



# PROPOSALS TO EXPAND THE IMMIGRATION AUTHORITY OF STATE AND LOCAL POLICE

## Dangerous Public Policy According to Law Enforcement, Governments, Opinion Leaders, and Communities

September 18, 2006

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### LAW ENFORCEMENT ASSOCIATIONS AND DEPARTMENTS

#### **International Association of Chiefs of Police, President Joseph Estey**

“Many leaders in the law enforcement community have serious concerns about the chilling effect any measure of this nature would have on legal and illegal aliens reporting criminal activity or assisting police in criminal investigations. This lack of cooperation could diminish the ability of law enforcement agencies to police effectively their communities and protect the public they serve.”  
(IACP press release, 12/1/2004)

#### **International Association of Chiefs of Police, Legislative Counsel Gene Voegtlin**

“A key concern is that state and local enforcement involvement in immigration can have a chilling effect on the relationship with the immigrant community in their jurisdiction.”  
 (“Cities and States Take on Difficult Duty of Handling Undocumented Workers,” *The Wall Street Journal*, 2/2/2006)

#### **Major Cities Chiefs Association**

“Such a divide between the local police and immigrant groups would result in increased crime against immigrants and in the broader community, create a class of silent victims and eliminate the potential for assistance from immigrants in solving crimes or preventing future terroristic acts.”  
(Immigration Committee Recommendations for Enforcement of Immigration Laws By Local Police Agencies, adopted June 2006)

#### **California State Sheriffs’ Association, President Bruce Mix**

“CSSA is concerned that the proposed CLEAR Act will undermine our primary mission of protecting the public. In order for local and state law enforcement associations to be effective partners with their communities, we believe it is imperative that they not be placed in the role of detaining and arresting individuals based solely on a change in their immigration status.”  
(letter to Senator Feinstein, 3/10/2004)

#### **California Police Chiefs’ Association, President Rick TerBorch**

“It is the strong opinion of the California Police Chiefs’ Association that in order for local and state law enforcement organizations to be effective partners with their communities, it is imperative that they not be placed in the role of detaining and arresting individuals based solely on a change in their immigration status.”  
(letter to Senator Feinstein, 9/19/2003)

#### **Connecticut Police Chiefs’ Association, President James Strillacci**

“We rely on people’s cooperation as we enforce the law in those communities. With this [legislation], there’s no protection for them.”  
 (“Mayor asks for federal help,” *Danbury News-Times*, 3/26/2004)

**El Paso (TX) Municipal Police Officers' Association, President Chris McGill**

“From a law-enforcement point of view, I don't know how productive it would be to have police officers ask for green cards. It's more important that people feel confident calling the police.”

(“Immigration proposal puts burden on police,” *El Paso Times*, 10/9/2003)

**Virginia Association of Chiefs of Police, Executive Director Dana Schrad**

“There's a real concern among [the immigrant community] that [a new Virginia law] means police are going to sweep through neighborhoods and pick up anyone with immigration violations and deport them; that isn't true. We are concerned we'll lose cooperation of law-abiding residents who have helped solve crimes.”

(“Some Immigrants Can Be Held For Up To Three Days,” *Daily News-Record*, 6/30/2004)

**Hispanic American Police Command Officers Association, National President Elvin Crespo**

“The CLEAR Act jeopardizes public safety, it undermines local police roles in enhancing national security, it undermines federal law Enforcement priorities, it piles more onto state and local police officers' already full platters, it bullies and burdens state and local governments, it is unnecessary law-making and most significantly, it forgets the important fact that you can't tell by looking who is legal and who isn't.”

(letter to National Council of La Raza, 10/21/2003)

**National Latino Peace Officers Association, Founder Vicente Calderon**

“The role of police is to protect and serve. Clear Law Enforcement for Criminal Alien Removal [CLEAR Act] will greatly contribute toward hindering police from accomplishing these goals.”

(letter to National Council of La Raza, 10/16/2003)

**Federal Hispanic Law Enforcement Officers Association, National President Sandalio Gonzalez**

“The CLEAR Act bullies and burdens State and Local governments by coercing them into participating, even though it means burdensome new reporting and custody requirements, because failure to do so means further loss of already scarce federal dollars.”

