as they have on and off throughout American history. This has been especially true in a few states, especially those with little previous historical experience with immigration, that have experienced rapid immigrant population growth in recent years.

Yet with so few states actually passing anti-immigrant legislation, the remarkable thing is how much attention the media has given anti-immigrant politicians. The media largely fell for the tactics of political opportunists who hoped to use the issue of immigration as a "wedge" issue, much as they have used gay marriage and other social issues to undermine progressive coalitions and support rightwing politicians during elections. Politicians like Congressman Tom Tancredo championed anti-immigrant proposals at the federal level and conservative state politicians sought to promote similar policies for electoral gain. Minnesota Governor Tim Pawlenty proposed a series of anti-immigrant executive orders earlier this year, a tactic that Javier Morillo-Alicea, President of SEIU Local 26, noted "has everything to do with the presidential race," since Pawlenty was angling for a slot as the Vice-Presidential nominee.

Yet the result has largely been political failure for rightwing politicians trying to play the anti-immigrant political card. In 2006, many analysts raised fears that anti-immigrant fervor would doom progressive candidates. Instead, progressives won big in those elections. In 2007, it was more of the same in elections in Virginia and New York where Democrats gained control of the Virginia Senate and expanded control in Long Island's Suffolk County, despite opponents trying to make political hay off of the immigration issue. Typical headlines last November read "In the Ballot Booths, No Fixation on Immigration." (*Washington Post*) Anti-immigrant candidates failed to even make headway in the Presidential primaries; arguably, the most pro-immigrant major Presidential candidates in each party won in both party primaries.

Yet the media continued to fixate on the handful of states debating anti-immigrant policies, abetted by Lou Dobbs and politicians still hoping to stir up racial divisions in the population. In the end, however, only in state legislatures already dominated by rightwing leadership such as Mississippi, Missouri, South Carolina, and Utah were significant anti-immigrant policies able to make headway in 2008, just as they only made headway in similar rightwing-controlled

legislatures like Arizona, Georgia, Oklahoma and Tennessee in previous sessions. Everywhere else, states either stalled anti-immigrant bills or enacted positive policies to better integrate new immigrants, the latter a story almost completely overlooked by the national media.

Integrative versus Punitive Immigrant Policies in the States

In **Appendix A** at the end of this report, we have provided a state-by-state summary of major immigrant-related policies, punitive and integrative, enacted in the last few years.

Punitive policies detailed in that state-by-state chart have gotten the most public attention, including legislation to cut-off benefits to undocumented immigrants (usually involving benefits they already were not receiving), local enforcement of federal immigration laws, and workplace sanctions applying additional criminal or civil penalties against private employers and undocumented immigrants hired by those employers.

Integrative policies enacted in the states have gotten far less public attention nationally, so it's worth highlighting a few of these positive policies enacted in multiple states:

- Ten states provide in-state tuition for undocumented immigrants to attend public colleges and universities. These include most of the states with the highest populations of immigrants, including California, Illinois, New York and Texas, along with a number of relatively conservative states like Kansas, Nebraska, Oklahoma and Utah which have recognized the gains from strengthening educational attainment among the new immigrant population.
- Many states have promoted “New Americans” policies to provide English language instruction and provide help to immigrants in navigating the process to attain citizenship. States including Illinois, Massachusetts, and Washington provide funding for community organizations to provide assistance to new immigrants seeking citizenship.
- Some states, including New York, Illinois and Washington, as well as several California counties, provide health insurance for undocumented immigrant children using state tax dollars. Recently enacted programs in these states have expanded health coverage for tens of thousands of such undocumented immigrant children just in the last few years.
- In order to raise wage standards for native and immigrant workers alike, many states are cracking down on the low-wage economy exploiting undocumented immigrants and many native workers as well. Colorado, Minnesota and Connecticut have enacted new crackdowns on companies misclassifying employees as “independent contractors” in order to evade wage and tax laws. California, Illinois, Massachusetts, and New York have created new investigatory arms to coordinate a crackdown on wage law violators, including a new Bureau of Immigrant Workers' Rights established in New York State.
- Many states have enacted laws to crack down on employers engaged in abusive trafficking of immigrant workers against their will, including states like Florida, New Mexico, New York, North Carolina, and Texas which make public benefits available to undocumented immigrants who are trafficking victims.

Charting Policy Differences on Immigration Between the States

To create an overall comparison of whether punitive or integrative policies are more common, we have divided states into six categories as outlined in Table 1 based on the kinds of policies that have been enacted in recent years (again see Appendix A for more details on each state):

- **Inactive** policies on the subject of immigration, with only minor positive or negative legislation enacted in the state;
- **Integrative** policies with broad support for new immigrants, including in-state tuition, policies for English language instruction, strong wage enforcement, and providing preventive health care for new immigrants;
- **Somewhat Integrative** policies, including a handful of integrative policies and at most minor anti-immigrant legislation;
- **Mixed** policies that include both some integrative policies and some punitive anti-immigrant policies;
- **Somewhat Punitive** policies, including selected workplace sanctions or benefit cutoffs or additional state enforcement of federal criminal law, but not passed as part of comprehensive anti-immigrant legislation;
- **Punitive** policies where anti-immigrant policies are part of a comprehensive policy to criminalize immigrants with little focus on integrating them into our communities.

Table 1 on the next page lists states grouped by these policy categories and includes a column for the state's population and for the number of undocumented immigrants estimated to be in each state. (The later data comes from the Pew Hispanic Center based on estimates of the undocumented population in their 2005 report, *Estimates of the Size and Characteristics of the Undocumented Population*. For the charts, we use the mean population range estimated by Pew on p. 14 of that report).

What is striking is that when you create a pie chart grouping these categories of immigration policies by state population (**Chart 1**) and by the population of undocumented immigrants (**Chart 2**), **Integrative** and **Somewhat Integrative** policies are far more pervasive policies. **Punitive** or even **Somewhat Punitive** policies apply to only a small minority of the population. In fact, a majority of undocumented immigrants live in states with **Integrative** or **Somewhat Integrative** policies and only 11% of undocumented immigrants live in states that have enacted comprehensive **Punitive** policies.

