

Aurora plan bans day laborers  
Councilwoman says proposal not meant to force illegals out

By Javier Erik Olvera, Rocky Mountain News

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AURORA - Aldo Bustamante rises before sunrise, long before construction and landscaping crews begin cruising the streets for laborers like him to hire for the day.

He makes his way through the dark to Colfax Avenue and Dayton Street, where he meets two-dozen other undocumented immigrants waiting for anyone to stop and offer them odd jobs.

"This is the only way for us to earn a living and put food on our tables for our families," said the 38-year-old father of four from the Mexican province of Vera Cruz.

But it could soon become illegal for anyone to hire such laborers under a proposed city ordinance making its way to a council subcommittee for consideration Tuesday.

Councilwoman Deborah Wallace is pitching the idea, which would slap those who hire day laborers with a warning on the first offense and a \$500 fine on the second.

The municipal ordinance would come under the responsibility of local law enforcement.

The freshman councilwoman says her proposal isn't an attempt to force undocumented workers out of the city by cutting off their money source.

In fact, she "didn't know" that many of the day laborers - seen on streets in her ward that encompasses north Aurora - are in the country illegally.

She said her proposal, instead, is an effort to protect laborers who are citizens from people who don't pay them or who turn their backs if they're injured on the job, she said.

"I would hope the message would get out and make employers think twice" about how they treat employees, Wallace said.

City records show that this would be the first ordinance in Aurora that would target employers and subsequently the people they hire.

Other cities around the metro area handle the day labor issue by enforcing loitering laws that bar people from hanging out too long in specific areas.

Denver enforces its law that prohibits the "obstruction of sidewalks" when people complain, said Assistant City Attorney David Broadwell.

Wallace doesn't believe loitering laws are enough because they would simply prompt people to

move to other areas of the city to find work.

"We have a better chance of enforcing it and making it work" if we pass the ordinance, Wallace said.

Harold Lasso is the program development director of El Centro Humanitario Para Los Trabajadores, a Denver nonprofit that started four years ago to help day laborers.

The organization connects employers with day laborers who used to stand near the California Street and Park Avenue corner waiting for work.

He believes Wallace's proposal could put the city at risk of fighting a class-action lawsuit for violation of the constitutional rights to assemble.

Lasso said other cities around the country have tried to impose similar ordinances, only to have them overturned by federal courts.

Immigrant rights activists see the proposal as a blatant attempt to push immigrants out of the city by putting a squeeze on their wallets.

Rights for All People Director Lisa Duran said the proposal makes "no sense" because it would "criminalize willing workers and employers."

On a recent morning, a steady flow of construction and landscaping trucks pulled around the corner from Colfax onto Dayton, where the men quickly tried to grab a driver's attention.

The men lined up, waiting for the driver to pull to the side of the street and call as many as he needed over to help with a renovation project.

The driver, who didn't want to provide his name, picks two of the men before driving off.

Those who remained waited for another truck.

Bustamante, whose children range from 4 to 18 years old, is unsure what he'd do if the city's proposed ordinance goes into effect.

He's been in the country for 14 years and had a steady job in construction until he was fired after his boss questioned his citizenship.

Bustamante is afraid to travel out of the area, fearing he'll be pulled over and deported. His hands, he said, are tied.

"This is a country of immigrants," he said. "We're looking for better lives. We came here for a dream - not a nightmare."

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