(letter to President Bush and Congress, 9/30/2003)

**Costa Mesa (CA) Police Department, Chief John Hensley**

“We're not going to be doing sweeps. We're not going to be squeezing employers. We do not want to be the enemy of the immigrant community.”

(“City puts itself on immigration watch,” *USA Today*, 1/26/2006)

**West Palm Beach (FL) Police Department, Officer Freddy Naranjo**

“The major thing is to come out and report these crimes, not hold back.”

(“Here Illegally, Guatemalans Are Prime Targets of Crime,” *New York Times*, 8/27/2006)

**Phoenix (AZ) Police Department, Sergeant Andy Hill**

“As we move out deeper into the community, especially with reaching out to the Spanish-speaking community, we believe there may be other victims out there that haven't come forward,” Hill said. “We want that information. We need that information. There will not be sanctions to victims who come forward as far as their status in this community other than the fact that they are victims.”

(“Police want Spanish speakers' help in serial killer search,” *Associated Press*, 7/27/2006)

**Phoenix (AZ) Police Department, Chief Jack Harris**

“There are a lot of folks here in the Valley that may have limited English skills, and they can still very much be witnesses or know something about these crimes, so we want to step forward and go out to that community and seek their assistance.”

(“Police want Spanish speakers' help in serial killer search,” *Associated Press*, 7/27/2006)

**Fresno (CA) Police Department, Captain Pat Farmer**

“Sometimes folks are here illegally, and they're the victim of a crime. We want them to call us. If someone is a witness, we want them to trust us. [A month earlier, after a shooting outside a convenience store] there were numerous witnesses, a lot of folks who were probably illegal. It was critical that they talk to our detectives.”

(“Shift Work: Should policing illegal immigration fall to nurses and teachers?” *Washington Monthly*, April 2006)

**Fairfax County (VA) Police Department, Spokesman Jon Fleischman**

“Our job is to protect people. And I'm concerned that people who are victims of a crime, whether citizens or not, are not calling us because they're afraid we're going to check [legal] status only.”

(“Va. Police Back off Immigration Enforcement,” *Washington Post*, 6/6/2005)

**Gilroy (CA) Police Department, Assistant Chief Lanny Brown**

“We're not going out and doing sweeps for illegal immigrants or anything like that, because we don't believe that's the right thing to do. But it sure makes sense to us if people are here – committing crimes, convicted of crimes, and are here illegally – to turn them over to ICE so they can be deported.”

(“Immigration Officials Ask for Police Assistance,” *The Gilroy Dispatch (CA)*, 9/12/2005)

**Princeton (NJ) Police Department, Chief Anthony V. Federico**

“Local police agencies depend on the cooperation of immigrants, legal and illegal, in solving all sorts of crimes and in the maintenance of public order. Without assurances that they will not be subject to an immigration investigation and possible deportation, many immigrants with critical information would not come forward, even when heinous crimes are committed against them or their families.”

(“State orders cops to help U.S. immigration agents,” *The Record*, 9/20/2005)

**El Paso (TX) Police Department, Chief Richard Wiles**

“There is no way that we would be able to take any time away from an officer's busy day to enforce immigration laws.”

(“EP chief opposes bill to let police go after immigrants,” *El Paso Times*, 10/6/2005)

**San Diego (CA) Police Department, Chief William Lansdowne**

“The only time we work with the Border Patrol is if there is a criminal nexus.”

(Police Chief William Lansdowne, “Local Police, U.S. Agents Differ on Raids,” *Los Angeles Times*, 6/6/2005)

**Muscatine (IA) Police Department, Chief Gary Coderoni**

“These proposals are unnecessary, and counterproductive to the public safety of our city residents. They will place an added burden in our department and instill fear and non-cooperation in the community.”