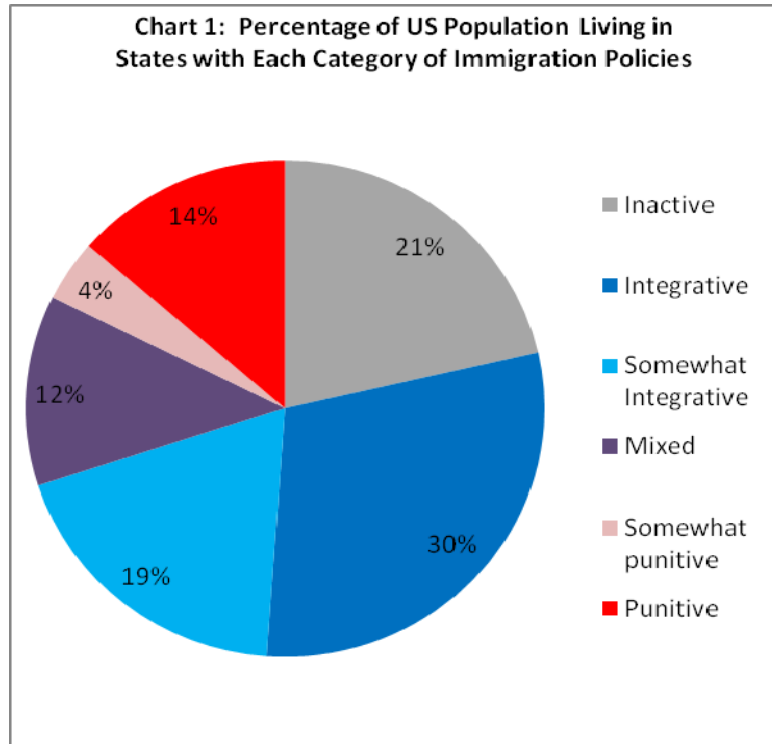
Table 1: Categories of Immigration Policies by States

State	Actions on Immigration Policy	State Population	Estimated Undocumented Immigrants in State (Pew 2005 estimates)
Alabama	Inactive	4,599,030	27,500
Alaska	Inactive	670,053	5,000
Delaware	Inactive	853,476	27,500
Florida	Inactive	18,089,888	850,000
Kentucky	Inactive	4,206,074	27,500
Montana	Inactive	944,632	5,000
Nevada	Inactive	2,495,529	125,000
New Hampshire	Inactive	1,314,895	5,000
North Dakota	Inactive	635,867	5,000
Ohio	Inactive	11,478,006	125,000
Pennsylvania	Inactive	12,440,621	125,000
South Dakota	Inactive	781,919	5,000
Wisconsin	Inactive	5,556,506	125,000
California	Integrative	36,457,549	2,400,000
Illinois	Integrative	12,831,970	400,000
Maryland	Integrative	5,615,727	225,000
Massachusetts	Integrative	6,437,193	225,000
New Mexico	Integrative	1,954,599	70,000
New York	Integrative	19,306,183	650,000
Washington	Integrative	6,395,798	225,000
Connecticut	Somewhat Integrative	3,504,809	70,000
District of Columbia	Somewhat Integrative	581,530	27,500
Iowa	Somewhat Integrative	2,982,085	70,000
Maine	Somewhat Integrative	1,321,574	5,000
Michigan	Somewhat Integrative	10,095,643	125,000
New Jersey	Somewhat Integrative	8,724,560	350,000
Oregon	Somewhat Integrative	3,700,758	125,000
Vermont	Somewhat Integrative	623,908	5,000
Hawaii	Somewhat Integrative	1,285,498	27,500
Texas	Somewhat Integrative	23,507,783	1,400,000
Colorado	Mixed	4,753,377	225,000
Indiana	Mixed	6,313,520	70,000
Kansas	Mixed	2,764,075	70,000
Minnesota	Mixed	5,167,101	70,000
Nebraska	Mixed	1,768,331	27,500
North Carolina	Mixed	8,856,505	300,000
Virginia	Mixed	7,642,884	225,000
Arkansas	Somewhat Punitive	2,810,872	27,500
Idaho	Somewhat Punitive	1,466,465	27,500
Louisiana	Somewhat Punitive	4,287,768	27,500
Rhode Island	Somewhat Punitive	1,067,610	27,500
West Virginia	Somewhat Punitive	1,818,470	5,000
Wyoming	Somewhat Punitive	515,004	5,000
Arizona	Punitive	6,166,318	500,000
Georgia	Punitive	9,363,941	225,000
Mississippi	Punitive	2,910,540	27,500
Missouri	Punitive	5,842,713	70,000
Oklahoma	Punitive	3,579,212	70,000
South Carolina	Punitive	4,321,249	27,500
Tennessee	Punitive	6,038,803	125,000
Utah	Punitive	2,550,063	70,000

Chart 1 and Chart 2 on U.S. and Immigrant Population Living in States with Each Category of Immigration Policies

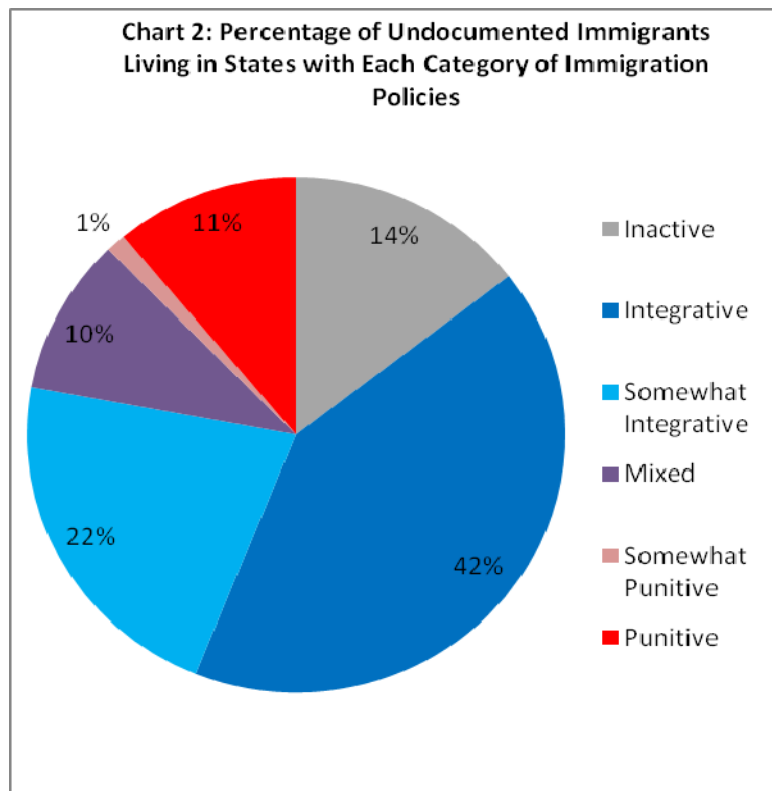
Percentage of US Population Living in States with Each Category of Immigration Policies

