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Mississippi Rejects Immigration Enforcement Bill

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Ellisville Police Chief Robert Bruce Russell was one of several Mississippi law enforcement and municipal leaders to speak out against HB 488 at a news conference held at the Capitol in Jackson on March 28. Photo courtesy of Brian Albert, *The Clarion-Ledger*

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In a remarkable development, a harsh immigration enforcement bill¹ that passed the Mississippi House of Representatives on March 15 with strong support from Governor Phil Bryant and Mississippi Tea Party members died in a Senate Judiciary Committee on April 3, 2012, the last day that action could be taken on any general bills passed by the opposite chamber.²

Early in the legislative session, Mississippi's bishops had denounced³ anti-immigrant legislation, which they argued would threaten the dignity of the human person and negatively impact the progress Mississippi has made in addressing racial injustice. A sign-on letter from evangelical leaders, whose voices had not been heard

in prior debates on anti-immigrant legislation, also gained wide support. But in a move that stunned many, Mississippi law enforcement and municipal leaders, including the Mississippi Sheriffs' Association and Mississippi Association of Chiefs of Police, came out strongly against HB 488 in a letter to lawmakers on March 27, calling it an "unfunded state mandate" that could lead to new taxes. Soon after, leaders of agriculture groups, including the influential Mississippi Farm Bureau, sent a letter to lawmakers warning that the bill could hurt Mississippi's economy.⁴ The next day, the Mississippi Economic Council, effectively a state-wide Chamber of Commerce, opposed the bill.

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To better understand how Mississippi arrived at this potentially historic juncture in stopping the spread of state-level anti-immigrant legislation, I interviewed individuals who helped to shape the coalition of new voices, as well as faith and civil rights leaders working for immigration justice in Mississippi⁵.

A HOPELESS FEELING

At the beginning of the 2012 Mississippi legislative session, the passage of a strict immigration enforcement bill was considered by many as inevitable. The new governor, Republican Phil Bryant, ran on an anti-immigrant platform, and for the first time since Reconstruction both chambers of the legislature were majority Republican.

Long-time immigrant advocate Mary Townsend with El Pueblo/Seashore Mission in Biloxi told me, “I had no doubt [HB 488] was going to pass. I felt we didn’t have a chance.” Michael Ann Oropeza, Director of Parish Based Ministries at the Diocese of Jackson, admits she sometimes suffered a “hopeless feeling, a feeling of defeat.” For Warren Yoder, the Executive Director of the Public Policy Center of Mississippi, the future for immigrant justice in Mississippi looked bleak: “We could really see ourselves going back to the 1930’s and 40’s in terms of the new Jim Crow... to have a three-race system with Hispanics at the bottom and using deputy sheriffs to harass people and prevent organizing. It was just scary.”

LAW ENFORCEMENT PRIME MOTIVATORS

Surprisingly, it was Mississippi law enforcement leaders that jump-started the coalition of new voices to defeat HB 488. Late Wednesday evening, March 14, an amendment giving law officers discretion over whether to investigate the immigration status of any person they arrested was removed from HB 488. Donna Echols, lobbyist for the Mississippi Association of Chiefs of Police said, “When that amendment took away our discretion, we had to come out full-force

against it.” A leader in the agricultural sector, who asked not to be named, believes “law enforcement was one of the prime motivators of getting this going. Up to that point it looked like it was going to pass...The [agricultural] community worked really hard to build the coalition, but had the law enforcement people not been there first I don’t think we could have built the coalition.” He also noted that agricultural and business leaders were greatly influenced by the negative impact of HB 56 on Alabama’s economy and reputation.

I asked Robert Bruce Russell, Chief of Police for the city of Ellisville and a vocal leader of the law enforcement coalition, his reasons for opposing the bill. He explained, “The city of Ellisville cannot afford to fix a problem the federal government created...I am going to be honest with you. After 20 years of law enforcement people get two things when they go to jail—they get religion and they get sick. We are going to have to pay the bills on that... We start housing this many people we have to pay for it.”

Chief Russell made a compelling moral argument against HB 488 as well. At a press conference inside the capitol on March 28, he told reporters, “It’s going to get to the point to where either you detain a man who’s working and trying to provide a better life for his family. Or you detain a dope dealer or somebody with a suspended license or something like that.”⁶ In my interview, Chief Russell worried about the impact HB 488 would have on immigrant families: “The ones that are here now are family oriented. What do you do about the children that are born here? Do you throw them in a detention center and let them sit there until something is figured out with the parent?”

