

Council rejects E-Verify for contractors

By ERIN SNELGROVE
 YAKIMA HERALD-REPUBLIC

Fearful of seeing the immigration issue divide the community, the Yakima City Council on Tuesday turned down a proposal to have contractors verify the legal status of their employees.

Councilman Dave Ettl suggested Yakima use the online system to screen prospective employees and contractors. But the proposal was defeated on a 4-3 vote after heated testimony during a council study session at City Hall.

Most of the dozen or so residents and business owners who spoke expressed support for a web-based system designed to identify illegal



Ettl



Coffey

immigrants. About 30 people attended the meeting.

Councilwoman Kathy Coffey acknowledged her opposition might cost her future votes but said E-Verify would be

counterproductive to the city's efforts to build an environment of cooperation between whites and Latinos.

"We're trying to eradicate gangs. We're trying to work together and trust each other," Coffey said in an interview. "This kind of makes some people in the Hispanic community feel that there is not confidence and belief that we are working together."

Joining Coffey were council members Maureen Adkison, Dave Edler and Rick Ensey. Ettl, Mayor Micah Cawley and Councilman Bill Lower voted for the E-Verify proposal.

E-Verify is a free, online

system offered through the U.S. Department of Homeland Security. It cross-checks names and other information against Homeland Security and Social Security Administration databases.

LAST YEAR, the system was adopted by the city of Lakewood in Pierce County, and according to the website, numbersusa.org, the movement has spread elsewhere in the state. Several cities including Bremerton, Leavenworth and Mercer Island — use E-Verify for prospective employees, as does Lewis County. Clark and Pierce counties use the system both for hiring their own employees and

contractors. Whatcom County also is implementing a one-year pilot program to test the service, which is voluntary for both businesses and governments.

"It works well for a couple hundred thousand businesses," Ettl told fellow Yakima City Council members. "The truth is this could catch people who are not here legally. Surprise! That's what it's supposed to do."

Ettl said E-Verify is not related to the issue of illegal immigration, or race and that he just wants to make sure people employed by the city are legally entitled to work in

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 the United States.

But a handful of people — all Latino — expressed concern.

"We walk a thin line," said Nick Marquez, a local business owner. "In a small community like Yakima, I don't think we could survive something like this."

Luz Bazan Gutierrez, secretary for the Hispanic Chamber of Commerce of Yakima County, agreed, saying the program would "create a lot of resentment and controversy."

"This is a whole lot to do about nothing," she said. "That's the way I feel about it."

Luis Fraga, a political science professor at the University of Washington, said the general concern with E-Verify is its accuracy. Problems occur when names on employment applications don't match those in the Social Security database, and sometimes those differences could be as minor as a missing middle initial. There's also concern that the system will be arbitrarily applied, he said.

saying its oversight would require too much work and that the city's existing system — run by the Social Security Administration — works fine.

Before the vote on Ettl's proposal, Cawley suggested an amendment that would have established an E-Verify system modeled after the federal government — requiring its use only for contractors hired for jobs costing at least \$100,000 and projects spanning a minimum of 120 days. The mayor and Ensey favored the proposal, but it was turned down by the rest of the council.

"I don't have concerns about E-Verify in general," Ensey said later. "I think if we had a discussion surrounding using E-Verify to hire city employees, I'd be in favor of that. But I had a big problem about discussion that it applies to all contractors with no limit or dollar amount. I can't call myself a small-government, free-enterprise council member and vote for that motion."

Still, Fraga said, employee verification is an important part of comprehensive immigration reform.

"Federal legislation is almost inevitable," he said. "The question is when. ... The concern is not to rely solely on that (E-Verify system) until we have more confidence it can work more efficiently."

According to a recent analysis conducted for the Department of Homeland Security, E-Verify spots illegal workers about half the time.

AT TUESDAY'S meeting, Ettl joined most of those attending in strongly advocating its merits. Business owners using E-Verify said it was easy, effective and a great tool in combating identity theft.

"I had a business identity theft. It was horrible and took years to clean up," said Cele Strobel of Selah, a cosmetics company owner who is running for the state House seat held by Rep. Norm Johnson of Yakima. "E-Verify will just help us. It's not perfect, but it's a start."

