

The Threat of Proposition 187

The 1990 census reported more than one in five Californians were born in another country. In response to concern about the high numbers of unauthorized immigrants in California during the recession of the early '90s, California passed *Proposition 187* into law in 1994. The law sought to prevent and drive out illegal immigration by excluding undocumented immigrants from social services, health care, and public education. But a victory for immigrant rights advocates came in 1998 when a federal judge ruled *Proposition 187* unconstitutional.



Immigrant entrepreneur. Photo by Charles Gupston, 1999.



Immigrant entrepreneur. Photo by Dex images, 2001.

Economic progress for immigrants during the '90s echoed the positive development of the 1998 decision. Immigrant entrepreneurship made significant strides between 1987 and 1997 as the number of Hispanic-owned businesses increased by 232 percent and Asian-owned businesses by 180 percent. In particular, Asian immigrants led the technology revolution in Silicon Valley where many assumed leadership positions in international companies.



Los Angeles mayoral candidates debate *Proposition 187*. Photo by Shelley Gazin, 1994.

“The people of California find and declare that they have suffered economic hardship, personal injury, and damage caused by the criminal conduct of illegal aliens in this state. . . . The people of California declare their intention to prevent illegal aliens in the United States from receiving benefits or public services in the State of California.”

—Excerpt from *Proposition 187*

“California is powerless to enact its own legislative scheme to regulate immigration. It is likewise powerless to regulate alien access to public benefits. Proposition 187 is not constitutional on its face. We will not act in a way unbecoming to a sensible and humane people.”

Mariana R. Pfaelzer,
U.S. District Judge

—Comments from *Proposition 187* ruling