

Positions and Practices on Immigration: Choices for Local Governments

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Increasingly in North Carolina and across the United States, people have stories to tell about how immigration has affected their lives. In a 2008 survey on immigration by the International City/County Management Association (ICMA), nearly half of the respondents indicated that their communities have experienced growth in immigrant populations.¹ Beyond creating pressure to provide services, this growth

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presents some particular challenges to service delivery because of language and cultural barriers and the difficulty of determining immigrants' legal status.²

This article summarizes local governments' choices among positions and practices related to immigration.

In relation to the nation's population as a whole, the percentage of foreign-born people has skyrocketed in the last forty years. "At no other time in its history has the United States had a larger number of immigrants or more rapid growth in the foreign-born population."³ Unlike previous waves of immigrants,

the most recent immigrants are more likely to have come from developing countries in Africa, Asia, and Latin America than from Western or Eastern Europe.

In 2004, the percentage of North Carolina's population classified as Hispanic rose to 7.0 percent of the total population. Hispanics accounted for 27.5 percent of the state's population

growth from 1990 to 2004, with most of the increase coming from Hispanics moving to North Carolina, either from other states or from other countries (as opposed to its coming from children born to Hispanics already here).⁴

Localities have responded to recent immigrants with a patchwork of efforts and no guiding vision for integrating them into the community.

The absence of federal action has not stopped immigrants from influencing North Carolina communities profoundly and forcing local governments to develop policies, make decisions, and take action.



Given the sheer volume of immigrants who have arrived and the potential divisions created by major cultural differences, immigration issues are complicated and fraught with strong, personal connotations. As my high-school-age daughter reported to me after a discussion about immigration in her world history class, “I see so many sides of this. It’s hard to know what the right feeling is, isn’t it?”

Across the state, newspaper headlines and the evening news often tell stories that point out the differences between immigrants and long-time residents. These frequent examples remind North Carolinians that immigration issues are salient in their lives.

With so many facets to what can be a polarizing issue, it is no wonder that agreeing on a course of action is difficult.

For myriad reasons, the federal government has not tackled immigration reform in any comprehensive or meaningful way. The absence of federal legislation and guidance has not stopped immigrants from coming to and influencing North Carolina communities in profound ways and forcing individual local governments to develop policies, make decisions, and take action.

Recognizing the growing importance of immigration to policy development at the local level, the ICMA sent its survey to more than five hundred local government administrators from across the United States. Administrators in forty-seven states responded, representing jurisdictions ranging in population from fewer than 120 people to more than 1.3 million.

The ICMA survey revealed that a community’s response to its immigrant population probably has not been based on community dialogue or community consensus.⁵ The result has been a patchwork of efforts, primarily in housing, schools, law enforcement, and social services, with a great potential for confusion among residents, conflicting approaches across municipal-county borders, and no overall guiding vision for integrating immigrants into America’s communities.

Towns’ and counties’ motivations and values in choosing a particular response to the influx of immigrants vary. Local governments can choose from a spectrum of positions and practices (see Table 1). The purpose of the spectrum is to help leaders become informed and knowledgeable in their choices about actions, and to aid them in understanding the potential impacts of their choices on the long-run health, well-being, and image of their community. Readers should examine these potential positions and

Table 1. Range of Potential Positions and Practices of Local Government

	Anti-Immigrant	Neutral & Passive	Cohesive	Pro-Immigrant
Philosophy	Crackdown: Anti-immigrant policies with aggressive enforcement provisions	Do-nothing	Immigrant integration	Sanctuary: Priority on people's human rights rather than their legal status
Approach	Sets up polarization: long-term residents vs. immigrants		Does not require choice between long-term residents and newer immigrant interests, but does require deliberate action to protect everyone's interest	Ignores potential of tensions
	Protective	Neutral	Supportive	
Practice	Establish English-only policies	Promote cultural competence	Support right to access services in native language	
	Establish anti-immigrant policies with fines for landlords and employers	Provide referrals to nonprofits or religious groups	Provide materials in multiple languages	
	Require reporting to ICE*	Host celebration of diversity	Provide incentives for bilingual staff	
	Negotiate 287(g) MOAs or require ICE training†	Engage in strategic planning & economic development	Establish sanctuary communities	
	Check immigration status for local services	Support entrepreneurs	Support or allow day laborers' centers	
			Establish local immigrant services office	

Source: Consolidated and adapted, by permission, from “The Dollars and Sense of Immigrant Integration for Local Government” (ICMA audioconference, January 15, 2009, Nadia Rubaii-Barrett, presenter).

*ICE = U.S. Immigration and Customs Enforcement.

†MOA = memorandum of agreement. ICE fact sheets on a variety of topics related to 287(g) can be found at www.ice.gov/pi/news/factsheets/section287_g.htm.

practices in the context of the other articles in this issue, which address key legal points about local government powers affecting immigration, access to education, and various government benefits and services.

Recognizing that many community leaders are interested in promoting community discussion and learning more about how some local governments have responded to their immigrant populations, ICMA has published a policy paper, *Immigration Reform: An Intergovernmental Imperative*. Drawing on experiences cited by local government

administrators in the aforementioned survey and in follow-up interviews, the report offers four guiding principles and sixteen specific policy recommendations.

Notes

1. Nadia Rubaii-Barrett, *Immigration Reform: An Intergovernmental Imperative* (Washington, DC: ICMA, 2008), <http://icma.org/upload/library/2009-03/{3195180C-53FF-4D96-9F97-38F89C1A31DC}.pdf>.

2. “Almost all local government administrators (98%) indicated that they do not have any data on the number of legal versus

illegal immigrants within their communities.” *Ibid.*, 18.

3. *Ibid.*, 6.

4. John D. Kasarda and James H. Johnson Jr., *The Economic Impact of the Hispanic Population on the State of North Carolina* (Chapel Hill, NC: Kenan-Flagler Business School, University of North Carolina at Chapel Hill, 2006).

5. “Nearly two-thirds (62%) indicated that immigration is not an issue that is discussed in the community. Among the 27% who indicated that immigration was discussed often, two-thirds characterized it as a polarizing issue, and one-third indicated there was no widespread consensus about the issue.” Rubaii-Barrett, *Immigration Reform*, 18.