DID MISSISSIPPIANS’ FAITH PLAY A ROLE?

As HB 488 was wending its way through the legislature, the annual Gallup Poll on religion in American life again found Mississippi the “most religious state” in the country, with 85 percent of Mississippi respondents agreeing that

religion is an important part of their daily life.⁷ I asked what Mississippi leaders thought the role of faith played in the outcome of HB 488.

Chief Russell told me, “It wasn’t about religion, it’s about the all-mighty dollar,” yet in his opposition to the bill he provided important moral reasons to oppose HB 488. The leader of the agriculture group told me, “I’ll be honest with you, [religious leaders] did help ... to shore up groups or legislators who would already be opposed. I don’t think they had much effect on persuading anybody who was either wavering or supporting it.” Warren Yoder felt that the reinforcement provided by faith leaders was “extremely important. We all went into this thinking we were going to lose, so having encouragement to stand up and stick it out was essential.”

Mary Townsend offered this perspective: “The more faith leaders speak up compellingly and present the teachings from Scripture we all hold in common, the more people’s eyes will be opened and they will remember that they are called by God to love their neighbor whoever he is...”

CONCLUSION

Without moral arguments provided by faith leaders, including Rep. Jim Evans, D-Jackson, who led the Mississippi Black Caucus in opposing the bill,⁸ the debate over HB 488 could have easily devolved into a solely economic argument that ignored the humanity and dignity of immigrants. Views are mixed regarding whether Mississippi will face immigration bills in the next legislature. How the Supreme Court rules on Arizona’s SB 1070 will certainly be a factor. Warren Yoder is hopeful. “The 21st Century is evolving in Mississippi quickly,” he said. “This is a place to keep an eye on and participate in. Because things are possible that nobody thought possible even four months ago. There are relationships that have been developed. There are possibilities that are being discussed. I frankly have no clue how this is going to work out... But there are heartening potentials.”

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ENDNOTES

- 1 In its original form House Bill 488 mirrored several painful and divisive provisions found in Alabama's HB 56—including the requirement that public schools determine the status of enrolling students—and Arizona's SB 1070—expanding the power of local police to enforce immigration laws. In the final version the House dropped certain onerous requirements like schools checking students' immigration. However, "enforcement by attrition" remained the major intent of HB 488 with troubling provisions that criminalized business transactions between undocumented immigrants and the state, made work without authorization a felony, and required police to check immigration status upon arrest.
- 2 Richard Faucet, "Tough anti-illegal-immigration law dies in Mississippi," *Los Angeles Times*, April 3, 2012. See <http://articles.latimes.com/2012/apr/03/nation/la-na-nn-mississippi-immigration-20120403>
- 3 Statement from the Bishops of the State of Mississippi on Immigration to the Governor Phil Bryant and the Mississippi State Legislature, January 21, 2012, at <http://www.justiceforimmigrants.org/documents/MS-bishops-statement-Jan2012.pdf>
- 4 A letter in opposition to HB 488 was sent to Mississippi senators March 27 by the Mississippi Sheriffs Association and the Mississippi Association of Chiefs of Police, the Mississippi Municipal League, and the Mississippi Association of Supervisors. Soon after another letter opposing the bill was sent to lawmakers by seven agriculture groups and the state chapter of Associated Builders and Contractors. Agriculture groups included the Mississippi Poultry Association, Mississippi Farm Bureau Federation, Mississippi Sweet Potato Council, Gulf South Blueberry Growers Association, Mississippi Loggers Association, Mississippi Nursery and Landscape Association, and the Mississippi Forestry Association. See "Opposition to immigration bill widespread," *The Clarion Ledger*, March 27, 2012 at <http://www.clarionledger.com/fdcp/?unique=1332948516779>
- 5 I also interviewed a young man from Central America about HB 488 who has lived in Mississippi for more than 10 years, is a lay leader at his Gulf Coast Catholic Church, and is undocumented. He said that he and his community knew little about what was going on with anti-immigrant legislation in Mississippi, but that most immigrants in Mississippi were aware of how Alabama's harsh immigrant enforcement bill, HB 56, had impacted immigrants living in that state.
- 6 Daniel Sherry, "Groups ask senators to kill immigration bill," *Mississippi Public Broadcasting*, March 29, 2012 at http://mpbonline.org/News/article/groups_ask_senators_to_kill_immigration_bill
- 7 See <http://www.gallup.com/poll/114022/state-states-importance-religion.aspx>
- 8 See Jessica Bakeman, "Immigration debate: Both sides use Bible," *The Clarion Ledger*, March 16, 2012.

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