(letter to Congress, 6/2004)

**Nashville (TN) Metropolitan Police Department, Chief Ronal Serpas**

“With great respect and deference to our federal partners, we are not the INS (Immigration and Naturalization Service). As long as I am chief of the Nashville police department, I’m going to be steadfastly against police being INS agents. It’s just not our job.”  
 (“Hispanics press police for more help,” *Tennessean*, 2/24/2004)

**Boston (MA) Police Department, Commissioner Paul Evans**

“The Boston Police Department, as well as state and local police departments across the nation have worked diligently to gain the trust of immigrant residents and convince them that it is safe to contact and work with police. By turning all police officers into immigration agents, the CLEAR Act will discourage immigrants from coming forward to report crimes and suspicious activity, making our streets less safe as a result.”  
 (letter to Senator Kennedy, 9/30/2003)

**Arlington County (VA) Police Department, Spokesman Matt Martin**

“[A] very likely outcome of [local enforcement of immigration laws is] an entire segment of the population shutting down because they are afraid of you. And what you create is a group of people who’s ripe for additional victimization.”  
 (“Some Laborers Arrested In Va. Face Deportation,” *Washington Post*, 10/27/2004)

**Dearborn (MI) Police Department, Chief Timothy Strutz**

“In my opinion, the best way to fight criminals of all types, including terrorists, would be to have an excellent, trusting, working relationship with the community, with them being your eyes and ears. I think much of that important information would be stifled [if the CLEAR Act passed].”  
 (“Metro police balk at plan to hunt illegal immigrants,” *Detroit News*, 5/11/2004)

**Seattle (WA) Police Department, Chief R. Gil Kerlikowske**

“Traditionally we have seen that reporting of crime is much lower in immigrant communities because many are leaving countries where the police cannot be trusted for good reason. Adding the fear of arrest or deportation to this could have a tremendous impact on the rate of reporting. At a time when trusting relationships between immigrant communities and the police are vital, the CLEAR Act would have just the opposite effect.”  
 (letter, 3/4/2004)

**Clearwater (FL) Police Department, Chief Sid Klein**

“It doesn’t take very long for that open door of communication to be slammed shut. Then we in local law enforcement (pay the price).”  
 (“Immigration duty a burden, police say,” *St. Petersburg Times*, 7/19/2004)

**Los Angeles County Sheriff’s Department, Sheriff Leroy Baca**

“I am responsible for the safety of one of the largest immigrant communities in this country. My Department prides itself in having a cooperative and open relationship with our immigrant community. [The CLEAR] act would undermine this relationship.”  
 (letter to Los Angeles County Neighborhood Legal Services, 10/6/2003)

**Kansas City (KS) Police Department, Chief Ronald Miller**

“Our Police Department has taken the lead in establishing a meaningful relationship with our minority communities, especially the Hispanic community. If the CLEAR Act becomes law, it will have a devastating effect on how we provide law enforcement/police service.”

(letter to Senators Brownback and Roberts, 11/19/2003)

**Hillsborough (FL) Sheriff's Office, Spokesman Rod Reder**

“We obviously need [immigrants] to trust us. Our main focus is on the crime itself. We're not immigration experts.”

(“Immigration duty a burden, police say,” *St. Petersburg Times*, 7/19/2004)

**Montgomery County (MD) Police Department, Captain John Fitzgerald**

“We absolutely do not enforce any immigration law. We encourage our residents to trust their police department regardless of their immigration status. We want them to know that if they are victims, we'll help them, and if they're witnesses, we need their help.”

(“Groups Fret Over Giving Police Immigration Control,” *Fox News Channel*, 10/29/2003)

**Tampa Police Department, Officer Brenda Canino-Fumero**

“[If the CLEAR Act passes], (immigrants) are not going to come to police and report anything.”

(“Immigration duty a burden, police say,” *St. Petersburg Times*, 7/19/2004)

**Lowell (MA) Police Department, Police Superintendent Edward Davis III**

“If the CLEAR Act were passed into law, residents would be less likely to approach local law enforcement for fear of exposing themselves or their immigrant family members to deportation. This would make state and local law enforcement officers' jobs nearly impossible.”

(letter to Senator Kennedy, 3/9/2004)

**Dearborn (MI) Police Department, Corporal Daniel Saab**

“[If the CLEAR Act passed] people would not work with us. It would make it very hard for us to do our job.”

