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Attempts to Curb Illegal Immigration Prove Costly

Lawsuits Threaten to Break Budgets of Communities That Apply Housing, Employment Restrictions

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FARMERS BRANCH, Tex. -- As cities across the [United States](#) spend hundreds of thousands of dollars to defend against lawsuits and other challenges to their ordinances enacted to keep out illegal immigrants, some groups are warning that their communities are risking financial disaster.

Dozens of cities and counties have proposed or passed laws that prohibit landlords from leasing to illegal immigrants, penalize businesses that employ undocumented workers or train police to enforce federal immigration laws.

Approval of these ordinances has generated criticism, demonstrations and lawsuits in Valley Park, [Mo.](#); Riverside, [N.J.](#); [Escondido, Calif.](#); Hazleton, [Pa.](#), and the [Dallas](#) suburb of Farmers Branch.

Escondido abandoned an ordinance that would punish landlords who rent to illegal immigrants after it discovered the legal bills could top \$1 million. By the time the City Council agreed in December to settle a lawsuit challenging the ordinance, Escondido had spent \$200,000, spokeswoman Joyce Masterson said.

In some instances, taxpayer money has been used to hire private attorneys to fight legal challenges. In others, private donations or insurance have offset part of the costs.

The city paying perhaps the biggest price for its entry into the immigration debate is Farmers Branch, which last fall became the first in [Texas](#) to ban landlords from renting apartments to illegal immigrants. Almost immediately, civil rights groups, residents, property owners and businesses filed four separate lawsuits challenging the ordinance.

Documents show the city paid the [Irving, Tex.](#)-based law firm of Boyle and Lowry almost \$262,000 in fees related to the cases, mostly with taxpayer money, through March.

Council members last month increased the city's legal budget to \$444,000.

"I have heard people say we can't afford it. That's not true," said Tim O'Hare, the Farmers Branch councilman who led efforts to adopt the ordinance. "I have heard people say it costs the taxpayer, and it does. But the costs of having illegal immigrants living in the city are more."

A judge has issued a temporary restraining order preventing the city from enforcing the ordinance.

Opponents also submitted a petition with enough signatures to force a citywide vote Saturday on whether to rescind the ordinance.

The former city leaders behind the measure say Farmers Branch and its 28,000 residents could end up spending millions of dollars defending the ordinance at trial.

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The advertisement is a vertical banner. At the top, it says "Advertisement". Below that is a blue sky with two orange suns. The main text is on an orange background: "The mortgage that makes you richer." Below this is the ING DIRECT logo with the tagline "Save Your Money". At the bottom is a stylized illustration of a house with a white roof, a chimney, and a satellite dish, set on a green lawn with a grey path leading to the door. A small logo in the bottom right corner of the illustration says "LEGAL RESIDUAL LENDER".

"It's not because I'm in favor of illegal immigration. That is not the question here. The question is, what is this ordinance doing? . . . And it's very little. But the damage is very, very great," former mayor Dave Blair said.

The city received about \$31,000 in private donations for its legal defense fund. But after paying legal fees, only about \$5,000 remains.

Hazleton has fared better, receiving \$266,000 from thousands of donors around the country to defend its ordinance banning landlords from renting to illegal immigrants. No taxpayer money is being spent on legal fees or other lawsuit-related costs.

Donations included \$10,000 from Geno's Steaks owner Joey Vento, whose [Philadelphia](#) eatery has signs reading "This Is AMERICA: WHEN ORDERING 'SPEAK ENGLISH'."

The lawsuit by opponents of the Hazleton measure says the ordinance violates residents' constitutional rights, runs afoul of state and federal fair-housing laws and encroaches on the federal government's authority to oversee immigration.

Enforcement of the Hazleton ordinance was barred pending the outcome of a trial, which started in March. A federal judge is expected to rule later this year.

Hazleton Mayor Lou Barletta said the city's attorney fees are expected to be substantial. And if the city loses, he said it could be ordered to pay as much as \$2 million in legal costs incurred by opponents of the ordinance. Still, he promised that Hazleton would stand its ground.

"I'm sure the [ACLU](#), part of their goal would be to run the city out of money in hopes that we would stop fighting, but I will raise whatever I have to," Barletta said.

In Farmers Branch, O'Hare is determined to keep his community's ordinance from meeting a fate similar to Escondido's. His city has the money to fight the lawsuits, he said, and its insurance policy should cover the costs of two of them.

"Any thought that they can spend us into giving up or quitting is wrong," O'Hare said.

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