Inactive	64,066,496
Integrative	88,999,019
Somewhat Integrative	56,328,148
Mixed	37,265,793
Somewhat punitive	11,966,189
Punitive	40,772,839



Undocumented Immigrants Living in States with each category of policy

Inactive	1,457,500
Integrative	4,195,000
Somewhat Integrative	2,205,000
Mixed	987,500
Somewhat Punitive	120,000
Punitive	1,115,000



Integrative versus Punitive Policies: Comparing Individual Policies

When you compare the implementation of individual policies, the dominance of positive state policies to integrate new immigrants over negative punitive policies in the states is even clearer.

Workplace Sanctions: For example, the most highly debated punitive policy in most states during the last few legislative sessions has been applying workplace sanctions against employers hiring undocumented immigrants and often criminalizing the undocumented immigrants themselves. Eleven states have enacted some form of workplace sanctions focused on private sector workplaces, including Arizona, Colorado, Georgia, Mississippi, Missouri, Oklahoma, South Carolina, Tennessee, Utah, Virginia, and West Virginia. A number of these were watered down with final passage; Virginia's law only effects employers engaged in a "pattern" of employing undocumented workers, Mississippi exempted small employers until 2011 and Utah's law delayed implementation until July 2009. Yet only a small minority of undocumented immigrants lives in all of these states combined.

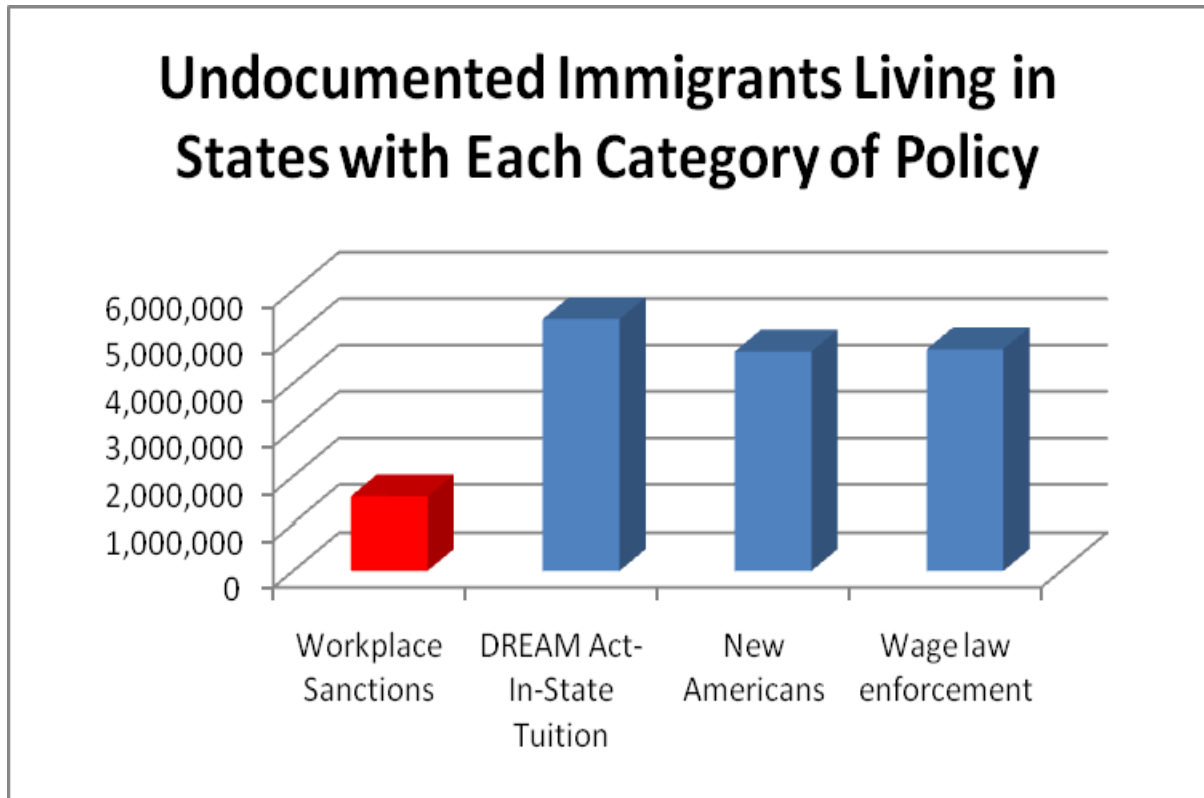
In-State Tuition: Compare that to the over 50% of undocumented immigrants who live in a state offering in-state tuition to undocumented immigrant children to attend colleges and universities. Those states include California, Illinois, Kansas, Nebraska, New Mexico, New York, Oklahoma, Texas, Utah, and Washington. (Note that Utah is the only state with both employer sanctions and in-state tuition for undocumented immigrant children.)

New Americans Policies: Similarly, the "New Americans" policies to provide greater English language instruction to new immigrants and/or assist those who can to apply for citizenship status have been enacted in multiple states. Illinois, Massachusetts, New Jersey, New York and Washington have established formal commissions supporting New Americans initiatives, while California, Iowa, Maryland, Minnesota, and Missouri have all committed funds to similar programs. Additional states have promoted English education for immigrants as well, but even the handful of states listed again covers nearly 50% of all undocumented immigrants.

Wage Law Enforcement: Similarly, states where nearly 50% of undocumented immigrant live have significantly increased their penalties for violation of their wage laws in recent years, including Arizona, California, Colorado, Connecticut, Illinois, Massachusetts, Minnesota, New York, Ohio, and Utah.

Chart 3 compares the number of undocumented immigrants living in states with employer sanctions, in-state tuition, New Americans policies, and recently increased penalties for wage violations. What this chart makes clear again is that, for all the media focus on negative punitive approaches to the immigration issue, most states with significant immigration populations are promoting policies that focus on integrating those new immigrants into their communities and on raising wage standards for all workers, native and immigrant alike.

