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“The Death of Mississippi House Bill 488: Latinos in America -
How Labor, Race, & Political Alliances Prevented a Republican Controlled State from Passing
Immigration Reform”

A Thesis
Presented for the
degree of Master of Arts
in the Meek School of Journalism & New Media
The University of Mississippi

Mary Stanton

July 2013

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ABSTRACT

In March 2012, the Mississippi House of Representatives passed House Bill 488, an immigration bill similar to those passed in Arizona and Alabama that allowed, among other provisions, law enforcement officers to check the legal status of an individual after a legal stop. This thesis sets out to show how three key factors: the opposition of industry and agricultural representatives, the outcry against the racial aspects of the bill, and an alliance between Democrats, the Black Caucus, and Latino rights activists -- prevented the bill from becoming a law in a state with a Republican governor and Republican majority in the House and Senate.

DEDICATION

This work is dedicated to those without a voice, those who listen, and those who speak for the ones who cannot.

ACKNOWLEDGMENTS

I would like to thank my committee chair, Joseph B. Atkins and other committee members, Nancy McKenzie Dupont and Debora Halpern Wenger. I'd also like to thank my supporters, both friends, family and colleagues for their help in editing the final document and the film.

PREFACE

This thesis is an original, unpublished, independent work by the author Mary Stanton. It is a companion piece to the documentary film project completed as part of the thesis.

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CHAPTER I

HOUSE BILL 488

I. Statement of of the Problem

“The Mississippi Support Our Law Enforcement and Safe Neighborhoods Act of 2012,” or House Bill 488 passed the Mississippi House but was left to die in a Senate committee before becoming law, even though it was introduced by a Republican, overwhelmingly approved in the Republican controlled House, and supported by the state’s Republican governor. Modeled after the legislation in Arizona and Alabama, the bill called for police to be allowed to question the legal status of anyone during a legal stop, mandated schools to require proof of citizenship before students could enroll, and made it a civil penalty for any employer hiring illegal aliens.

Proponents of the bill claimed it would allow Mississippians to retake jobs filled by undocumented immigrants. Opponents claimed the bill was legislated racial profiling and intended to rid the state of immigrants. This thesis examines how three key factors -- the opposition of industry and agricultural representatives, the outcry against the racial aspects of the bill, and an alliance between Democrats, the Black Caucus, and Latino rights activists -- prevented the bill from becoming a law in a state with Republican governor and a Republican majority in the House and Senate.

The United States was founded by European whites over two centuries ago. However, a nation of immigrants once dominated by a white race recently saw minority births surpass non-

Hispanic white births. A May 2012 article in *Time* stated that “just over half of all infants in the U.S. were minorities or of more than one race last year.”¹ In 2010, 12.4 percent of births in Mississippi were to foreign-born females. The Migration Policy Institute noted that the foreign-born or immigrant population of Mississippi “changed by 53.9 percent between 2000 and 2010.”² It is important to note the change in immigrants in the state because it is an ongoing trend. Between 1990 and 2000 the state’s foreign-born population grew from 20,383 to 39,908 in the ten-year period, and by 2010, Mexico was one of the top three countries representing immigrants in Mississippi.³

This thesis will address how this changing demographic affects Mississippi politics by examining the introduction and passage of House Bill 488, which, according to the bill’s writers, intended to prevent undocumented immigrants from working in the state.

II. Purpose of Study

Since all the statistical data suggests that a minority population is on the rise in Mississippi, this changing demographic will likely influence and potentially change the politics and immigration policy of the state. Considering that historically the state has had race issues between black and white citizens, how will this new group of immigrants be heard in the political system in Mississippi? In order for Mississippi to progress as a state, those in position to make policy must be well informed. As a journalism study for future news gatherers to use as a

¹ Subramanian, Courtney. “Minority Report: New U.S. Data Shows More Ethnic Babies Than Whites.” *Time*. 18 May 2012. <http://newsfeed.time.com/2012/05/18/minority-report-new-u-s-data-shows-more-ethnic-babies-than-whites/#ixzz2Xu1LBdOh>. (31 June 2013).

² *Ibid*, Table 2.

³ “Mississippi Fact Sheet.” 15 July 2012. <http://www.migrationinformation.org/DataHub/state.cfm?ID=MS&message=1&CFID=16532395&CFTOKEN=94018059>. (30 June 2013)

model, this thesis will seek to find that third voice, that of the immigrants, and provide a forum for their concerns to be heard. When reporting on a story all angles must be examined in order to give the reader, the voter, all aspects of an issue. Journalism should demand that a story be told to the fullest. However, in view of reports on the introduction, debate, and eventual passage of House Bill 488 (hereafter referred to as HB 488) by the Mississippi House, it is clear that most reportage did not go deeper than the usual comments by politicians, advocates or activists in favor or against the bill. How was the bill defeated? What factors came into play that allowed a Republican-sponsored bill not get through a Republican controlled government? And did immigrants have an impact on that decision?

III. Methodology

This thesis will be a qualitative analysis of the defeat of HB 488, determined by conducting interviews with experts in the areas of Mississippi politics and policies connected to the bill. Interviews will also be conducted with both documented and undocumented Latinos living in the state to gain their insight and opinions on HB 488. The end result will provide a more in-depth look at why this legislation failed and examine what factors may come in to play to allow or prevent any future legislation similar to HB 488.

Background on the issue will include a look at history of immigration policy in the key states of Arizona and Alabama. The former passaged a trend-setting immigration bill in 2010 that a number of states immediately began to model legislation after. The latter introduced a wider range of immigration legislation that included provisions for healthcare, education and voter ID a year later. Each of these bills will provide context for how the Mississippi bill was created, the similarities/differences of the bill to those previously passed, and perhaps give insight into why

other Republican-dominated states enacted immigration legislation while Mississippi did not. The timeframe for this analysis will be from 2000 to 2010, the timeframe of the most recent U.S. Census data. In order to determine if the changing demographic of the state is changing the policies of the state, it is important to note if immigration policy increased or decreased during the time the state's Latino population increased.

Also, in order to determine if the opinion of immigration policy changed by those in the state not directly involved in policymaking, experts on immigration law, immigration rights and economics will be interviewed. Questions focusing on the state's history with immigration policy, how the economy is affected by immigration and immigrant workers and what strict immigration policy may mean for the state will be asked.

Thirdly, Latino immigrants representing middle and coastal areas of the state will be interviewed to get a perspective on who they are as individuals. In the search for all angles to the immigration issue, the faces of those most affected must be known. Who are they? Why are they in Mississippi, and how do they feel about the state? Also, they will be asked about how the immigration policy of the state impacts them regardless of their status? In doing this, a broader aspect of the issue can be obtained and more valuable information that should be considered in the policymaking process can be discovered.

IV. Theoretical Framework

By framing this study around the passage and death of HB 488, this thesis will examine how news media can be a vehicle to create a conversation in which all voices can be heard. If the changing demographic is changing the political parties of the state, what does that mean for Mississippi, a state that has a long history with civil rights issues? The interviews and

other data collected for this study will be presented in the form of a documentary as well as a written report. The documentary will encompass the interviews of the immigrants, politicians, and experts in economics, immigration law, and immigration rights. The written paper will support the documentary by including statistical data and previous research done in this area.

V. Significance of the Study

If journalism is to maintain the self-appointed status of being the Fourth Estate, all calling themselves journalists must live up to this standard. In order for this to happen, all policy issues should be examined thoroughly and reported on equally. Reporting should not stop at the usual sources quoted, such as the politicians, advocates and activists, but must continue to those at the heart of the issue. In an age of quick attention spans, it is imperative that journalists take the extra minute required to tell the whole story and not just a condensed summation of a headline.

It is the responsibility of the journalist to be the voice of the people as well as the informer, the middleman so to speak, who brings the language of the government bodies before it down to the general populace. This requires more than a few words about who said what and their reasons for why. There should be an examination of intention and ramifications and what the policy can mean. The people deserve to know more than stereotypical responses and generalizations. This study can give insight into why it is important to seek out the quiet voices that are easily overlooked when covering an issue that becomes too broad to be summarized in a news brief.

CHAPTER II

ARIZONA'S CHARGE FOR IMMIGRATION REFORM

Immigration became a talking point on in 2010, due to a series of immigration bills and orders enacted in Arizona. Senate Bill 1070, or SB 1070 required immigration status checks against those “reasonably suspicious”⁴ of being in the country illegally. The tough stance made the legislation both popular within Republican-dominated states in the United States, as well as so highly controversial among Democrats that the federal government filed a lawsuit against SB 1070 immediately after passage. In an examination of the Arizona SB 1070 and companion bill, HB 2126, along with Alabama HB 56 that followed, the similarity with Mississippi’s HB 488 can be seen and perhaps a reason as to why Mississippi’s bill failed to become a law can be determined.

