



Written by [R. Cort Kirkwood](#) on June 11, 2011

## Georgia's Law Sends Illegals Fleeing; Leftists File Suit

As usual, the leftist [legal legion claims](#) the bill is racist and usurps federal immigration authority. [Others claim](#) the bill will harm tourism.

As well, President Barack Obama [opposes the law](#) for the same reason he opposed the anti-illegal-immigration law in Arizona, which his Justice Department [derailed in](#) federal court.



### What the Law Does

House Bill 87 is similar to [SB 1070](#), Arizona's immigration law that federal judges [struck down](#) on behalf of Obama. It also resembles Alabama's [new immigration law](#).

Among other things, Georgia's HB 87 requires employers to participate in the federal E-verify program, which helps employers prove employees are eligible to work, and it makes harboring and transporting illegals a crime. It cuts off public benefits to illegals and requires bureaucrats to determine the eligibility of those receiving and applying for such benefits.

But again, it seems the main problem, as with the laws in Arizona and Alabama, is what the bill permits police to do. Known as peace officers in the bill, cops are authorized to detain illegals. [According to](#) HB 87's text: "during any investigation of a criminal suspect by a peace officer, when such officer has probable cause to believe that a suspect has committed a criminal violation, the officer shall be authorized to seek to verify such suspect's immigration status when the suspect is unable to provide" the usual forms of identification proving citizenship or legal residency listed in the bill.

[As well,](#)

If during the course of the investigation into such suspect's identity, a peace officer receives verification that such suspect is an illegal alien, then such peace officer may take any action authorized by state and federal law, including, but not limited to, detaining such suspected illegal alien, securely transporting such suspect to any authorized federal or state detention facility, or notifying the United States Department of Homeland Security or successor agency. ...

A peace officer acting within the scope of his or her authority under any such memorandum of understanding, agreement, or other authorization from the federal government shall have the power to arrest, with probable cause, any person suspected of being an illegal alien.

The bill bans the use of the Mexican government's matricula consular card, which Mexican consulates [issue to illegals](#) to cover them with the patina of legal residence.

The bill forbids racial profiling and illegals who are witnesses to crimes and help police.

The problem this bill addresses is that nearly 60 percent of Georgia's [817,000 Hispanics are illegals](#),



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according to the Pew Hispanic Center.

[According to](#) the Federation for American Immigration Reform, educating, doctoring and jailing Georgia's illegals costs \$2.4 billion.

## **The Left Files Another Lawsuit**

Unsurprisingly, the radical Left sprung into action almost as soon as Georgia Gov. Nathan Deal signed the law. A coalition including the [Asian Law Caucus](#), [Southern Poverty Law Center](#), the [American Civil Liberties Union](#), and the [National Immigration Law Center](#) filed a lawsuit in the [federal district court](#) for northern Georgia.

[According to](#) the SPLC's chief legal torpedo, Mary Bauer, using boilerplate [it reprised](#) in its complaint about Alabama's new illegal immigration bill, the "law undermines our core American values of fairness and equality. By perpetuating the hate rhetoric that has become commonplace among many elected officials, this law threatens the rights of citizens and non-citizens alike by encouraging racial profiling. Sadly, too, it places Georgia on the wrong side of history."

The lawsuit [also says](#) the bill is racist and usurps the federal prerogative to enforce immigration law, quoting President Obama on this last count. "If allowed to take effect," [the lawsuit alleges](#), "HB 87 will significantly harm Georgians, particularly Georgians of color" for three reasons.

HB 87 will subject Georgians, including countless U.S. citizens and non-citizens who have permission from the federal government to remain in the United States to unlawful interrogations, searches, seizures, and arrests and will result in widespread racial profiling. All Georgians, and particularly those of color, will be compelled to carry additional paperwork prescribed by the State of Georgia at all times. This is because HB 87 makes individuals who do not carry the prescribed documentation subject to lengthy investigations into immigration status that last over 80 minutes on average under the best case scenario. This documentation requirement amounts to a state alien registration scheme incorporated into Georgia criminal procedure.

Even worse, [the lawsuit avers](#), citizens and non-citizens legally residing in Georgia will "be erroneously deprived of the public benefits that they need and are lawfully entitled to receive. These deprivations will force individuals and families, including those with young children, to be without food and shelter, simply due to an inability to produce a qualifying identity document."

As well, because the bill wisely bans the matricula consular [phony identification cards](#), it "will thwart the ability of potentially hundreds of thousands of Georgians to conduct basic daily tasks with ease — such as gaining admission to a state building or enrolling a child in public school."

Why a "Georgian" would need such a card the lawsuit does not explain, but in any event the lawsuit of course accuses of the state of trying to "displace federal immigration authority" because of the "scope and design" of its regulations. Here [it quotes Obama's remarks](#) about the bill: "It is a mistake for states to try to do this piecemeal. We can't have 50 different immigration laws around the country. Arizona tried this and a federal court already struck them down."

Georgians [who spend](#) some \$2.4 billion annually to pay for illegals would not agree with the President, who [elliptically called Arizonans racist](#) for passing SB 1070.

## **Illegals Leaving the State**

Whatever the legal fate of the bill, it has had the intended effect. Illegals are fleeing the state, the



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[Atlanta Journal Constitution reports](#), citing a research group [that says](#) 100,000 illegals left Arizona after SB 1070 passed.

[The newspaper reported](#) numerous stories of illegals who are returning to Mexico or leaving the state because of the law. Hilariously, one border-jumping Guatemalan told the paper that authorities should pursue “criminal aliens,” an irony given that the Guatemalan breaks the law every day.

She is preparing to flee the country by the end of this month. The reason: She drives to work without a license and is worried she will get arrested and deported in connection with the tough new law.

“We are working,” she said in Spanish. “I believe the law should be for criminals, not for us.”

And [the paper found](#) a Mexican whose husband has twice been collared for driving without a license but not deported, which belies [Obama’s oft repeated claim, repeatedly shown to be false](#), that his administration has “done more on enforcement than any previous administration,” which he told a television station in Atlanta with respect to HB 87.

The question is whether Obama or his leftist legal legbreakers knows what he is facing. As the [National Conference of State Legislatures has reported](#), all 50 states are tackling immigration law in some form or another, many of them in the same way as Georgia, Alabama, and Arizona. Such states are focused on valid identification to vote, ensuring eligibility for employment, and enforcing federal immigration law.

*Photo: Georgia state capitol*

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