(“Metro police balk at plan to hunt illegal immigrants,” *Detroit News*, 5/11/2004)

**Ann Arbor (MI) Police Department, Chief Dan Oates**

“I have a great deal of concern about altering hard-won relationships with immigrant communities. Having those communities think we are agents of the federal government—that can do real harm.”

(“Police could get more power,” *Detroit Free Press*, 6/1/2004)

**San Jose Police Department, Chief Rob Davis**

“We have been fortunate enough to solve some terrible cases because of the willingness of illegal immigrants to step forward, and if they saw us as part of the immigration services, I just don't know if they'd do that anymore. That would affect our mission, which I thought was to protect and serve our community.”

(“CLEAR Act puts cuffs on police; Giving them another duty, immigration enforcement, would make us all less safe,” *San Jose Mercury News* editorial, 4/15/2004)

**Hamtramck (MI) Police Department, Chief Jim Doyle**

“It is important that people learn to trust us without looking over their shoulders and thinking, These are the guys that are going to deport us.”

(“Metro police balk at plan to hunt illegal immigrants,” *Detroit News*, 5/11/2004)

**Orange County (CA) Sheriff's Office, Assistant Sheriff George Jaramillo**

“We wouldn't be interested in pulling people over and trying to figure out what their status is.”

(“Police May Join Hunt for Illegal Migrants; Advocates see a way to boost enforcement, but officers and civil rights groups fear abuses,” *Los Angeles Times*, 11/11/2003)

**Bexar County (TX) Sheriff's Office, Sheriff Ralph Lopez**

“I'm totally against [the CLEAR Act]. It plays the race card, and from that perspective it is just a bad act. We will not go out and create probable cause just because we think this person, who is dark-complected or speaks with an accent or dresses different, should be automatically questioned about their legal status. That is a total violation of due process.”

(“Politicians are using fear to push through the CLEAR Act, one of the most sinister changes in immigration policy,” *The San Antonio Current*, 12/11/2003)

**Overland Park (KS) Police Department, Chief John Douglass**

“The CLEAR Act would be a detriment to all who live, work, and visit Overland Park. We want all to know that the police are available to protect them no matter whom they are or where they come from.”

(letter to Representative Moore, 10/29/2003)

**Portland (ME) Police Department, Chief Michael Chitwood**

“As Police Chief of Portland, Maine and someone who has been involved in law enforcement for nearly forty years, I can tell you with certainty that the CLEAR Act is a bad idea.”

(letter to Congress, 11/11/2003)

**St. Paul (MN) Police Department, Chief William Finney**

“How am I supposed to decide as a police officer who I should ask for papers? ‘Well can't you look at them and tell you should be asking them for papers?’ No, I can't! . . . . So I'd just have to ask everybody. All the ‘real Americans’ would be very offended, because they've got First Amendment rights. But people that are brand new here don't. Well, that's not what the Constitution says; everybody in this country's got First Amendment rights.”

(“This is your ministry,” *Minnesota Spokesman-Recorder*, 12/11/2003)

**Los Angeles Police Commission, President David S. Cunningham III**

“There are safety mechanisms in place for deporting people who are criminally inclined. In the end, the policy position on Special Order 40 is that we are a nation of immigrants and we don't want to dissuade them from having contact with police.”

(“Is L.A. soft on illegals?” *Los Angeles Daily News*, 11/15/2003)

**Lenexa (KS) Police Department, Chief Ellen T. Hanson**

“We are, like many jurisdictions across the country, short on resources and manpower and struggling to meet our citizen’s service demands. This mandate will magnify that problem and force us to make cuts in other areas to comply with the CLEAR Act. . . . The most troubling aspect of this act is that it would cause members of certain groups to not report crimes or come forward with information about crimes for fear of being deported.”

(letter to Representative Moore, 8/26/2003)

**South Tucson (AZ) Police Department, Chief Sixto Molina**

“We don't have the time and the personnel to be immigration agents. Murderers, rapists, robbers, thieves and drug dealers present a much bigger threat than any illegal immigrant.”