The two bills Arizona enacted in April 2010, SB 1070 and HB 2126, “added new state requirements, crimes and penalties related to the enforcement of immigration laws and were to become effective on July 29, 2010.”⁵ The bills created the following restrictions against undocumented immigrations:

- Required state and local law enforcement to “reasonably attempt” to determine a person’s immigration status.

⁴ Morse, Ann. “Arizona’s Immigration Enforcement Laws.” 28 July 2011. <http://www.ncsl.org/issues-research/immig/analysis-of-arizonas-immigration-law.aspx>. (30 June 2013).

⁵ Ibid. Bill text.

- Created a state violation comparable to a federal law requiring the carrying of an “alien registration document” at all times.
- Created a penalty to anyone that unlawfully hiring someone from a motor vehicle.
- Stipulated that it is unlawful to transport “illegal aliens” as well as to “harbor, shield, or encourage them to come to the state.”
- Provided employers with a defense against being cited for employing undocumented immigrants if they could show proof of being “entrapped.”⁶

Called it one of the toughest immigration bills in the nation, critics cited the law’s requirement for law enforcement to determine immigration status as a source of discrimination due to racial profiling. Others claimed that most police agencies lacked the funding and resources to adequately carry out the requirements of the bill. This claim that officers would not be able to tell if a person walking down a street is undocumented or not led them to conclude that the bill was “a mandate for racial profiling.”⁷ This was echoed by immigration groups across the U.S. in opposition to the bills. However, Arizona legislators believed the legislation necessary to return control of enforcing laws to police. “I believe handcuffs are a wonderful tool when they’re on the right people,” Russell Pearce, the Republican state senator who wrote the bill, told *Reuters*, and “we want to get them off law enforcement and get them on the bad guys.”⁸ But who were these “bad guys” state senator Pearce and his colleagues sought to rid from Arizona?

Migration Information Source states in an article from March 2004 that “about 5.3

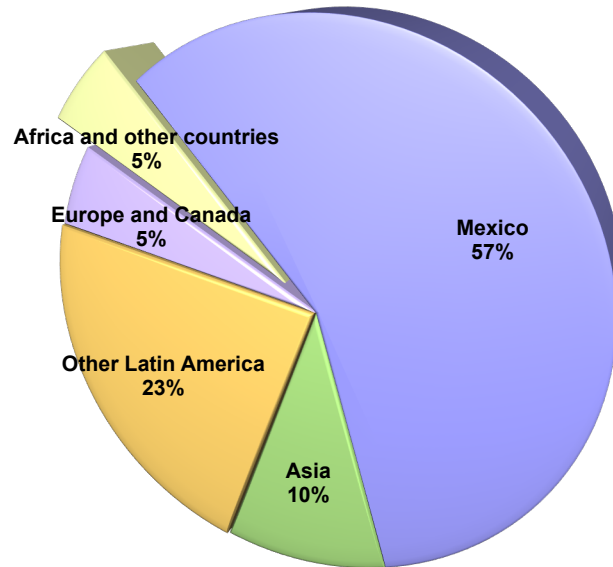
⁶ Morse, Ann. “Arizona’s Immigration Enforcement Laws.” 28 July 2011. <http://www.ncsl.org/issues-research/immig/analysis-of-arizonas-immigration-law.aspx>. (30 June 2013).

⁷ Gaynor, Tim & Schwartz, David. “Arizona passes tough immigration law.” *Reuters*. 19 April 2010. <http://www.reuters.com/article/2010/04/19/us-immigration-usa-arizona-idUSTRE6316TU20100419>. (30 June 2013).

⁸ Ibid

million undocumented immigrants from Mexico are living in the United States.”⁹ The country was also the largest supplier of undocumented immigrants to the U.S. according to a chart

Figure 1. Undocumented Population in U.S. by Country



presented in the article and shown above.¹⁰ The Migration Policy Institute cited that, according to census data collected in 2010, most of the immigrants living in the United States were from the ages of 25 to 54, while the second highest group was 55 or older.¹¹ In other words, it is important to point out the highest amount of immigrants in the United States from Mexico were of working age. The chart on the next page shows the breakdown of the age groups by percentages.¹²

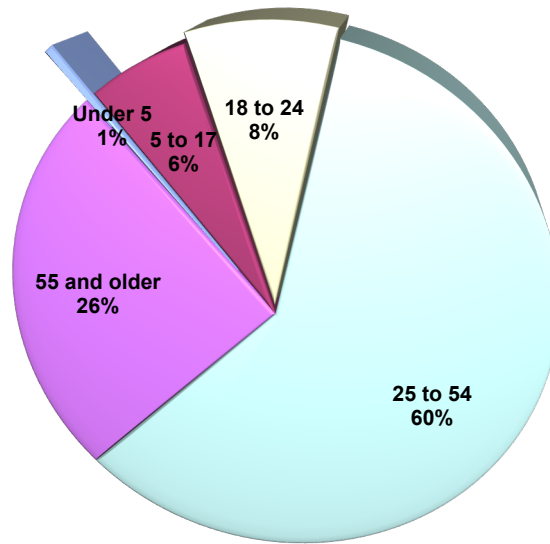
⁹ Passel, Jeffrey. “Mexican Immigration to the United States: The Latest Estimates.” *Migration Policy Institute*. March 2004. <http://www.migrationinformation.org/usfocus/display.cfm?ID=208>. (30 June 2013).

¹⁰ Passel, Jeffrey. “Mexican Immigration to the United States: The Latest Estimates.” *Migration Policy Institute*. March 2004. <http://www.migrationinformation.org/usfocus/display.cfm?ID=208>. (30 June 2013).

¹¹ MPI Data Hub: Mississippi. *Migration Policy Institute*. 2013. <http://www.migrationinformation.org/datahub/state.cfm?ID=ms>. (30 June 2013).

¹² Ibid. Chart p.19.

Figure 2. Immigrant Population by Age in 2010



Although a large number of undocumented immigrants hailed from Mexico, by 2010, when Arizona introduced the tough immigration bills, reports indicated that the wave of Mexicans coming into the U.S. was on the decline. The Pew Research Hispanic Center reported that between 1995 to 2000, 3 million Mexicans immigrated to the United States, while only 1.4 million did so between 2000 to 2005. However, those leaving the U.S. between 2005 to 2010 increased to 1.4 million, or “roughly double” from 1995-2000.”¹³

It is interesting to note that while studies showed a decrease in immigration from Mexico to the U.S. from 2005-2010, more immigration legislation was introduced in states across the nation. A *CNN* story reported that immigration bills introduced went from around 300 bills in 2005 to nearly 600 bills in 2006. By 2007, over 1,500 immigration bills were introduced in state governments around the nation. Even as the numbers of Mexican immigrants decreased, the number of immigration bills held steady at 1,305 bills in 2008, and around 1,500 in 2009.

¹³ Passel, Jeffrey. et al. “Net Migration Falls to Zero and Perhaps Less.” *Pew Research Hispanic Center*. 23 April 2012. <http://www.pewhispanic.org/2012/04/23/net-migration-from-mexico-falls-to-zero-and-perhaps-less/>. (30 June 2013).

Although only “about 15 percent of those were enacted, dealing with issues such as driver's licenses, health and education,” by 2010, the pattern of large numbers of immigration bills was continuing with about one thousand being brought up by state legislatures.”¹⁴ U.S. Census Bureau data indicated that in 2011, there were 6.1 million unauthorized Mexican immigrants living in the United States, while 5.8 million authorized Mexican immigrants resided in the U.S..¹⁵

The Arizona legislation sent a clear message that undocumented immigrants were not wanted in the state. The questions then are: how did this stance affect the undocumented population in the state, and how did it affect the economy of the state? For the first question, an article from *Christian Science Monitor* in July of 2010, states that the Mexican government had prepared for an influx of Mexicans returning to the country after the passage of the Arizona SB 1070. Shelters like one in Sonora noted a 15 percent increase in occupancy when previous immigration bills were passed in Arizona, but the owner did not expect more than a 25 percent increase after SB 1070's passage in part because some of those leaving Arizona might opt to go to a different state instead of returning to Mexico.¹⁶

Soon after the passage of the Arizona bills, researchers began to track the effect the legislation might have on the economy. As stated earlier, one aspect of the Arizona SB1070 was to allow business owners the opportunity to defend charges of employing undocumented

¹⁴ Bash, Dana et al. “What Does Arizona’s Immigration Law Do?”. *CNN Online*. 23 April 2010. <http://www.cnn.com/2010/POLITICS/04/23/immigration.faq/index.html>. (30 June 2013).

¹⁵ Passel, Jeffrey et al. “Net Migration Falls to Zero and Perhaps Less.” *Pew Research Hispanic Center*. 23 April 2012. <http://www.pewhispanic.org/2012/04/23/net-migration-from-mexico-falls-to-zero-and-perhaps-less/>. (30 June 2013).