Chart 3: Number of Undocumented Immigrants Living in States with Different Policies



Conclusion

The main message of this report is that the media and many politicians have been paying too much attention to a few states enacting punitive policies, since they are the aberration, not the norm of policy dealing with new immigrants.

The states with the largest numbers of undocumented immigrants – and notably the states that have the longest history in dealing with multiple waves of immigration over their histories – have been quietly promoting a whole range of policies based on integration of new immigrants, from promoting educational opportunities to expanding the safety net of health insurance to better enforcement of labor laws for all residents of those states. Ideally, both the media and other states will spend more time understanding these positive policies in next year’s legislative sessions and less time buying into the hype of anti-immigrant activists and politicians.

Appendix A: State-by-State Policies on Immigration

State	Rating	INTEGRATIVE POLICIES	PUNITIVE POLICIES
Alabama	Inactive	<ul style="list-style-type: none"> • Protect Public Benefits: Resolution requesting study of federal reimbursement and health care cost mitigation options (part of bad bill) (08) 	<ul style="list-style-type: none"> • Employer sanctions: Resolution requesting Governor look into E-verify (08); resolution asked federal gov't for E-verify resources (08). • Law enforcement: Resolution requesting Governor train local law enforcement to enforce federal immigration laws (08); resolution asking governor to deport incarcerated illegal immigrants (08)
Alaska	Inactive		<ul style="list-style-type: none"> • Employer sanctions: Some confidential information must be provided to Homeland Security to verify the immigration status of people claiming unemployment benefits (08)
Arizona	Punitive	<ul style="list-style-type: none"> • Wage Law Enforcement: Triple damages for wage violations (06); increased penalties for employee injuries/death, including aliens/minors unauthorized to work (08) • New Americans & Integration: DOE must provide certain education services, coordinate Americanization work (07); \$40M for English immersion programs (08) • Trafficking: Anti-trafficking laws establishing felonies for forced labor or services and sex trafficking (05); smuggling definition includes use of drop houses (08) 	<ul style="list-style-type: none"> • Employer Sanctions: Clarifies crime of taking another identity for employment; prohibits employing undocumented workers (07); Prohibits identity theft and trafficking, knowingly employing undocumented workers; requires E-verify (08); prohibits localities from having worker centers that facilitate the hiring of undocumented workers (05) • Anti-integration: Prohibits civil punitive damages for person violating immigration laws; "English only" to greatest extent possible in official actions/services/ programs; denies in-state status for undocumented students and reduces access to child care subsidies and family education programs (06 ballot initiatives) • Law Enforcement: Provides for detention of material witness if immigration status makes secured presence less likely (07); denies bail to people charged with serious felony who entered/stayed in US without authorization (06 ballot initiative) • Removing Public Benefits: Benefits require proving lawful presence (07); health benefits and Elderly care program require lawful presence (06)
Arkansas	Somewhat Punitive	<ul style="list-style-type: none"> • Trafficking: Anti-trafficking law (05) 	<ul style="list-style-type: none"> • Employer Sanctions: Prohibits state agencies from using businesses employing undocumented immigrants; contractors must certify they don't employ illegal workers (07) • Law Enforcement: Authorizes MOU between local and federal law enforcement (05)

California	Integrative	<ul style="list-style-type: none"> • Protect Public Benefits: Allowance for clinics to apply for funding for increasing migrants served (07); extends certain public benefits to migrant workers (07); Authorizes cities/counties to provide aid to people not eligible under immigration requirements of PRWORA (06) • Wage Law Enforcement: Ensures legal remedies available to workers regardless of immigration status (02); misclassification of workers (07); sweatshop procurement policy • New Americans & Integration: Private discrimination (landlord/tenant) (07); notario fraud (06); resolution against naturalization fees (07); data collection on migrant children with special education needs (07); funding for groups providing free naturalization services (06) • DREAM Act: In-state tuition (01-02) Public benefits for trafficking/DV victims (06); Adds to human trafficking law by voiding any labor contract provision that deducts from a person's wages the cost of emigrating and transportation to the US (enrolled 08); makes trafficking a crime (05) 	<ul style="list-style-type: none"> • Removing Public Benefits: Prohibits persons who can't prove eligible alien status from receiving temporary homeless relief shelter (07)
Colorado	Mixed	<ul style="list-style-type: none"> • Wage Law Enforcement: Requires all workers/independent contractors to be covered by workers' comp (07); felonizes coerced labor by employers threatening to or actually destroying immigration documents, or threatening to or actually notifying law enforcement of status (06); establishes pilot program to expedite H2A visa process including anti-retaliation provision (08) • Protect Public Benefits: Resolution requesting federal reimbursement for costs of incarcerating undocumented persons (07); mandate that undocumented immigrants should receive services for certain diseases (06); repealed statute requiring state department to turn in names of undocumented aliens participating in state TANF program (except for Medicaid) (08) • Public Safety, IDs: State/local law enforcement must pursue all federal monies available to reimburse them for enforcing federal immigration laws (06) • Trafficking: Criminalizes human trafficking (06); requires state patrol to create division addressing trafficking on highways (06) 	<ul style="list-style-type: none"> • Employer Sanctions: DOL must remind employers for 2 years to use E-verify and of the prohibition on employing undocumented workers (08); E-verify program available and soon required for contractors; E-verify for public contract hires (07); E-verify for contractors (06); requires proof of legal residency for unemployment applications of non-CO residents (07); penalties for employing unauthorized workers (06); mandates wage-withholding of employees without valid SSN/ITIN etc. (06) • ID Laws: Licenses/permits/registration/certificates only issued to lawfully present people (06) • Law Enforcement: Requires no-bond warrant for undocumented immigrant defendants (07) • Removing Public Benefits: Benefits require proof of lawful presence (07, 06)

