



Study finds little enforcement for E-Verify law in Arizona

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Some Arizona employers are failing to check the status of new workers using a federal database, according to a new study.

While the use of the E-Verify system is mandatory, there is little enforcement of employers on every level. About 58 percent of new employees statewide are run through the E-Verify system, analysts with the Cato Institute said.

The Washington, D.C.-based libertarian think-tank found there has been a lack of enforcement since Arizona approved a 2008 law making the check mandatory.

Cato Institute analysts say there are few repercussions for business that don't comply.

"No politicians want to take credit for when E-Verify shuts down businesses or hurts the economy, which is necessary to enforcing it," said Alex Nowrasteh, a Cato Institute policy analyst. For E-Verify to work, it has to punish businesses that hire people in the country illegally, and punishing businesses will hurt the economy, Nowrasteh said.

Mississippi, Alabama and South Carolina are the only other states that currently mandate E-Verify for employers. Their rate of compliance is similar to Arizona's, the Arizona Capitol Times reported (<http://bit.ly/1Pxjjex>).

Sen. John Kavanagh, who co-sponsored the legislation, says the federal government must do a better job of enforcement.

"I guess those businesses decided to gamble and figured let's hire illegals because the federal government is lax in picking them up," he said.

Under the law, the attorney general's office and county attorneys investigate complaints about workers who possibly are not legally permitted to work. Employers found to be in violation can have businesses licenses permanently revoked for a second violation.

The Maricopa County Attorney's Office has not worked on any cases related to the law since 2010, spokesman Jerry Cobb said. Three employers have been prosecuted.

"It's not like there's a conscious decision not to handle these cases. We just haven't been getting very many of them," Cobb said.

The Arizona attorney general is required to obtain a list of companies in the state using E-Verify from the U.S. Department of Homeland Security every three months. The attorney general's website publishes the list and currently has one from 2012. Spokeswoman Mia Garcia said the office was working on getting a current list. For now, the site links back to Homeland Security's own database of enrolled employers.