¹⁶ Cattan, Nacha. “Arizona immigration law 2010: As SB1070 takes effect, Mexicans say ‘Adios, Arizona.’” *The Christian Science Monitor*. 29 July 2010. <http://www.csmonitor.com/World/Americas/2010/0729/Arizona-immigration-law-2010-As-SB1070-takes-effect-Mexicans-say-Adios-Arizona>. (30 June 2013).

immigrants if they could provide proof of being entrapped. By using the E-Verify system, which was a requirement of all licensed businesses after the passage of the Legal Arizona Workers Act of 2007 (LAWA), owners could avoid punishments also stipulated in that law. The Public Policy Institute of California stated that Arizona legislators added this provision in SB 1070 in 2010, because LAWA “exclude[d] independent contractors from its definition of an employee, self-employment or other less formal arrangements” which “[were] ways to avoid E-Verify.”¹⁷

Under the Department of Homeland Security, the E-Verify system began in a basic form in 1986. Technological advances led to a web-based version in 2004, and the department has steadily increased the program’s capabilities through the intervening years. Presently, the Social Security Administration runs the program, which can be accessed through the Internet. E-Verify allows both employers and employees nationwide the ability to check employment eligibility by entering a Social Security number and comparing the information presented by the potential employee against the information reported in the system, which includes photos as a cross check as well.¹⁸

After Arizona passed LAWA, a study by the Public Policy Institute of California estimated the working age of Arizona’s undocumented immigrants went from 17 percent from 2008 to 2009.¹⁹ That averages to about 92,000 people who left the state after the passage of LAWA. “This decline is greater than those in comparison states—including California—during

¹⁷ “Arizona’s E-Verify Mandate Reduces Number of Unauthorized Immigrants.” *Public Policy Institute of California*. 14 March 2011. <http://www.ppic.org/main/pressrelease.asp?i=1102>. (30 June 2013).

¹⁸ “USCIS - History and Milestones.” *U.S. Citizenship and Immigration Services*. 18 March 2013. <http://www.uscis.gov/>. (30 June 2013).

¹⁹ “Arizona’s E-Verify Mandate Reduces Number of Unauthorized Immigrants.” *Public Policy Institute of California*. 14 March 2011. <http://www.ppic.org/main/pressrelease.asp?i=1102>. (30 June 2013).

the recent recession.”²⁰ The study also found that “employment fell 11 percentage points among less-educated Hispanics in Arizona who aren’t citizens”²¹ and a large number of undocumented immigrants. The institute also reported that while there was “a decline of 56,000 wage and salary workers in the state,” self-employment in that group “increased by 8 percentage points, or about 25,000 workers.”²²

Having previously been successful in limiting the number of undocumented immigrants in the state, Arizona legislators understandably wanted to tighten the loopholes for those able to avoid using E-Verify. However, even if the passage of SB 1070 resulted in a further decline in the employment of undocumented immigrants, a report by the *Arizona Republic* showed another factor caused a dip in the state’s economy in the form of a decrease in tourism dollars.

SB 1070 quickly became labeled as a “show us your papers” law and that interpretation led to a decrease in bookings according to the Phoenix Convention Bureau spokesman Scott Dunn. “The misperception that our city does not value diversity continues to be an impediment to attracting national convention groups,” Dunn said, “In some cases, the damage from what happened in 2009 or 2010 won’t wash ashore until 2013 or 2014.”²³

While comparable cities like San Antonio and Denver reported a rebound or no change in booking, “projected bookings for the Phoenix Convention Center are down by as much as 30 percent for the current fiscal year compared with 2009. The city projects about 184,300

²⁰ Ibid.

²¹ Ibid.

²² Ibid.

²³ Strasser, Annie-Rose. “Arizona Losing Millions As A Result of Anti-Immigration Law.” *Think Progress*. 2 January 2013. <http://thinkprogress.org/justice/2013/01/02/1385351/phoenix-convention-losses-sb1070/>. (30 June 2013).

convention guests, down from a high of about 275,400 in the 2009 budget year — a difference of about \$132 million in direct spending, according to the city.”²⁴

As reported by *Time*, that decrease in tourism led to a over 2,700 jobs lost, which resulted in a loss of \$253 million in economic production.²⁵ “Overall Arizona’s economy \$141 million” including “\$96 million in lost commercial revenue.”²⁶ Part of that commercial revenue loss was also due to companies avoiding Arizona when starting new businesses. The *Time* article also stated that, “sixty CEOs from Arizona-based companies urged the senate not to pass additional immigration laws that would further cripple the economy and tarnish Arizona’s image.”²⁷

The tarnished image was a result of the provision of SB 1070 that required law enforcement to reasonably attempt to determine a person’s immigration status and for all immigrants to carry documentation proving status at all times. Among the critics of these aspects of the bill were immigration rights groups, as to be expected, but the most vocal criticism came from the highest office in the land. President Barack Obama spoke out against the Arizona legislation at a naturalization ceremony even before the bill was signed by Arizona Governor Jan Brewer, saying the law threatened “to undermine basic notions of fairness that we cherish as Americans, as well as the trust between police and our communities that is so crucial to keeping us safe.”²⁸

²⁴ Strasser, Annie-Rose. “Arizona Losing Millions As A Result of Anti-Immigration Law.” *Think Progress*. 2 January 2013. <http://thinkprogress.org/justice/2013/01/02/1385351/phoenix-convention-losses-sb1070/>. (30 June 2013).

²⁵ Serrano, Alfonso. “Why Undocumented Workers Are Good for the Economy.” *Time*. 14 June 2012. <http://business.time.com/2012/06/14/the-fiscal-fallout-of-state-immigration-laws/>. (30 June 2013).

²⁶ Ibid.

²⁷ Ibid.

²⁸ Archibold, Randal. “Arizona Enacts Stringent Law on Immigration.” *The New York Times*. 23 April 2010. http://www.nytimes.com/2010/04/24/us/politics/24immig.html?_r=1&. (30 June 2013).

Even though the U.S. Department of Justice filed an injunction against Arizona's SB 1070 just days after it was signed into law, five other states including Alabama "crafted omnibus laws the in 2011 following the example of Arizona."²⁹ A Republican-controlled Senate, House and governorship enacted Alabama's HB56 on June 9th. That state's immigration bill was like Arizona's in that in included law enforcement and commerce policies, however the Alabama law increased its scope to include the areas of healthcare, education and voter registration.

Undocumented immigrants were banned or prevented from:

- Receiving state or local public benefits
- Enrolling in public colleges
- Applying for, or soliciting work
- Renting property
- Being employed when their undocumented status is known by the employer.³⁰

The bill also required proof of citizenship during voter registration and requested that "officials at public K-12 schools determine the immigration status of their students."³¹

The reaction to the Alabama bill was very much the same as those to the Arizona's SB 1070 in that many immigration groups and businesses opposed the legislation and the Obama Administration filed suit against it. However, unlike Arizona, Alabama's critics quickly cited the state's history of segregation when voicing concerns about the potential for racial profiling they said the bill contained. Cecilia Wang, director of the Immigrants' Rights Project of the American

²⁹ Morse, Ann et al. "State Omnibus Immigration Legislation and Legal Challenges." *National Conference of State Legislatures*. 27 August 2012. <http://www.ncsl.org/issues-research/immig/omnibus-immigration-legislation.aspx>. (30 June 2013).

³⁰ Gordon, Ian. "Laying Down the (Immigration) Law: Alabama vs. Arizona." *Mother Jones*. 29 August 2011. <http://www.motherjones.com/mojo/2011/08/alabama-arizona-immigration-laws>. (30 June 2013).

³¹ Ibid.

Civil Liberties Union, said that, “from a civil rights perspective, what states like Alabama are doing is going well beyond targeting undocumented immigrants. In its anti-immigrant zeal, Alabama has really violated the civil rights of everyone in that state.”³² Several groups including religious organizations joined the ACLU in challenging immigration policies in Alabama and other states.³³

In March 2012, African-Americans and Latinos walked together on the 47th anniversary commemorating the civil rights march from Selma to Montgomery.³⁴ Meanwhile, Alabama Governor Robert Bentley dismissed the racial argument by saying that the state was simply requiring people to obey the law. “What took place in the civil rights era was a series of unlawful actions against lawful residents,” Bentley said to *Reuters*, “It was a shameful chapter in our state's history. The immigration issue of today is entirely different. The government is not persecuting people.”³⁵

In terms of an economical impact, Alabama’s poultry industry initially said the jobs left vacant by undocumented Latinos were being filled by legal citizens. One mayor was quoted as saying, “the poultry industry has hired a lot more whites and blacks that are glad to have the work.”³⁶ However, an article by featured on *Bloomberg Business Week* online in September 2012

³² Gray, Steven. “Obama Administration Brings Immigration Legal Fight to Alabama.” *Time*. 4 August 2011. <http://swampland.time.com/2011/08/04/obama-administration-brings-immigration-legal-fight-to-alabama/>. (30 June 2013).