Connecticut	Somewhat Integrative	<ul style="list-style-type: none"> • Wage Law Enforcement: New punishment for workers' comp fraud (07); Misclassification Advisory Board and enforcement commission (08) • New Americans & Integration: Establishes Asian Pacific American affairs commission (08) • Trafficking: Enhances penalties for people who coerce labor or engage in trafficking (06) 	
Delaware	Inactive	<ul style="list-style-type: none"> • New Americans & Integration: Study of costs/impacts of undocumented immigration (07) • Trafficking: Creates felony for trafficking, act based on DOJ's model (07) 	<ul style="list-style-type: none"> • ID Laws: Limits expiration date on a driver's license or ID card to the period of time that a temporary foreign national is authorized to be in US (07)
District of Columbia	Somewhat Integrative	<ul style="list-style-type: none"> • Public Safety, IDs: Resolution declaring state of emergency regarding fear in immigrant community due to lack of federal immigration policy (07) 	
Florida	Inactive	<ul style="list-style-type: none"> • Wage Law Enforcement: Good interest/rates on IOLA accounts (04) • Trafficking: Makes public social services benefits available to victims of trafficking/DV, serious crimes (07); criminalizes human trafficking (06, 04) 	<ul style="list-style-type: none"> • ID Laws: Specific documentation requirements for drivers' licenses and IDs would require legal presence (08) • Anti-integration: Requires additional annual registration fees for aliens for motor vehicles, motor homes, or vessels (07)
Georgia	Punitive	<ul style="list-style-type: none"> • New Americans & Integration: Notorio fraud (08); funding for English language instruction (08) • Trafficking: Resolution requesting DHS facilitate services for trafficking victims (07); criminalizes human trafficking (06) 	<ul style="list-style-type: none"> • Employer Sanctions: Requires public employers, contractors and subcontractors with 500 or more employees to participate in E-Verify for all new employees beginning July 1, 2007. The law is phased in for public employers, contractors and subcontractors with 100 or more employees effective July 1, 2008; and for all employers by July 1, 2009 (06); prohibits certain business tax deductions and requires income tax withholding (06) • ID Laws: Allows immigrants to keep licenses from home country, but requires that information to be available through the Georgia Crime Information Center, requires lawful immigration status to receive 3 year temporary license (08) • Law Enforcement: Authorizes MOU between local/federal law enforcement (06); requires verification of immigration status of persons jailed for felony or DUI (06); Increases punishment for anyone caught driving without a license; requires nationality check if jailed for driving offense (08) • Removing Public Benefits: Benefits require proof of immigration status (06) • Anti-integration: Prohibits any student who is not a citizen or a legal permanent resident from in-state tuition eligibility (06, 08); prohibits undocumented students from receiving certain loans (08)

Hawaii	Somewhat integrative	<ul style="list-style-type: none"> • New Americans & Integration: Resolution opposing increase in naturalization fees (07); bill improving Dept. of Labor services for limited-English persons (08) • Trafficking: Task force to study strategies to combat trafficking (06); definition of extortion includes destruction, confiscation, etc. of ID documents (08) 	<ul style="list-style-type: none"> • Anti-integration: Public housing rules amended restricting certain loans to those legally present (06)
Idaho	Somewhat punitive	<ul style="list-style-type: none"> • Wage Law Enforcement: Repealed part of law prohibiting undocumented workers from working on Capitol building projects (08) • Trafficking: Increases punishment for crimes if trafficking involved and provides for restitution/rehabilitation for victims, requires reporting on resources (06) 	<ul style="list-style-type: none"> • Employer Sanctions: Unemployment and workers comp only available to those lawfully present (06); prohibition of non-citizens/citizen-eligible workers on public works projects (except Capitol building as of 08); Exec. Order requires state agencies to participate in E-verify, and contractors must have verified and eligible employees (06) • ID Laws: Requires legal immigrants' licenses to have expiration dates matching immigration documents (08) • Removing Public Benefits: Benefits require proof of lawful presence, provides for penalties (07)
Illinois	Integrative	<ul style="list-style-type: none"> • Wage Law Enforcement: Prohibits using E-verify (07); prohibits citizen discrimination with E-verify (07); employee misclassification (07); sweatshop procurement policy • New Americans & Integration: "We want to learn English" initiative (07); Latino Family Commission (07); increase bilingual personnel in public agencies (08) • DREAM Act: In-state tuition for certain unauthorized immigrant students (03) • Trafficking: Criminalizes trafficking, involuntary servitude (05) • Protect Public Benefits: New regulations for ensuring access to health care information for limited English residents (07); funds for grants for expanding migrant health care centers (07); appropriations for immigrant related health/rights/welcoming services (07); health insurance for all uninsured kids in state (05) 	<ul style="list-style-type: none"> • Law Enforcement: Allows for deportation of undocumented immigrants convicted of crimes (06)
Indiana	Mixed	<ul style="list-style-type: none"> • Protect Public Benefits: Rural health care pilot program with migrant health centers (07) • New Americans & Integration: Notario fraud (07) • Trafficking: Anti-trafficking law (06) 	<ul style="list-style-type: none"> • Removing Public Benefits: Requires verification of legal residence for TANF (07) • ID Laws: Requires proof of lawful status to obtain drivers' license (07)
Iowa	Somewhat integrative	<ul style="list-style-type: none"> • New Americans & Integration: Requires maintenance of new Iowans centers offering one-stop services to deal with immigration and employment issues (information, referrals, language training, resettlement, technical assistance.) (07) • Trafficking: Criminalizes trafficking (06) • Protect Public Benefits: Potential for state to provide health care coverage for immigrant children (07); 	<ul style="list-style-type: none"> • Employer Sanctions: Requires businesses using state economic development grants to certify work-authorization of all new employees (07)

