

JERRY ERICKSON

Published: February 26, 2009

On Feb. 16, almost 200 people marched from Manassas Park to the Judicial Center in Manassas to bring attention to a case of alleged police brutality against a local immigrant and to Hispanic immigrant issues in general.

The complaint that sparked the rally was made by a 38-year-old Salvadoran immigrant, Agueda Dominguez. She claimed that a Manassas Park police officer beat her during a routine traffic stop on Feb. 2 because she refused to sign a ticket for having a broken headlight. Ms. Dominguez maintained that she is able to speak English, but she could not understand the officer's request.

In addition to protesting the treatment of Ms. Dominguez, the marchers were protesting local government policies enacted in the past year that they claim are anti-immigrant. One of these regulations is the 287(g) program of the Immigration and Nationality Act, which allows local law enforcement to team up with Immigration and Customs Enforcement (ICE) to enforce federal immigration laws. The 287(g) program is aimed at deporting illegal immigrants who have broken other laws. Members of the mostly Hispanic marching group chanted for "Justice!" in a call-and-response format, first in Spanish and then in English. One protest marcher's sign read: "Nadie es ilegal (No one is illegal)."

Although it may be unrelated directly, on the following day, Feb. 17, the Prince William Board of County Supervisors, via a "Staff Directive," eliminated a new requirement that unincorporated business owners verify their immigration status in-person at county offices to apply for a Business, Professional and Occupational License.

Now, instead of having to apply in person, these business owners will be able to check a box on their application certifying their lawful presence in the United States.

Many critics had decried the county's recent imposition of this regulation as an unnecessary government requirement intended to make members of the immigrant business community feel unwelcome in Prince William County.

The county's sudden reversal of its requirement of in-person certification of legal presence for a business license may have been the result of community resistance to a perceived anti-immigrant measure.

Just as likely, the county may have changed their mind because they feared that the in-person application requirement was scaring away some applicants and their tax revenue.

At the heart of the Prince William County and Manassas debate on immigration is the economy. Factions on both sides of the issues claim that immigration in recent years has had a serious effect on the local economy.

Prince William Board of County Supervisors Chairman Corey A. Stewart had predicted that the current weakened state of the economy would prevent the county from addressing the increasingly controversial proof of legal presence requirement. When quoted in the Washington Post recently, Chairman Stewart said, "I don't think anyone is going to have the stomach to reopen this right in the middle of a tough budget cycle." Contrary to his assessment, the county acted to eliminate the in-person requirement at issue the following week.

Like Chairman Stewart, those in favor of tougher anti-illegal immigration measures often argue that by not better controlling our nation's borders, the U.S. is allowing immigrants to take away the jobs of native-born Americans. They also often view increased immigration as a stress on our national and local benefit systems.

Those advocates fighting for the rights of immigrants counter that immigration actually feeds economic growth and contributes to tax revenues. On Feb. 11, New York Times Op-Ed columnist Thomas Friedman represented the viewpoint of those who contend that increased immigration will equal a healthier economy. He pointed to smart, diverse and energetic immigrants as the source of much American economic success and job creation in the past. He noted that in the last decade immigrants founded half of the Silicon Valley start-up companies. Friedman maintained that protectionist impulses only serve to stifle economic growth by shutting the borders to some of the world's brightest entrepreneurial minds. He argued that our faltering economy must be stimulated "with green cards not just greenbacks, and with start-ups not just bailouts."

There's no doubt that proponents on both sides of the question will continue to vigorously advocate their views, whether through legislation, editorials or protest marching. And, as the troubles of the economy continue to take center stage for all, it is certain that the issues surrounding immigration will continue to share the spotlight.

*Jerry Erickson is the managing partner of Szabo, Zelnick, & Erickson, P.C. (www.szlaw.com), in Woodbridge, Virginia. He is the senior attorney in the firm's Business Immigration Section. He has practiced law for over twenty years and represents clients in numerous complex areas of immigration law*

The above information is provided for informational purposes only. The information should not be construed as legal advice and does not constitute an engagement of the Szabo, Zelnick & Erickson, P.C. law firm or establish an attorney-client relationship with any of its attorneys. An attorney-client relationship with our firm is only created by signing a written agreement with our firm.