³³ Ibid

³⁴ Kramer, Sarah. “Solidarity Between Immigrants, Civil Rights Marchers After Alabama HB 56 Ruling.” *WNYC*. 9 March 2012. <http://www.wnyc.org/articles/its-free-country/2012/mar/09/ala-hb-56-ruling/>. (30 June 2013).

³⁵ Trotta, Daniel & Bassing, Tom. “In Alabama, Strict Immigration Law Sows Discord.” *Reuters*. <http://www.reuters.com/article/2012/05/30/us-usa-immigration-alabama-idUSBRE84T16P20120530>. (30 June 2013).

³⁶ Trotta, Daniel & Bassing, Tom. “In Alabama, Strict Immigration Law Sows Discord.” *Reuters*. 30 May 2012. <http://www.reuters.com/article/2012/05/30/us-usa-immigration-alabama-idUSBRE84T16P20120530>.

refuted the claims that Alabama citizens were taking those jobs, and instead reported that most were going to legal African and Haitian refugees and Puerto Ricans.³⁷

Wayne Singleton, a spokesperson for poultry business Wayne Farms, said that these groups were hired because a shortage in labor occurred after HB 56 passed. “Many legal Hispanic employees left after the immigration law took effect,” Singleton in a *Bloomberg Business Week* article, “The company, which operates six plants in the state, spent \$5 million to replace and train new workers.” Singleton went on to say that turnover in the North Alabama plants was 50 percent in 2011, and as high as 90 percent in some plants in 2012, because replacements left. “The company is having to use alternative methods and sourcing, including recruiting refugees,” Singleton said.³⁸

Alabama’s unemployment rate did drop after the bill though, from 8.8 percent in September 2011 to 8.5 percent in October of the same year.³⁹

Two years after Arizona passed its immigration law and a year after Alabama, Mississippi Representative Becky Currie introduced House Bill 488, which was also known as “The Mississippi Support Our Law Enforcement and Safe Neighborhoods Act of 2012.” The bill, with a near carbon copy of the title of the Arizona law, was modeled heavily after both the Arizona and Alabama legislation. HB 488 also listed a number of similar components requiring:

- Public schools to determine legal status of enrolling students.
- Prevention of undocumented immigrants from entering into business transactions

³⁷ Newkirk, Margaret & Douban, Gigi. “Alabama Immigration Law Has a Surprise Result.” *Bloomberg Business Week*. 24 September 2012. <http://www.businessweek.com/news/2012-09-24/africans-relocate-to-alabama-to-fill-jobs-after-immigration-law>. (30 June 2013).

³⁸ Ibid.

³⁹ Ibid.

with the state.

- Retention of E-Verify records by contractors for at least three years.⁴⁰

The bill also called for the establishment of special fund to be known as the “Immigration Reimbursement Fund,” which would reimburse local governments the unrecoverable costs of incarcerating undocumented immigrants.⁴¹ HB 488 also required law officials to determine a person’s immigration status if there was “reasonable suspicion” after a legal stop was conducted.⁴² The bill was introduced, according to Currie, to return Mississippi jobs to Mississippians and she cited the results of Alabama’s law, saying “Alabama’s unemployment went from 10 percent to 8 percent percent in six months since this bill took effect. Those are hard numbers to fight too.”⁴³

In 2011, the Migration Policy Institute reported that from 2000 to 2010, there was an increase in immigrants in the state by 63 percent, down from a 95.8 percent increase between 1990 to 2000; and of these immigrants 53.3 percent were from Latin America, a group that includes Mexico.⁴⁴ Even though the state followed the downward migration trend like Arizona, the legislation was seemingly going to be supported by a Republican-controlled House, Senate and Governor. The bill did pass the Mississippi House by a 70-47 vote, but it made it no further than a Senate judiciary committee. The scenario for the bill’s passage into law echoed both

⁴⁰ “House Bill 488.” *Mississippi Legislature 2012 Regular Session*. 3 April 2012. <http://billstatus.ls.state.ms.us/2012/pdf/history/HB/HB0488.xml>. (30 June 2013).

⁴¹ Ibid. Text of Bill

⁴² Ibid. Text of Bill.

⁴³ Cherry, Daniel. “Immigrants, Opponents Protest Immigration Reform Legislation.” *MPB Online*. 22 February 2012. http://mpbonline.org/News/article/immigrants_opponents_protest_immigration_reform_legislation. (30 June 2013).

⁴⁴ MPI Date Hub: Mississippi. *Migration Policy Institute*. 2013. <http://www.migrationinformation.org/datahub/state.cfm?ID=ms>. (30 June 2013).

Arizona and Alabama's. Yes, there was opposition by civil rights groups, farmers and businesses along with immigration activists and democrats, but what made Mississippi different from other Republican-dominated states? An investigative report must be conducted in order to determine the reasons behind the different outcome.

CHAPTER III

METHODOLOGY

Mississippi's HB 488 failed to become a law because it was not brought to a vote after being sent to a Senate judiciary committee. The bill had all the similarities of both Arizona's SB 1070 and Alabama's HB 56, and yet the Republican-controlled Senate did not put it to vote, even though most Republicans, including Mississippi Governor Phil Bryant, supported the legislation. The thesis project presented here is a documentary film that will be the result of video interview. In order to determine why the legislation was abandoned, a case study of the life cycle of the bill must be examined by conducting on camera interviews with those directly involved in the creation, introduction, passage and death of the bill, which includes the politicians, opponents and proponents of the legislation. Success of this approach will depend on the accessibility of the interview subjects and their willingness to be candid in their responses.

Mississippi's HB 488 touched many different groups ranging from the legislators who created it to the immigration activists against it, the citizens' groups for it, and the undocumented workers who fear it. An in-depth examination of the bill must include interviews with one of the early supporters for the bill and a legislator against the passage of the bill. Also, due to the controversy around HB 488 concerning racial profiling, an interview with a member of the Mississippi Immigrants' Rights Alliance is also required. In order to determine the current process for immigrating to the United States and to perhaps shed light on why there are as many

undocumented immigrants as reported by the U.S. Census, an interview with an immigration attorney and public policy professor could be insightful. Since many in the construction, service, and agriculture industries were outspoken against the bill, interviewing a representative of one or more of these groups may also give more details about why HB 488 failed. Lastly, the group that would be affected the most by the passage of the bill will likely be the hardest to interview. However, in order to get a complete understanding of the effects HB 488 might have on the Latino population in Mississippi, it is important to interview both documented and undocumented immigrants from Mexico and/or Latin America.

Research Conducted

Prior to conducting interviews, an examination of the history of HB 488 was completed. It was determined that Mississippi House District 92 Representative Becky Currie was the lead writer of the legislation with a number of her fellow Republicans in districts throughout the state listed as co-sponsors. Requests for interviews went to many with several of those listed on the bill with no response. However, after a visit to the Capitol, Rep. Currie agreed to talk about her opinions on the bill on camera. Mississippi House Representatives Brad Mayo, Republican, District 12, and Steve Holland, Democrat, District 16, were also interviewed. All were asked the following line of questions:

- What was the intent of the the legislation?
- What is your response to those who say the bill provides the potential for racial profiling?
- What is your response to those in the agriculture, construction, and/or service industries that claim the bill will cause worker shortages?
- How would the bill have benefited Mississippi's economy?

- Do you believe this bill unfairly targeted Latinos?
- Why do you believe the bill failed to pass into law?
- Was there any concern about funding the various requirements this bill created to the schools, police, and other entities?
- Do you see any future immigration bills in the Mississippi legislature?

Lt. Governor Tate Reeves was contacted both by phone and email without response. An email exchange was conducted with Senator Hob Bryan, but a film interview was not conducted.

At the start of this case study, a handful of Latinos were interviewed to determine their thoughts and concerns about HB 488. They were asked how the bill might have impacted their lives and those of other Latinos in Mississippi, regardless of if they were natural citizens to the state, legal immigrants, or undocumented. Each of these persons were asked the following questions:

- Were you aware of HB 488, the immigration bill that the Mississippi legislature attempted to pass?
- What are your thoughts on the bill?
- Have you or someone you know faced discrimination? If so, what happened?
- Do you believe HB 488 would have allowed for racial profiling by law enforcement?

After locating a documented Latino immigrant living in Biloxi and working in the hotel industry, as well as an undocumented farm worker from Mexico, a new series of questions was asked:

- Why did you come to America and subsequently Mississippi?
- What has your experience been like living in the state?
- What's it like living in Mississippi?
- What is your job and are you paid well?
- Do you have healthcare?
- What are your future goals?