Kansas	Mixed	<ul style="list-style-type: none"> • New Americans & Integration: Notorio fraud (06) • DREAM Act: In-state tuition (06) • Trafficking: Criminalizes human trafficking (05) 	<ul style="list-style-type: none"> • Employer Sanctions: Limits unemployment and employment protection status to those lawfully present (06) • ID Laws: Increases security for acquiring driver's license and ID cards (07) • Removing Public Benefits: Benefits require verification of status (07); lawful presence required for discretionary SCHIP (08) Declares English as official language, state offices are not required to produce documents in other languages, but may at their discretion (07)
Kentucky	Inactive	<ul style="list-style-type: none"> • Trafficking: Trafficking penalties (07); creates trafficking crime (05) 	
Louisiana	Somewhat punitive	<ul style="list-style-type: none"> • Trafficking: Criminalizes trafficking (05) 	<ul style="list-style-type: none"> • Employer Sanctions: Urges and requests Congress to increase penalties for employers who employ unauthorized aliens (08) • ID Laws: Requires driver's license applicants presenting a passport to prove they are lawfully in the US for at least 180 days, or 60 for farm workers (07) • Anti-integration: Requires student recipients of Tuition Opportunity Program grants to be permanent residents eligible to apply for citizenship (07)
Maine	Somewhat Integrative	<ul style="list-style-type: none"> • Public Safety, IDs: Resolution to study how limiting IDs to legal residents affects migrant workers (07) • Wage Law Enforcement: Sweatshop procurement policy • New Americans & Integration: Notorio fraud (06) • Trafficking: Trafficking bill focusing on protections and services for victims (08); provides felony penalties for trafficking (07) 	<ul style="list-style-type: none"> • ID Laws: Licenses and ID cards require lawful presence (08)
Maryland	Integrative	<ul style="list-style-type: none"> • New Americans & Integration: Funding for development of immigrant legal services (07); creation of Task Force on Preservation of Heritage Language Skills (08); funding for limited English proficient general fund (08), citizenship-law education, Russian Immigrants Program (08) • Trafficking: Prohibits certain means of soliciting workers and destroying ID documents (07); criminalizes trafficking activities (07); allows investigation of employment agencies' penal bonding requirements (08) • Protect Public Benefits: Establishes a 3-yr Commission to Study the Impact of Immigrants in Maryland (08); 	
Massachusetts	Integrative	<ul style="list-style-type: none"> • Wage Law Enforcement: Triple damages for wage law violations (08) • New Americans & Integration: Creates Citizenship for New Americans Program to help LPRs acquire citizenship (07) 	

Michigan	Somewhat integrative	<ul style="list-style-type: none"> • Wage Law Enforcement: Requests continuation of returning H2B worker exemption (07); funds housing for migrant farmworkers (07) • New Americans & Integration: Funding for districts for educating migrant children (07); funds for identifying/serving migrant children (07) • Trafficking: Creates felony and stiffened penalties for trafficking (06) 	<ul style="list-style-type: none"> • Employer Sanctions: Requires state agencies to consider the status of contractors' employees and if using non-citizen workers is detrimental to residents or the state economy (07) • ID Laws: Photo ID proof of legal presence required for operator's/chauffeur's licenses (08) • Removing Public Benefits: Prohibits multicultural services funding to go to undocumented immigrants, except for emergency medical situations (07)
Minnesota	Mixed	<ul style="list-style-type: none"> • Wage Law Enforcement: Misclassification of contractors (07) • New Americans & Integration: Funding for English language education (07) • Trafficking: Comprehensive anti-trafficking law • Protect Public Benefits: Omnibus HHS financing law provides new immigrants w/ health information and funds for immigrant kids' dental services (07) 	<ul style="list-style-type: none"> • Employer Sanctions: Allows personal data from unemployment applicants to be sent to the US Bureau of Citizenship and Immigration, prohibits unemployment benefits for time without work authorization (07); Exec. Order requires executive branch to use E-verify and comply with immigration laws for vendors and employers receiving business subsidies (08) • Law Enforcement: Exec. Order directing local law enforcement to make agreements to work cooperatively with federal officials (08) Anti-integration: State aid not available for undocumented students (08 and before)
Mississippi	Punitive	<ul style="list-style-type: none"> • Trafficking: Trafficking prohibited, increases penalties (06) • Public Safety, IDs: Required cost study on impacts of state enforcement of federal immigration laws (08) 	<ul style="list-style-type: none"> • Employer Sanctions: Requires public/private employers to use E-verify with felony sanctions otherwise; effective for small employers in 2011 (08); excludes illegal aliens from unemployment insurance (07); Exec. Order requires executive branch and employers seeking state contracts over \$50K to use E-verify (08) • ID Laws: Makes identity theft a felony (04)
Missouri	Punitive	<ul style="list-style-type: none"> • Wage Law Enforcement: Requires OSHA training for public works project sub/contractor employees (by 8/28/09) (08); Prohibits misclassifying workers (08) Funding for naturalization assistance to refugees and certain legal immigrants (08) • Trafficking: Criminalizes transporting undocumented immigrants for trafficking/drug trafficking/prostitution (08); criminalizes trafficking and misuse of documentation (04) 	<ul style="list-style-type: none"> • Employer Sanctions: Prohibits and penalizes employing undocumented workers (08); requires use of federal verification program for public agencies and businesses receiving certain state funding and allows participation as an affirmative defense (08); requires employers of 5+ workers to file federal 1099-misc. forms (08); removes contractor liability under certain conditions (08) • ID Laws: Prohibits issuing driver's licenses to those who can't prove lawful presence; mandates English-only driver's tests (08) • Law Enforcement: Requires some highway patrol officers to be trained in federal immigration law enforcement (08); requires all law enforcement officers to cooperate with federal immigration officials (08); denies bail if judge reasonably believes defendant is illegal alien (08); requires verification of immigration status upon arrest (08) • Removing Public Benefits: Prohibits undocumented immigrants from receiving state/local benefits (08) Prohibits municipality sanctuary policies (08)
Montana	Inactive	<ul style="list-style-type: none"> • Trafficking: Forbids involuntary servitude and trafficking (07) 	<ul style="list-style-type: none"> • Employer Sanctions: Excludes some aliens from unemployment insurance and from definition of employment (07)
Nebraska	Mixed	<ul style="list-style-type: none"> • DREAM Act: In-state tuition (06) 	<ul style="list-style-type: none"> • Employer Sanctions: Prohibits tax credits, exemptions, or refunds for any ex-employee who has been deported due to immigration status (07);