Strobel's statement was echoed by Craig Keller of RESPECT Washington, who's advocating support for Initiative 1056. If it secures the required number of signatures from registered voters to qualify for the November ballot and is approved by voters, all public and private employers in the state would be required to use E-Verify.

"This is not a burden to employers," Keller said. "If you don't use E-Verify, you don't know if you are hiring illegal aliens."

City staff and City Manager Dick Zais opposed the program,

ETTL SAID Tuesday evening that he was "extremely disappointed" in the final vote and that he was surprised the measure did not earn the backing of Ensey, considered one of the more conservative council members.

"I had thought that it made pretty good sense — a pretty good case was made — and I thought it would pass," Ettl said.

He said the vote against using E-Verify may have resulted from council members being uncomfortable with the open-ended wording in the initial motion. In the future, he will be more aggressive about seeking to table such a motion until city staff can make recommendations about how to implement the council's request, he said.

Ultimately, the council's decision not to use E-Verify met with a mixture of enthusiasm and disbelief.

"I'm happy. I'm surprised," Gutierrez said. "We have to work together. These kinds of things just polarize us more."

But Keller said the vote is a betrayal to taxpayers, whose money, he said, shouldn't support criminal activity.

"Those who voted 'No' today failed to uphold their sacred oath," he said. "E-verify is nothing more than demanding honesty from those the city does business with."

• Yakima Herald-Republic reporter Mark Money contributed to this report.

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including specific bidding thresholds for contractors of \$2,500 for service contracts and \$5,000 for public works contracts.

E-Verify is a free, online employment-verification program offered by the U.S. Department of Homeland Security that checks identities against several federal databases.

The program is used by hundreds of cities and counties across the country, and the U.S. Supreme Court recently upheld a new law in Arizona that requires all employers to use E-Verify.

The city of Yakima already uses a similar Social Security-based system to cross-reference employment applications to verify legal status. Ettl's proposal would require contractors to certify they use E-Verify, too.

With council chambers at standing-room-only capacity,

“

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NICK MARQUEZ
Gang-Free Initiative

”

kind of resolutions send the parents back into the shadows,” she explained.

“We don’t want it to get worse,” agreed Rogelio Montes, who recently filed for the City Council position soon to be vacated by Dave Edler.

Nick Marquez, a businessman and member of the City Council’s Gang-Free Initiative committee, urged the council to let immigration reform come down from Congress and the Obama administration.

“When we bring it from a community level, it’s just divisive,” he said.

Other speakers, some of whom spoke only Spanish, warned of the effect E-Verify could have on the agricultural industry.

Those fears in turn prompted Ettl and other supporters on the council to point out the program is only for contractors hired by the city of Yakima.

“When’s the last time the city hired someone to pick an apple?” Ettl asked.

Ettl and fellow Councilman Bill Lover were the most outspoken in their support for E-Verify, which Lover framed as a blow against fraud.

“It’s not divisive to expect us to be good stewards of the taxpayers’ money,” he said.

His enthusiasm was not shared by Edler, who accused proponents of pandering for political purposes.

“This is a problem we don’t have,” he said, adding the council was “trying to fix something that doesn’t need fixing.”

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Yakima to implement E-Verify

City Council votes in favor of system that checks immigration status of employees

By CHRIS BRISTOL

YAKIMA HERALD-REPUBLIC

Amid a new round of politically charged rhetoric about illegal immigration, a divided Yakima City Council narrowly reversed itself Tuesday and approved the use of E-Verify over the objection of Hispanic community leaders.

The council voted 4-3 to require that contractors who do business with the city must verify the legal status of their employees by using the controversial federal employment-screening database.

A year ago the council rejected E-Verify by the same margin amid sometimes heated testimony that vilified the online program as prone to mistakes and

warned its use would alienate Yakima’s rapidly growing Hispanic population. A study by an outside research firm found the program is not foolproof.

The debate was the same the second time around, the only difference being the swing vote of Councilman Rick Ettl. He said he last year. This time he said yes. “I’m not completely happy with it, but it’s good enough,” said Ettl, who previously had voiced concerns about

the accuracy of the program and whether its use posed a bureaucratic burden on small businesses.

Joining Kaney in favor were council members Dave Ettl and Bill Lover along with Mayor Mirrah Cawley. Voting no, as they did last year, were Maureen Adelson, Kathy Coffey and Dave Edler.

The re-vote was engineered by Ettl, who tweaked last year’s proposal by

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