- What would you like others to know about you?

And to the undocumented farm worker:

- Do you have any concerns/fears about being deported?
- How do you feel about law enforcement officers?
- Do you think an amnesty program/option should be offered for undocumented immigrants and why?
- Why do you stay in Mississippi?

Mary Townsend, an attorney who works at El Pueblo, which is located in Biloxi, Mississippi, and who assists the Hispanic/Latino immigrant community of the Gulf Coast with issues related to human rights and justice, was interviewed in order to learn more about the current requirements for those seeking to immigrate to the United States. As well as being asked about her knowledge and opinion of HB 488, Townsend was also asked:

- What is the demographical make-up of your clients? Have you noticed a change in their ages, country of origin, etc. in the past 10 years?
- What is the process one must go through to become a legal citizen/resident of the United States?
- Are there any problems with the current immigration system? If so, do you have any suggestions on how it could be improved?
- In your opinion, how would a bill like HB 488 affect the immigrant population in Mississippi?
- In your opinion, why was HB 488 introduced?
- In your opinion, why did HB 488 fail?

Public policy professor Miguel Centellas was interviewed in an effort to discover the thought process of legislators when introducing bills like HB 488. Centellas, who specializes in economics and Latino studies, was asked about his knowledge of the bill and general opinion on

the impact it might have had on the immigrant population as well as the state's economy. He was also able to give insight on the dynamics of the Latino community and why there may be racial tension between them and other groups.

An interview with Mississippi Immigrants' Rights Alliance (MIRA) Executive Director Bill Chandler was also conducted to discover background on the immigrant population in Mississippi such as what first attracted Latinos to the state, how were they treated as workers, how were they treated in their communities, and did they find allies in the political system? Chandler was also asked about the political system in Mississippi due to his close involvement with the Mississippi Legislature.

While each of those interviewed are experts in their fields, they all possess their own opinions. When presented with statistics by all of those interviewed, independent research was done by the author to corroborate and/or contradict the data they presented so that that information could be included in the final version of the documentary as either narration or graphics.

Once all the interviews were conducted, the responses of each person were edited and organized by topics to find a narrative. It was determined that HB 488 could be broken down into three topic areas: labor, racial aspects, and political alliances. These interview responses were then compiled into a script in order to produce a film on why HB 488 failed to become a law when other similar bills in various Republican-controlled states passed.

CHAPTER IV

DOCUMENTARY FILM: “THE DEATH OF MISSISSIPPI HB 488” SCRIPT

Cirilo, Undocumented Farm Worker:

“I consider myself a human being, you know as well so I treat everyone the same. I think we as immigrants or me as an immigrant, I’m the same as you are. I go to church, maybe you go to church. I believe in God, maybe you believe in God, so it’s so many similarities. To say something about me personally is to say, just put yourself, just yourself as you are and the only thing that changes is that for the legal system, you don’t have the right documents, I say in quotes the right documents to be here.”⁴⁵

Title slate: The Death of Mississippi HB 488

Voice/Narration:

Immigration issues were discussed long before 2010, but in that year Arizona passed a bill that brought the issue to the forefront of public debate. The law required law officials to search anyone “reasonably suspicious” of being undocumented- a requirement that even the Obama Administration feared would lead to racial profiling.⁴⁶ In 2011, five Republican-led states passed immigration laws similar to Arizona’s. Mississippi sought similar legislation in 2012.

Becky Currie, R-Miss., House Representative, District 92:

⁴⁵ Cirilo. Interview by Mary Stanton. Video Recording. Hattiesburg, March 31, 2013.

⁴⁶ Archibold, Randal. “Arizona Enacts Stringent Law on Immigration.” *The New York Times*. 23 April 2010. http://www.nytimes.com/2010/04/24/us/politics/24immig.html?_r=1&. (30 June 2013).

“We had a huge amount of people unemployed. I had a 14 percent unemployment rate in my district and when you would ride around in my community there were a lot more illegal immigrants working then, and I thought those jobs would be best suited for legal Mississippians who were looking for employment.”⁴⁷

Title Slate: How Labor, Race, & Political Alliances Prevented a Republican-Controlled State from Passing Immigration Reform

Voice/Narration:

In March the Mississippi House of Representatives passed HB 488, known as the “Mississippi Support Our Law Enforcement and Safe Neighborhoods Act of 2012.” It allowed police to question the legal status of anyone during a legal stop, mandated schools to require proof of citizenship before students could enroll, and made it a civil penalty for any employer to hire illegal or undocumented workers. This is the story of why that legislation failed to pass into law.

Labor Force Graphic: In 2010 there were 23.1 million foreign-born persons in the civilian labor force, making up 16.4 percent of the total. Immigrants were 16 percent of the labor force, but only 13 percent of the total population.⁴⁸

Mary Townsend, Mi Pueblo Attorney for Immigration Assistance:

“When we first got here most of our clients were Mexican in their 20s and 30s, most were agricultural workers but it’s changed over the years. Today I would say most of our clients are

⁴⁷ Currie, Becky. Interview by Mary Stanton. Video Recording. Jackson, March 6, 2013.

⁴⁸ Singer, Audrey. “Immigrant Workers in the U.S. Labor Force.” Brookings. 15 March 2012. <http://www.brookings.edu/research/papers/2012/03/15-immigrant-workers-singer>. (31 June 2013).

working in the hospitality industry, in hotels, in housekeeping or in groundskeeping. We have a number of people who are in construction and a few in agriculture.”⁴⁹

Lisbeth Volquez, Documented Hotel Worker:

“Came to America in 2007. I used to do public airs, like cleaning the machines at the casinos for over a year. And then I started doing housekeeping about two months now. It’s kinda like cleaning company. They send people to the casinos, places where they ask for people. So I just applied to the company and they send me there to work.”⁵⁰

Cirilo, Undocumented Farm Worker:

“I came here originally to California. But then some said come to Mississippi, there’s work there. I didn’t know where Mississippi was, but yeah that’s how I came. There’s blueberry farms, watermelons, strawberries, sugar cane, whatever. Because I move all around to work, but I’d said I’ve been here in the area 12 years.”⁵¹

Voice/Narration:

Rep. Becky Currie of District 92 and other Republican representatives like Brad Mayo of District 12 saw HB 488 as a way to ensure Mississippi workers filled Mississippi jobs. But those representing farmers and businesses thought differently.

Benny Graves, Mississippi Sweet Potato Farmer Representative:

“The real problem with immigrants here in our area is, as I try to talk to legislators and tell them, we advertise for local labor before we can bring in H-2A workers. We may get one or

⁴⁹ Townsend, Mary. Interview by Mary Stanton. Video Recording. Biloxi, March 30, 2013.

⁵⁰ Volquez, Lisbeth. Interview by Mary Stanton. Video Recording. Biloxi, March 30, 2013.

⁵¹ Cirilo. Interview by Mary Stanton. Video Recording. Hattiesburg, March 31, 2013.

two workers who will come in and work a few hours and then they'll quit. So we do not have a labor force. Show us a labor force is all we ask."⁵²

Voice/Narration

According to the U.S. Department of Labor, "H-2A is temporary agricultural program that establishes a means for agricultural employers who anticipate a shortage of domestic workers to bring nonimmigrant foreign workers to the U.S. to perform agricultural labor or services of a temporary or seasonal nature."⁵³

Steve Holland, D-Miss., House Representative, District 16:

"You have many segments of the economy in this state, especially the chicken industry, that would have to shut down if it weren't for immigrants that work in their plants."⁵⁴

Bill Chandler, Mississippi Immigrants Rights Alliance (MIRA):

"If the state of Mississippi drove the general estimate of 40,000 migrant workers out of the state than 70,000 jobs associated with it would be lost in Mississippi. It wouldn't be where people would come and get those jobs. An example of it was a study done by the National Farmworkers Union. Most of their members are undocumented. So they advertised nationally for people to apply for work in the union farm. Thirty people inquired, 3 or 4 were hired but none of them lasted more than a week."⁵⁵

Voice/Narration

⁵² Graves, Benny. Interview by Mary Stanton. Video Recording. Vardaman, Summer 2012.

⁵³ United States Department of Labor. "Employment Law Guide: Work Authorization for Non-U.S. Citizens." Updated September 2009. <http://www.dol.gov/compliance/guide/taw.htm>. (31 June 2013).

⁵⁴ Holland, Steve. Interview by Mary Stanton. Video Recording. Tupelo, March 5, 2013.

⁵⁵ Chandler, Bill. Interview by Mary Stanton. Video Recording. Jackson, September 2012.

Republicans thought differently, however.