Nevada	Inactive	<ul style="list-style-type: none"> • New Americans & Integration: Establishes pilot program to study English immersion and language-learner programs (07); funding for teaching English pre-kindergarten (07) • Trafficking: Criminalizes human trafficking (07) 	<ul style="list-style-type: none"> • Employer Sanctions: Imposes administrative procedures for sanctioning employers for hiring/employing unauthorized workers, and requires a link to the Social Security Administration so employers can verify employees' SSNs (07) • Anti-integration: Requires applicants for millennium scholarship to be legal residents for two years (07)
New Hampshire	Inactive		
New Jersey	Somewhat integrative	<ul style="list-style-type: none"> • Wage Law Enforcement: Sweatshop procurement policy • Trafficking: Criminalizes human trafficking (05) • New Americans: Exec. Order established a Blue Ribbon Advisory Panel to develop recommendations for successful immigrant integration policies (07) 	
New Mexico	Integrative	<ul style="list-style-type: none"> • Wage Law Enforcement: Memorial for federal worker program protecting lives of undocumented workers and providing for worker safety (07) • New Americans & Integration: Funds for migrant college assistance program (07) • DREAM Act: In-state tuition (04) • Trafficking: Criminalizes human trafficking, extends state benefits to victims, creates task force for study (08) • Protect Public Benefits: Memorial requests federal funding to deal with financial burdens of being a border state (07); memorial requesting study hospital funding for care for undocumented immigrants (08) • Public Safety, IDs: Formed committee on border issues - strengthening border without restricting border economy (07); Exec. Order prohibits state law enforcement inquiries about immigration status just to check for immigration violations, and prohibits inquiries into the status of crime victims/witnesses (05) 	<ul style="list-style-type: none"> • Employer Sanctions: Excludes certain aliens from unemployment insurance (07)

New York	Integrative	<ul style="list-style-type: none"> • Wage Law Enforcement: Unpaid Wages Prohibition Act makes failure to pay wages a felony (97); sweatshop procurement policy • New Americans & Integration: New York State Citizenship Initiative (NYSCI) (07); Funding for English language education, citizenship education programs, migrant worker health care, and services for trafficking victims and refugees (08) • DREAM Act: In-state tuition (04) • Trafficking: Criminalizes trafficking and adds services for victims (07) • Protect Public Benefits: Funds for migrant worker services and health care (07); provide health insurance to undocumented immigrant children (07) • Public Safety, IDs: Allows parole board to grant parole or release if person promptly deported (07) 	
North Carolina	Mixed	<ul style="list-style-type: none"> • Wage Law Enforcement: Improvements in standards for migrant housing (07) • Trafficking: Makes public social services benefits available to victims of trafficking/DV, serious crimes (07); Makes trafficking a felony (06) • Protect Public Benefits: Study of impact of undocumented immigrants on the state (06) 	<ul style="list-style-type: none"> • Employer Sanctions: Requires public employers to use E-verify after 01/01/07. • Law Enforcement: Requires reporting immigration status if undocumented immigrant is jailed for felony or impaired driving offense (07)
North Dakota	Inactive	<ul style="list-style-type: none"> • New Americans & Integration: Funding for schools teaching English to new immigrants (07) 	
Ohio	Inactive	<ul style="list-style-type: none"> • Wage Law Enforcement: Triple damages for wage law violations (06) 	
Oklahoma	Punitive	<ul style="list-style-type: none"> • Trafficking: Prohibits human trafficking, sets guidelines for treatment of victims (08) • DREAM Act: In-state tuition for certain students (03) 	<ul style="list-style-type: none"> • Employer Sanctions: Requires public employers/contractors/subcontractors to use E-verify and withhold income tax from contractors not providing SSNs (07) • ID Laws: Prohibits undocumented persons from obtaining drivers' licenses or occupational licenses (07) • Law Enforcement: Encourages local law enforcement to be involved in federal immigration enforcement (07) • Removing Public Benefits: Prohibits undocumented immigrants from obtaining public benefits (07); requires public agencies to check status of those above age 14 (07) • Anti-integration: Criminalizes transporting/harboring undocumented immigrants (07); requires lawful presence for Oklahoma Higher Learning Access Program (07)

Oregon	Somewhat integrative	<ul style="list-style-type: none"> • Wage Law Enforcement: Requires Farm Labor Contractors to provide workers' comp (07) • New Americans & Integration: Funding for migrant education (07); notario fraud (07) • Public Safety, IDs: Prohibits law enforcement from using personnel to enforce federal immigration law or to verify arrested individual's immigration status with INS (01); requirement of report on effects of law requiring legal presence for licenses (08) • Trafficking: Criminalizes trafficking, creates task force (07) 	<ul style="list-style-type: none"> • Employer Sanctions: Excludes nurse practitioners in violation of immigration laws from some workers' comp (07) • Anti-integration: Excludes alien military veterans from state financial aid (07) • ID Laws: Drivers' licenses require lawful presence (08); Expands crime of identity theft to include identities of alive or deceased people (07)
Pennsylvania	Inactive	<ul style="list-style-type: none"> • Wage Law Enforcement: Sweatshop procurement policy • New Americans & Integration: Funding for immigrant language instruction (07) • Trafficking: Includes trafficking in crime of racketeering (06) 	<ul style="list-style-type: none"> • Employer Sanctions: Prohibits undocumented labor on projects funded by state grants/loans (06)
Rhode Island	Somewhat Punitive	<ul style="list-style-type: none"> • Trafficking: Criminalizes trafficking and involuntary servitude (07) 	<ul style="list-style-type: none"> • Employer Sanctions: Exec. Order requiring executive agencies and all persons/businesses/grantees/contractors/vendors to use E-verify (08) • Law Enforcement: Executive Order directing police/corrections to work with ICE (08) • Removing Public Benefits: Prohibits new non-citizen children from enrolling in RI Medicaid program (06)

South Carolina	Punitive	<ul style="list-style-type: none"> • Wage Law Enforcement: Increases penalties for misclassification for workers' comp (07); provides remedies for wrongful discharge of authorized workers (08) • New Americans & Integration: Notario fraud (08) • Trafficking: Allows trafficking victims to receive public benefits (07) 	<ul style="list-style-type: none"> • Employer Sanctions: Requires E-verify for public employers and their contractors (08); prohibits certain income tax deductions related to undocumented workers and requires certain income tax withholding (08); requires private employers to verify employees' immigration status (08); makes person guilty of fraud for using another person's identity information to gain employment (06) • Anti-integration: Established a hotline for reporting immigration violations and a hotline/database for reporting legal violations by nonresidents (08); criminalizes transporting/harboring undocumented immigrants (08); prohibits undocumented individuals from carrying firearms (08); Excludes undocumented children from tuition assistance, scholarships, or financial aid for SC higher education (07) and from receiving financial aid or attending a public college/university (08) • ID Laws: Criminalizes using false documents as identity fraud (08); Criminalizes identity fraud as including the use of another person's identifying information to obtain employment or avoid identification by certain gov't enforcers (07) • Law Enforcement: Authorizes law enforcement MOU to enforce federal immigration laws (08); requires verification of status of persons jailed for felonies or impaired driving (08); allows status to be considered in bond and release decisions (08); adds grand jury jurisdiction for crimes in furtherance of unlawful presence (08) • Removing Public Benefits: Requires political subdivisions to use SAVE to check immigration status for applicants ages 18+ for public benefits (08); criminalizes submitting/aiding in falsities in benefits applications (08); resolution requesting Governor declare undocumented immigrants ineligible for services from state agencies (07)
South Dakota	Inactive		

