



Immigrants Under Fire:

How State Attorneys General Defend Immigrant Rights In Challenging Times

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Note: This publication uses the term immigrant to refer to all foreign-born individuals who have temporarily or permanently moved to the U.S. for any reason.

Role of State Attorneys General

As the “[People’s Lawyer](#),” state attorneys general (AGs) have a duty to advocate for the interests of all individuals within their jurisdictions, including immigrants. And as [sworn defenders of the U.S. Constitution](#), AGs are tasked with upholding the rights of all individuals—regardless of their immigration status. The role of AGs in safeguarding immigrant communities has become more critical in light of the upcoming Trump Administration’s [plans for mass deportations](#), which have instilled fear and anxiety in both [documented](#) and [undocumented](#) individuals.

Anti-Migrant Views On The Rise

The upcoming Trump administration [blames immigrants](#) for a wide range of societal issues, such as Americans’ [financial struggles](#) and a perceived, [yet unfounded, rise in crime](#). Despite these claims, [research](#) shows that immigration is associated with profound [economic](#) and [social](#) benefits, including [higher wages](#) for many U.S.-born workers and [improved crime rates](#) in certain areas.

Notably, many immigrants tend to [complement U.S.-born workers](#) and increase their productivity. Their presence also drives [business and job creation](#). This is attributed in part to their [highly entrepreneurial spirit](#) and the fact that they represent an added supply of [workers](#) and [consumers](#) for American businesses.

Immigrants are also [60% less likely to be incarcerated](#) than the U.S.-born population. Undocumented immigrants are even [less likely to commit serious crimes](#), such as misdemeanors and [felonies](#), compared to both U.S.-born residents and immigrants with legal status. Some [studies](#) even show that crime rates in certain metropolitan areas actually decrease as the number of undocumented immigrant residents rises.

Other key benefits of immigration include greater government revenue, fewer labor shortages in critical sectors like agriculture and healthcare, reduced inflation, [improved worker talent pool](#), [enhanced innovation](#), and [expanded](#) artistic, scientific, and intellectual opportunities.

Immigration has also shaped the nation's rich and diverse cultural identity, with most Americans tracing their roots back to [immigrant ancestors](#).

Of course, immigration also poses significant challenges. [Several major cities](#) have experienced an [influx of immigrants](#) over the last few years, which has greatly strained local resources. This pressure has also affected smaller cities like [Springfield, Ohio](#), where a surge in Haitian immigrants has boosted the economy, but also challenged officials' ability to effectively meet the needs of the [rapidly rising population](#).

Additionally, some long-term Latino immigrant residents [feel resentful](#) that new arrivals seem to have been granted access to [greater privileges and benefits](#) than they themselves have ever received. Certain Black Americans have also [expressed frustration](#) over city tax dollars being used to house new immigrants while their own long-standing needs go unmet.

In spite of these tensions, [a 2024 survey](#) found that most Americans do not support mass deportation, but instead favor allowing established immigrants, particularly those without a criminal record, to remain in the U.S. This suggests that most Americans support protecting established immigrant communities.

Nevertheless, hateful [anti-immigrant rhetoric](#) is spreading like wildfire in countries such as the U.S., which has seen a [rise in the far-right movement](#). As a result, immigrants are facing mounting [public backlash](#) and severe government policies targeting them and jeopardizing the wellbeing of [their U.S. born children and families](#). These challenges underscore the ongoing need for strong state AG leadership to support and defend immigrant rights and interests.

7 Ways State Attorneys General Defend Immigrant Rights

While the federal government has [absolute authority](#) over the regulation and enforcement of immigration policies, state AGs play a crucial role in advocating for and protecting the rights and interests of immigrant communities within their states. However, it is worth noting that [not all AGs](#) have [taken positions](#) that support [those interests](#). The following is a non-exhaustive list of some of the key areas where the work of state AGs has made a difference for immigrant rights and can continue to do so:

1. Consumer Protection: Due to language barriers, immigration status, and unfamiliarity with American systems and institutions, many immigrants are uniquely susceptible to consumer scams and other unfair practices that prey on their [vulnerabilities](#). As the primary enforcers of state [consumer protection laws](#), AGs have brought criminal charges and civil lawsuits against predatory individuals who target immigrant populations through [immigration services fraud](#) and

other unfair and [deceptive practices](#). They have also issued [consumer alerts](#) and provided [educational materials](#) on their website to [help immigrants](#) recognize and avoid fraud.