Brad Mayo, R-Miss., House Representative, District 12:

“I think for the long term it had the potential to benefit our economy. I do think that you may have to offer higher wages than what the employers were currently paying, but yes, I do think Mississippians would fill them. And if they didn’t, legal immigrants whether they came here from Alabama or whether they come from a foreign country, those who legally come here to make a better life could fill those positions.”⁵⁶

Voice/Narration

Rep. Currie says nationally American’s are supporting the undocumented, not the other way around.

Becky Currie, R-Miss., House Representative, District 92:

“They say it’s 12 million illegal immigrants. I beg to differ, I say it’s 40 million, and it’s a huge stress on our economy. They have the jobs, they have health care, education, all of the things we’re in here today fighting about and trying to pay for. It’s a huge stressor on - and the taxpayers that are going to work everyday and it feels like the hamster on the wheel. How much can you keep taxing people to pay for all of this? I just don’t know how long we can keep going. I know I’m spinning on there as fast as I can.”⁵⁷

Lisbeth Volquez, Documented Hotel Worker:

“They pay like \$9 an hour. It gives you so you can pay your bills but it’s not like you’re going to have money left to save or do stuff you want to do. It’s considered a full time job, but

⁵⁶ Mayo, Brad. Interview by Mary Stanton. Video Recording. Oxford, July 1, 2013.

⁵⁷ Currie, Becky. Interview by Mary Stanton. Video Recording. Jackson, March 6, 2013

you never know because if the company lose the contract with the casino you never know if the casino is going to keep you unless you are hired directly from the casino.”⁵⁸

Voice/Narration

Contrary to what Republican representatives say, not all undocumented workers expect the state to pay their medical bills.

Cirilo, Undocumented Farm Worker:

“Yes, if something happens I do have to pay my expenses. I do, I work by myself. I hire my own self because when I pay my taxes that’s what I do, I pay it because I go ask for jobs from different places I basically have to be responsible for my payments if I get sick.”⁵⁹

Voice/Narration

The Institute for Taxation and Economic Policy shows that undocumented immigrants paid \$8.4 billion in sales taxes, \$1.6 billion in property taxes, and \$1.2 billion in personal income taxes in 2010, for a total of \$11.2 billion paid in to the government.⁶⁰

Miguel Centellas, University of Mississippi Public Policy Professor:

“Most illegal immigrants pay taxes. In Mississippi, for example, illegal immigrants make up about 10 percent of the budget in terms of their revenue contributions, right so because they never get to file for their tax returns. So unlike 50 percent of Americans who pay payroll taxes and then get almost all of that back, in terms of tax returns because of income credits, child credits, mortgage reductions, all of that, illegal immigrants who use fake social security cards

⁵⁸ Volquez, Lisbeth. Interview by Mary Stanton. Video Recording. Biloxi, March 30, 2013.

⁵⁹ Cirilo. Interview by Mary Stanton. Video Recording. Hattiesburg, March 31, 2013.

⁶⁰ “Unauthorized Immigrants Pay Taxes, Too.” *Immigration Policy Center*. 18 April 2011. <http://www.immigrationpolicy.org/just-facts/unauthorized-immigrants-pay-taxes-too>. (31 June 2013).

pay payroll taxes and then getting nothing back. And then on top of that they pay state taxes when they go buy things and all kinds of other taxes, too. They make up, they're less than 1 percent of the population in Mississippi, but they pay 10 percent of the budget."⁶¹

Becky Currie, R-Miss., House Representative, District 92:

"They're here buying things and that's all good, but they don't have - 40 percent of my check is taken, they take out FICA, social security, state and federal tax. Do they pay state tax when they buy things, yeah, but that's not contributing when they go to the the emergency room or when they go to the hospital and have a baby and immediately, immediately that mother is put on Medicaid and so is that baby. They can say they are paying taxes all they want. They're not paying what you and I are paying. And so it is not fair."⁶²

Voice/Narration

Documented hotel worker, Lisbeth is a single mother to a child born in America. While her son receives Medicaid, she does not.

Racial Aspects Graphic: "Hispanic and Asian populations have swelled by more than 40 percent since 2000, compared to the 1.5 percent increase of non-Hispanic whites over the same time period. The white demographic now only represents 63.4 percent of the U.S. population." -

*Time Magazine.*⁶³

Mary Townsend, Mi Pueblo Attorney for Immigration Assistance:

⁶¹ Centellas, Miguel. Interview by Mary Stanton. Video Recording. Oxford, September 2012.

⁶² Currie, Becky. Interview by Mary Stanton. Video Recording. Jackson, March 6, 2013

⁶³ Subramanian, Courtney. "Minority Report: New U.S. Data Shows More Ethnic Babies Than Whites." *Time*. 18 May 2012. <http://newsfeed.time.com/2012/05/18/minority-report-new-u-s-data-shows-more-ethnic-babies-than-whites/#ixzz2Xu1LBdOh>. (31 June 2013).

“The immigration system altogether needs reform. It no longer meets, if it ever did, the needs of the United States’ economy and the people employers need for jobs nor the needs of immigrants or intending immigrants.”⁶⁴

Voice/narration

Each year the United States issues a set number of VISAs per country. The number of VISAs issued is limited and as a result there is a backlog. According to Townsend, that backlog increasingly causes spouses and minor children to be left waiting for a VISA for 5 to 7 years. But some get tired of waiting for documentation and come to the U.S. anyway.

Mary Townsend, Mi Pueblo Attorney for Immigration Assistance:

“It’s not like we have these hordes of people rushing in to take over our country. A large number of them are people who already had a connection, were already going to be able to come, they just couldn’t wait any longer. And that’s unfortunate but it’s our broken system that makes it that way.”⁶⁵

Voice/Narration

E-Verify, is a Social Security Administration program that can be used nationwide by employers to check the eligibility of employees. Mississippi is one of many states that require licensed businesses to use the program.

Steve Holland, D-Miss., House Representative, District 16:

“I think the State has approached the immigration issue from a pretty baseless stance, and what I mean by that is I think somebody woke up and decided Mississippi had an immigration

⁶⁴ Townsend, Mary. Interview by Mary Stanton. Video Recording. Biloxi, March 30, 2013.

⁶⁵ Ibid.

problem and to my knowledge we really don't. Now certainly I'm an advocate of tough Federal immigration laws, that's a position that I've always fallen back on, and you've got E-Verify that's a Federal law now. I think that the movers and shakers that promoted all this immigration law we're doing it number one from a pretty strong racist standpoint."⁶⁶

Voice/Narration

The Pew Research Hispanic Center reported in a recent survey that during the five-year period from 2005 to 2010, a total of 1.4 million Mexicans immigrated to the United States - that number was down by more than half from the 3 million who had done so in the five-year period of 1995 to 2000.⁶⁷

Miguel Centellas, University of Mississippi Public Policy Professor:

"Mexican immigration to the United States peaked about twenty years ago. In fact most Mexicans are going back to Mexico today than coming back to the United States because that has to do with the fact that the Mexican economy is actually doing better than the American economy so they're better off going back, ironically."⁶⁸

Mary Townsend, Mi Pueblo Attorney for Immigration Assistance:

"HB 488 was the bill, we called it the racial profiling bill, because it was going to require local law enforcement to determine somehow is a person was here illegally or not. I've been doing immigration law since 1998 and I can tell you it is not an easy thing to determine if a person is here lawfully. It can be easy, I mean if a person is a permanent resident and has a

⁶⁶ Holland, Steve. Interview by Mary Stanton. Video Recording. Tupelo, March 5, 2013.

⁶⁷ Passel, Jeffrey et al. "Net Migration Falls to Zero and Perhaps Less." *Pew Research Hispanic Center*. 23 April 2012. <http://www.pewhispanic.org/2012/04/23/net-migration-from-mexico-falls-to-zero-and-perhaps-less/>. (31 June 2013).

⁶⁸ Centellas, Miguel. Interview by Mary Stanton. Video Recording. Oxford, September 2012.

permanent residence card or if a person is here on a work VISA and they have their work VISA, that's pretty easy. But there are a lot of people that are here in a more nebulous situation. Local police officers don't have the training they need to decide if a person has lawful presence, and what is the key, what is going to make them suspect that a person is not here legally? The only thing that we could come up with is that they look foreign. Well, that's racial profiling."⁶⁹

Steve Holland, D-Miss., House Representative, District 16:

"You know we've got everything from police officers who could not enforce this, cities that came out rapidly against it, municipalities that have to enforce this archaic law that you can racial profile just based on what a person looks like, just automatically assume that they're some kind of problem. That's just so arcane to me, I don't have those feelings about anyone and furthermore it's worth fighting for to educate those who do feel that way that it shouldn't be that way."⁷⁰

Brad Mayo, R-Miss., House Representative, District 12:

"Are our illegal immigrants probably predominantly a different skin color, yeah, I think they probably are. But at the end of the day they're illegal. I think we need to support those who did it legally - who did it the right way."⁷¹

Becky Currie, R-Miss., House Representative, District 92:

"I don't care if you're blonde-haired and blue-eyed from Sweden, if you're here illegally you have broken the law. And it's not directed at anybody with a different color skin. I have

⁶⁹ Townsend, Mary. Interview by Mary Stanton. Video Recording. Biloxi, March 30, 2013

⁷⁰ Holland, Steve. Interview by Mary Stanton. Video Recording. Tupelo, March 5, 2013.