Tennessee	Punitive	<ul style="list-style-type: none"> • New Americans & Integration: Notorio fraud (06) • Public Safety, IDs: Law enforcement barred from using racial profiling, penalties provided (08) • Trafficking: Criminalizes involuntary labor servitude, trafficking persons for forced labor or services, and trafficking persons for sexual servitude (08) 	<ul style="list-style-type: none"> • Employer Sanctions: Allows gov't official with good reason to believe a company is hiring undocumented workers to spark DOL investigation (07); employer who knowingly hires undocumented worker can lose local/state-issued business-related licenses for up to a year (07); E-verify users shielded from sanctions (07); Requires DOL commissioner, upon receiving complaint about employment of undocumented workers, to inform the employer that he/she may request the name of the complainer (08); Criminalizes transporting undocumented people into the state for commercial/private gain (07); Prohibits persons from knowingly employing, recruiting or referring an undocumented person for employment for a fee (07) • ID Laws: Prohibits use of federal tax id number (ITIN) to prove immigration status (07); requires proof of legal presence for temporary drivers' license (07); temporary IDs only valid for duration of legal stay (08) • Law Enforcement: Provides for MOU with Homeland Security so highway patrol officers can perform certain immigration enforcement functions (07); authorizes an MOU between local and federal governments for enforcement of immigration laws (07)
Texas	Somewhat integrative	<ul style="list-style-type: none"> • DREAM Act: In-state tuition 2004 • Trafficking: Provides studies and penalties for trafficking (07); comprehensive anti-trafficking law (03); provides for services and protection for trafficking victims (07) • Protect Public Benefits: Requires Spanish and English outreach materials for children's health insurance (07) • Public Safety, IDs: Allows temporary commercial driver's licenses for nonresidents who can't provide SSN immediately (07) 	<ul style="list-style-type: none"> • Anti-integration: Provides penalty of deportation or other status-affecting measure for non-citizens convicted of misdemeanor involving family violence (07)
Utah	Punitive	<ul style="list-style-type: none"> • Wage Law Enforcement: Prohibits misclassification for workers' comp purposes (08); establishes Independent Contractor Enforcement Council and Database (08) • Trafficking: Criminalizes human trafficking and smuggling for profit/commercial purposes and for forced labor and sexual exploitation (08); Allows for potential study of effects of immigrant identity theft and human trafficking (07) • Protect Public Benefits: Study of remedies for receiving federal reimbursement for undocumented immigration (08) • DREAM Act: Eased residency requirement (07); in-state tuition (01-02) 	<ul style="list-style-type: none"> • Employer Sanctions: Requires public employers and state contractors to verify legal status (08); excludes undocumented workers from unemployment compensation (07) • ID Laws: Identity fraud used to obtain employment of a value over \$5,000 is 2nd degree felony (08) • Law Enforcement: Allows local law enforcement to enforce immigration laws (08) • Anti-integration: Forbids local sanctuary policies (08);
Vermont	Somewhat integrative	<ul style="list-style-type: none"> • Wage Law Enforcement: Study of misclassification effects (07) • Public Safety, IDs: Requires courts to advise defendants of immigration consequences when pleading guilty to criminal (06) 	

Virginia	Mixed	<ul style="list-style-type: none"> • Wage Law Enforcement: Makes it a felony to extort money by withholding immigration/identification documents (07) • Protect Public Benefits: Allows migrant health centers to apply for certain grants (07); multi-lingual outreach for eligible aliens (08) • Public Safety, IDs: Law enforcement to receive training in immigration law, policy, and Spanish (08); requires notification if person's voter registration might be cancelled due to immigration status (08) • DREAM Act: In-state tuition for those with a legal immigration or political refugee visa (06) • Trafficking: Commission to develop state plan for preventing trafficking (07); makes the act of threatening an individual with reporting illegal status to officials for the purposes of extorting money a felony (06) 	<ul style="list-style-type: none"> • Employer Sanctions: Suspends employer's right to operate for 1 yr. for employing undocumented workers (08); requires gov't contractors to contract not to hire undocumented workers (08) • Removing Public Benefits: Prohibits most undocumented immigrants from receiving public benefits and adults must show proof of lawful presence (05); shorter period of food stamps for migrants (08) Allows alien students' personal information to be released to the US gov't (07); prohibits State Bar and Legal Services from filing lawsuits on behalf of aliens unlawfully present (08) • Law Enforcement: Requires citizenship check in jails/corrections (08); presumption of no bail for undocumented immigrants charged with certain crimes (08); requires juvenile intake officers to report immigration status of youth if probable cause of illegal presence (08)
Washington	Integrative	<ul style="list-style-type: none"> • New Americans & Integration: New Americans Policy Council (08); funding for immigration assistance services (07); better services for English learning students (08); funding for school districts with 20% of students in transitional bilingual instruction programs (08) • Trafficking: Comprehensive anti-trafficking law (03) • DREAM Act: In-state tuition undocumented immigrants (03) • Protect Public Benefits: Extend children's health insurance to undocumented immigrants (07) 	<ul style="list-style-type: none"> • Employer Sanctions: Excludes nonresident aliens from definition of "employment" for workers' comp (06)
West Virginia	Somewhat punitive		<ul style="list-style-type: none"> • Employer Sanctions: Prohibits employing undocumented workers, imposes penalties and requires work status verification (07); law authorizing DOL to promulgate a legislative rule relating to verifying employment status (08)
Wisconsin	Inactive	<ul style="list-style-type: none"> • New Americans & Integration: Notario fraud (08) 	
Wyoming	Somewhat punitive		<ul style="list-style-type: none"> • ID Laws: Criminalizes using false identity, citizenship, or resident alien documents (07) • Anti-integration: Bars unauthorized immigrants from a new scholarship program (06)