2. Hate Crimes Against Immigrants: [Hate crimes](#) motivated by bias against nationality or immigration status are disturbingly common, and have even been aimed at immigrants in [leadership positions](#). State AGs have [investigated and prosecuted](#) these crimes, provided training for [law enforcement](#), [educated local partners](#) on how to take effective action, and [launched hotlines](#) to report incidents. They have also advocated for [stronger hate crime laws](#) and worked with [local community members](#) to combat bias and hate.

3. Unlawful Labor Practices: Undocumented immigrant workers are particularly [vulnerable to labor violations](#). Each year, [6.5 million](#) experience wage theft, which includes unpaid wages, minimum wage violations, unpaid overtime, off-the-clock work, worker misclassification, paycheck withholding, and failure to provide wage statements or pay notices. State AGs have taken legal action to protect these workers by investigating, prosecuting, and resolving unlawful labor practices, such as [wage theft and retaliation cases](#) involving deportation threats. They have also stood up for immigrant detainees who were being paid as little as \$1 per day by suing a for-profit operator of a detention center for [state minimum wage violations](#).

4. Human Trafficking: Immigrants are frequently targeted by human traffickers, who use their victims' [lack of legal status](#) to force them into labor or commercial sex. State AGs have worked to combat [human trafficking](#) by [prosecuting traffickers](#), notifying potential victims through [consumer alerts](#) that they can report violations without disclosing their immigration status, and [developing tools](#) that makes it easier for investigators to identify cases involving immigrant victims. They have also convened [task forces with immigration attorneys](#) to strengthen anti-trafficking efforts aimed at protecting immigrant victims.

5. Critical Services Access. Due to language barriers, many immigrants struggle to access essential services. State AGs have entered into settlement agreements with [hospitals](#), [pharmaceutical companies](#), and [law enforcement agencies](#) to ensure that immigrants are not discriminated against based on their language proficiency or immigration status. They have also advocated to expand language access [for severe weather emergency alerts](#) and provided multilingual [resources](#) and [hotlines](#) to support immigrant communities during challenging times.

6. Public School Access: Many immigrant students encounter significant [public school access](#) barriers, such as [unlawful enrollment discrimination](#), [exclusionary tracking practices](#) that limit their participation in core classes, and diversion into [segregated and inadequate](#) programs. State AGs have investigated, sued, and entered in [settlement agreements](#) with public school systems

that engage in these kinds of discriminatory practices. They have also issued [public advisories](#) notifying school districts of their [legal obligation](#) to provide educational access to all students, regardless of their nationality, language proficiency, or immigration status.

7. Anti-Immigrant Federal Actions: AGs also play a crucial role in holding the federal government accountable for actions that harm immigrant communities. Notably, during the first Trump administration, state AGs secured a [preliminary injunction](#) to stop [family separations at the border](#) and filed a [lawsuit](#) against a new rule that would have allowed the [indefinite detention of immigrant families](#). They also obtained [nationwide injunctions](#) to temporarily halt the termination of a federal program, called [DACA](#), which protects undocumented immigrants who arrived in the U.S. as children.

Additionally, during Trump's first term, state AGs [successfully](#) challenged the [Department of Justice's decision](#) to condition certain federal grants on local and state cooperation with immigration enforcement. And they [effectively opposed](#) a travel ban targeting Syrian refugees and citizens of several predominantly Muslim countries, [eroding](#) its provisions and [delaying](#) its implementation.

State AGs have also countered anti-immigrant federal policies by providing guidance to [immigrants](#), [healthcare providers](#), [public schools](#), [employers](#), [law enforcement agencies](#), and other [public entities](#) about immigrant rights and the limits of immigration enforcement authority. They have also [issued directives](#) restricting the types of voluntary assistance that law enforcement agencies can provide to federal civil immigration authorities.

These ongoing efforts are essential to defending the rights and interests of immigrant individuals and supporting their families and communities. To learn more about the crucial work of state attorneys general, visit www.agstudies.org.

The Leadership Center for Attorney General Studies is a non-partisan organization dedicated to educating the public about the important role state attorneys general play in addressing pressing issues, enforcing laws, and bringing about change.