⁷¹ Mayo, Brad. Interview by Mary Stanton. Video Recording. Oxford, July 1, 2013.

black grandchildren that I love dearly, two of them that live with me. I have a Hispanic brother-in-law, love my brother-in-law and my nieces and nephews dearly. It had nothing to do with the color of anyone's skin and I think that's kind of a copout answer quite frankly. I felt like I was on board, I was more on the cheerleading side of the immigrants, they don't count, they don't exist if they are raped, if their child is abused, or if something bad happens to them they can't go to law enforcement because they are here illegally."⁷²

Voice/Narration

Opponents of HB 488 don't believe the bill would have compelled immigrants to report crimes or seek government protection.

Cirilo, Undocumented Farm Worker:

"When you hear a police car you are trying to basically, don't run because if you run you are already suspect you know, but it's something you feel it. It's like you are not running from the people who are going to harm you but the people who are supposed to protect you. And it is kinda contradictory to say that but it is what happens. So with this bill, it would be very hard for all us immigrants to report those crimes because you are afraid of the police."⁷³

Bill Chandler, Mississippi Immigrants Rights Alliance (MIRA):

"Every community of color, every community of color has had a reluctance to call the police on something. If something gets really bad and out of hand, yes, but most crime that is committed in communities of color goes unreported."⁷⁴

⁷² Currie, Becky. Interview by Mary Stanton. Video Recording. Jackson, March 6, 2013.

⁷³ Cirilo. Interview by Mary Stanton. Video Recording. Hattiesburg, March 31, 2013.

⁷⁴ Chandler, Bill. Interview by Mary Stanton. Video Recording. Jackson, September 2012.

Mary Townsend, Mi Pueblo Attorney for Immigration Assistance:

“Mississippi has had such a bad reputation for years because of our history with civil rights violations. We don’t need to go down that road again with the most recent newcomers here. Anyone who was here after Katrina knows that it was immigrants that cleaned up the coast, and without their hard work and their willingness to live in practically subhuman conditions while they did it, we’d still be piled under tons of debris. So for people then to turn around when we no longer need them and try to make life miserable for them so they’ll just go away to me was reprehensible and I just thank God that the bill died and didn’t get passed.”⁷⁵

Political Alliances Graphic: "Lt. Governor Reeves' actions continue to make Mississippi a sanctuary state for illegal immigrants," Mississippi Tea Party spokesman Dr. Rodney Hunt.⁷⁶

“Mississippi has let its anti-immigrant bill, HB 488, die in the state Senate after it passed the House of Representatives in March. Thank God!” Rev. Noel Andersen, Church World Service.⁷⁷

Steve Holland, D-Miss., House Representative, District 16:

“This whole movement of really the last 10 years, but more significantly the last five years, the rise of the Tea Party and the far right conservatism got them the numbers that they needed because it enticed and excited people and they voted against their own economical, moral and even spiritual self-interest really to propel these folks to the majority, and now they’re going

⁷⁵ Townsend, Mary. Interview by Mary Stanton. Video Recording. Biloxi, March 30, 2013.

⁷⁶ “Tea Party Blames Lt. Governor for Failed Immigration Bill.” WAPT News. 18 April 2012. <http://www.wapt.com/news/central-mississippi/jackson/Tea-Party-blames-Lt-Governor-for-failed-immigration-bill/-/9156912/10960576/-/2922sp/-/index.html>. (31 June 2013).

⁷⁷ Andersen, Noel. “Thank God for Mississippi.” *Church World Services Blog*. 26 April 2012. <http://hunger.cwsglobal.org/site/News2?id=14125>. (31 June 2013).

uh-oh that's not we thought they were talking about. And immigration is a classic example of that."⁷⁸

Voice/Narration

Republicans had a majority in the House and in the Senate in the 2012 session. HB 488 passed with a 70-47 vote. However, the bill died in a Senate committee. The reason came down to a difference in political ideologies. Key players in the bill's demise were Republican Lt. Gov. Tate Reeves and Democratic Senate Judiciary Committee Chairman, Hob Bryan of District 7.

Brad Mayo, R-Miss., House Representative, District 12:

"I think there were reasons Lieutenant Governor Tate Reeves had that bill killed, and make no mistake, I believe he had it killed. It wasn't that Hob Bryan did it; it was because Hob Bryan was given the chance to do it. I think the Lt. Governor felt that there would be negative economic consequences of it."⁷⁹

Bill Chandler, Mississippi Immigrants Rights Alliance (MIRA):

"The Republicans took control. So they elected a Tea Party person Philip Gunn to be Speaker of the House, and he in turn appointed primarily Tea Party people to lead the committees. On the Senate side, Tate Reeves is not a Tea Party person, he's more of a Haley Barbour person, you know the business mentality, so he was more bipartisan in his committee appointments. So he appointed Hob Bryan to be chair of the Judiciary Committee B on the

⁷⁸ Holland, Steve. Interview by Mary Stanton. Video Recording. Tupelo, March 5, 2013.

⁷⁹ Mayo, Brad. Interview by Mary Stanton. Video Recording. Oxford, July 1, 2013.

Senate side. Hob has been one of the white legislators that has been sympathetic to immigrant issues. So Tate Reeves assigned the bill to Hob's committee and Hob deep-sixed it."⁸⁰

Becky Currie, R-Miss., House Representative, District 92:

"We passed a couple of immigration bills last year and the Lt. Governor is against them, so whatever we pass in the House, if the Lt. Governor kills them then I've put the House through a lot of debate, and time, and taxpayers' money for it to then get killed in the Senate and there's just no reason to do that."⁸¹

Voice/Narration

Alliances between Democrats, African-Americans and the immigrant community can be traced back to the 1960s and 1970s when black workers formed labor organizations, such as the Mississippi Freedom Labor Union. These unions received help from people like Chandler, who later helped form the Mississippi Immigrants Rights Alliance. That group connected non-English speaking Latinos with non-Spanish speaking African-Americans and formed a political bond.

Bill Chandler, Mississippi Immigrants Rights Alliance (MIRA):

"We intentionally created an organization that was black and brown because you could see into the future that a combination of a large African-American population and the growing number of white people who were not afraid to vote for African-American candidates running statewide, and then you had the growth of the Latino community, and you put that all together

⁸⁰ Chandler, Bill. Interview by Mary Stanton. Video Recording. Jackson, September 2012.

⁸¹ Currie, Becky. Interview by Mary Stanton. Video Recording. Jackson, March 6, 2013.

and you have a different kind of electorate than we've had previously that's been dominated basically by white supremacists."⁸²

Voice/Narration

The Nation reported that in the past decade, the alliance of Democrats, the Black Caucus and the Latino community led to the demise of over two-hundred anti-immigration measures.

Bill Chandler, Mississippi Immigrants Rights Alliance (MIRA):

"The priority that we have to have is to make sure those bills don't pass, and that gives space, limited as it is, to the immigrant community to settle and flourish in Mississippi. And of course that leads to the fear that the white supremacists have that African-Americans, liberal whites and Latinos getting together. And one of the things that really scares them, in the 2008 Presidential election, CBS and CNN did exit polls and they found that four percent of those who voted in that election in Mississippi were Latinos and out of that 87 percent said that they had voted for, 87 percent out of the four percent, said that they had voted for President Obama."⁸³

Steve Holland, D-Miss., House Representative, District 16:

"I just think that group has percents been beaten at their own game is what it amounts to. Their racism was revealed in such a spectacular way that there was no way they could put any coating or dressing or roses or flowers or any pontifications that really erased the core issue which was racism. And again right prevailed you hope in the end, and I think, I'm going to be surprised if we see much more in the next couple of years on immigration really. President Obama has made a pretty strong commitment and I think there are hearings being held now in

⁸² Chandler, Bill. Interview by Mary Stanton. Video Recording. Jackson, September 2012.

⁸³ Chandler, Bill. Interview by Mary Stanton. Video Recording. Jackson, September 2012.

Washington from what I understand to make the necessary changes that will propel the various states to assist in fulfilling a federal immigration policy which is what we need.”⁸⁴

Voice/Narration

Although no immigration bills were introduced in the Mississippi legislature in 2013, House Republicans have differing opinions about if there will be any future legislation.

Becky Currie, R-Miss., House Representative, District 92:

“We have a lot of state contracts that we could control - I know that every state citizen out there would love to see Mississippi people looking for jobs be able to get, work under those contracts with our tax money. And I foresee something like that probably getting past if I could get it past the Senate.”⁸⁵

Brad Mayo, R-Miss., House Representative, District 12:

“It’s not a priority for me. There is the possibility that they’re going to come up with a solution in Washington, and I wouldn’t give it a 50/50 chance, but there is a chance that they’ll come up with something. And if they do that will fix the problem.”⁸⁶

Graphic: On June 27, 2013 the United State Senate passed the most significant overhaul of the nation’s immigration laws. The measure is now in the U.S. House of Representatives.⁸⁷

Cirilo, Undocumented Farm Worker:

⁸⁴ Holland, Steve. Interview by Mary Stanton. Video Recording. Tupelo, March 5, 2013.

⁸⁵ Currie, Becky. Interview by Mary Stanton. Video Recording. Jackson, March 6, 2013.

⁸⁶ Mayo, Brad. Interview by Mary Stanton. Video Recording. Oxford, July 1, 2013.

⁸⁷ Parker, Ashley. “Senate, 68 to 32, Passes Overhaul for Immigration.” The New York Times. 27 June 2013. <http://www.nytimes.com/2013/06/28/us/politics/immigration-bill-clears-final-hurdle-to-senate-approval.html?pagewanted=all>. (31 June 2013).

“I never thought I’d be staying here a long time, so I thought I’d only be here for a couple of years. But you know where you have a place, where you always want to go back so...”⁸⁸

Voice/Narration (heard off camera):

“This is home for you?”

Cirilo, Undocumented Farm Work:

“This is home for right now yes.”⁸⁹

End Credits.

⁸⁸ Cirilo. Interview by Mary Stanton. Video Recording. Hattiesburg, March 31, 2013.

⁸⁹ Ibid.

CHAPTER V

CONCLUSION

At the beginning of this case study, the reasons as to why Mississippi HB 488 failed to become a law appeared to be straightforward. The bill was placed in a committee that was headed by a Democrat who opposed the bill and so it was left to expire without being brought to a vote. However, after interviewing several key people involved with the legislation, the end of HB 488 does not seem so black and white.

It is true that if it were not for the actions of one man HB 488 would likely have passed into law. Representative Brad Mayo gave that credit not to Senator Hob Bryan but to the person who this research concludes does indeed hold the majority of the responsibility as to why the bill failed, and that person is Mississippi Lieutenant Governor Tate Reeves.

“My recollection is that, other than the required arrests, almost everything in the bill was already on the books,” Senator Bryan said via an email exchange about why he didn’t bring the bill to a committee vote.⁹⁰ In his opinion then, the bill offered no new legislation that the state didn’t have already. So he declined to bring it to a vote. It has been argued that this is exactly why Reeves placed the bill in Bryan’s committee. It is important to note that the chair of Senate Judiciary Committee A in 2012 was a Republican.

⁹⁰ Bryan, Hob. Interview by Mary Stanton. Personal email. Oxford, July 3, 2013.

Although Reeves could not be reached for comments for this project, there is evidence to show that he did have different ideals from the majority of the House Republicans and those of the governor regarding HB 488. In an interview with syndicated columnist Sid Salter, Reeves said, “Over the past several weeks, I have heard many concerns about House Bill 488 from leaders in law enforcement, cities and counties, the agricultural industry and Mississippi’s business community. They worry about the bill’s impact on law enforcement activities, local government budgets, agricultural and business operations, and the state’s image.”⁹¹ Reeves seemed to be of the same opinion as the Democrat, immigration activist, and non-profit attorney interviewed in this thesis in that the bill had the potential to harm Mississippi’s economy.

But again, Lt. Governor Tate Reeves does not deserve the sole responsibility for HB 488’s death in a committee. He did happen to be the right man in a position of power at the right time. However, there was a foundation in place for Reeves to stand on thanks to the efforts of groups like MIRA and the alliances formed by the Black Caucus, the immigrants, and Democrats. If it were not for the work of the Mississippi Immigrants’ Rights Alliance (MIRA) with both African-American and Latino workers, the divide between minorities could have been greater. For years people like MIRA Executive Director Bill Chandler have worked closely with labor and other organizations to ensure fair wages and working conditions for people of all colors, even to the extent of providing translators so that the different ethnic groups could communicate and, eventually, form alliances.

⁹¹ Salter, Sid. “Reeves’ Decision to Buck Tea Party Has Precedents.” *DeSoto Times*. 23 April 2012. <http://www.desototimes.com/articles/2012/04/24/opinion/editorials/doc4f95b0c63a35f141048240.txt>. (31 June 2013).

Were it not for the constant vigilance of the Black Caucus to prevent any legislation that threatened civil liberties, the passage of HB 488 may have gone the way of Arizona and Alabama's bills. As stated earlier, the Black Caucus has an expertise on immigration issues, having helped defeat over two-hundred anti-immigrant measures in the last ten years alone. HB 488 may have passed with a vote margin of 70-47 in the state House, but it was not passed without great debate.

Representative Steve Holland said people on both sides of the debate were passionate. MIRA's Executive Director Bill Chandler said that "many black legislators spoke against it, including some who'd never spoken out on immigration before. One objected to the use of the term 'illegal alien' in its language, while others said it justified breaking up families and ethnic cleansing."⁹² As said by Reeves, concerns about "the state's image" did play a role in the death of HB 488. All those opposed to the bill who were interviewed for this project mentioned Mississippi's racial past and their concerns that HB 488 would do nothing to improve that negative image. These concerns could be validated with a glance across the state line to Alabama or out west toward Arizona. Both states were facing court cases over their immigration bills over concerns of civil liberty violations during the time HB 488 came to a vote in Mississippi.

The potential harm that HB 488 could have had on Mississippi's economy also played a vital role in why the bill failed, according to those interviewed on both sides of the issue. While Arizona and Alabama did pass similar immigration bills on the idea that the legislation would benefit the states' financially, both states have seen a decline in their economy. Arizona's

⁹² Bacon, David. "How Mississippi's Black/Brown Strategy Beat the South's Immigrant Wave." *The Nation*. 20 April 2012. <http://www.thenation.com/article/167465/how-mississippi-blackbrown-strategy-beat-souths-anti-immigrant-wave#axzz2Y14uLSZy>. (31 June 2013).

immigration laws played a role in a decrease of tourism dollars to that state. Both Arizona and Alabama's economies suffered for other reasons due to the laws. New businesses decided not to locate in the states, and those already established found it hard to maintain a workforce, with jobs going unfilled unless workers from other states and, in some instances, even countries were brought in to fill them.

Mississippi HB 488 was never a bill that intended to tackle the problems of immigration in the state. If so, the legislators could have looked at ways to increase legal workers in the state, perhaps providing incentives for those businesses that employed documented workers. For that matter, the legislators could have lobbied the federal government for support instead of focusing only on enforcement, which they claimed HB 488 was doing in the absence of federal action. El Pueblo attorney Mary Townsend stated that most of those here illegally would have a means to be here legally if more VISAs were available. Why not then petition the federal government to open more VISAs for the state from Mexico if statistics show that most workers in Mississippi are from Mexico? If a quota increase could reduce the number of undocumented immigrants, that route might have been better in the long run not just Mississippi but for all the states dealing with an large influx of undocumented workers.

At the heart of HB 488 appears to be a need to distinguish between those labeled "citizen" and those simply labeled or considered "other." "Other" in the context of this thesis can be defined as those of the Latino community. Presently, the immigration issue is on the back burner for those in the Mississippi legislature. Yet, during the debate over HB 488 the issue was part of a national debate fueled in part by Tea Party conservatives in the Republican Party but also by immigrant organizations wanting better federal policies. Whether or not the sponsors of

the bill intended for HB 488 to be seen as an attempt to drive out those of the Latino community, there were enough people in the state who believed that to be the intention.

Given the history of this state, coupled with the protests against the other laws passed in Arizona and Alabama, and the legal suits that had been subsequently filed, an environment of negativity and distrust was formed. The “us versus them,” or rather “citizen versus other” aspect of the proposed legislation here in Mississippi evoked. It’s a history Mississippi constantly battles to overcome. As the chair of the Mississippi Agriculture Committee, Representative Preston Sullivan said to a *Reuters*’ reporter, “We saw what was happening in Alabama, and we didn't want that happening here.”⁹³

⁹³ Trotta, Daniel & Bassing, Tom. “In Alabama, Strict Immigration Law Sows Discord.” *Reuters*. 30 May 2012. <http://www.reuters.com/article/2012/05/30/us-usa-immigration-alabama-idUSBRE84T16P20120530>. (30 June 2013).

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