(Tucson Citizen editorial, “Immigration role not for local police,” 10/15/2003)

**Des Moines (IA) Police Department, Chief William McCarthy**

“When we don't acknowledge the reality of who is here, we create our own problems, and we are a better society than that, frankly. They (illegal immigrants) are family-oriented people and underpin our churches and society in many ways. Plus they are human beings. They are here. And we ought to deal with them as human beings.”

(“Cops shouldn’t be INS agents,” *Des Moines Register* editorial, 10/13/2003)

**Newark (CA) Police Department, Chief Ray Samuels**

“Police agencies in California have worked very hard over the years to gain the confidence of their diverse population. We deal with immigrants from all over the world, many who are steeped in beliefs and practices that alienate them from law enforcement. . . . By turning police into immigration agents, all of our agency’s efforts to gain the trust of immigrants—both legal and illegal—would be undermined as immigrants would be discouraged from coming forward to report crimes and suspicious activity.”

(letter to Representative Stark, 9/17/2003)

**Cumberland County (ME), Sheriff Mark Dion**

“[E]xtending [immigration] enforcement responsibility to local officials will only act to instill divisive and conflicted emotions among our constituencies. The perceived and actual chilling effect of a local immigration enforcement strategy will unnecessarily complicate police service to our immigrant population and ultimately reduce *their* public safety.”

(letter to Senator Collins, 11/12/2003)

**Santa Cruz County (AZ), Sheriff Tony Estrada**

“We will assist all law-enforcement agencies if someone has been identified as being wanted, but we won’t go out and look for these people who are here illegally.”

(“Immigration proposal has many fearing racial profiling,” *El Paso Times*, 10/9/2003)

**Philadelphia (PA) Police Department, Lieutenant Denny Graeber**

“If they are otherwise law-abiding, we will not tell the federal government of their status. We were afraid immigrants were not reporting crimes.”

(“U.S. agents limit scrutiny of illegal-immigrant arrests,” *The Philadelphia Inquirer*, 9/9/2003)

**Washington, DC Metropolitan Police Department, Chief Charles H. Ramsey**

“The Metropolitan Police Department is not in the business of inquiring about the residency status of the people we serve, and we are not in the business of enforcing civil immigration laws. We are in the business of serving and protecting the people of Washington, DC—fairly, equally and without regard to their national origin, citizenship, or residency or immigration status.”

(statement, 7/28/2003)

**Alabama Department of Public Safety, Colonel Mike Coppage**

“We don’t envision ourselves being involved in task forces to go out and raid chicken plants and Wal-Marts.”

(“Police May Join Hunt for Illegal Migrants; Advocates see a way to boost enforcement, but officers and civil rights groups fear abuses,” *Los Angeles Times*, 11/11/2003)

**Salinas (CA) Police Department, Chief Daniel Ortega**

“Norwood from Georgia, either he just doesn’t care or know about the issues we have. We’re trying to gain the trust of the community.”

(“Proposal has cops arresting migrants; Police contend they don’t have the resources,” *San Diego Union-Tribune*, 11/29/2003)

**Dane County (WI) Sheriff’s Department, Sheriff Gary Hamblin**

“[A local resolution] dispel[s] some fears. There’s a perception out here that people who are here illegally and become victims of crime are reluctant to report the crime because of fears of the immigration service coming for them. Nobody wants to see anybody victimized, so this goes in the direction of letting people know it’s in the county’s policy that you will not be reported.”

(“County may stiff the feds: On information about immigrants,” *The Capital Times*, 12/18/2003)

**High Point (NC) Police Department, Chief Jim Fealy**

“The philosophy of the High Point Police Department as long as I’m here is that I have no concern with anyone’s immigration status. If you’re the victim of a crime, you will be treated as a victim and not as a criminal yourself.”

(“High Point chief: Hispanics shouldn’t fear police,” *Associated Press*, 8/18/2003)

**Yuma County (AZ) Sheriff Ralph Ogden**

“[The CLEAR Act is] counterproductive. We each [federal and local law enforcement agencies] have our own jobs to do.”

(“Bill would morph local police into INS agents,” National Association of Counties membership newsletter, 10/2003)

**Durango (CO) Police Department, Sgt. Tony Archuleta**

“The only time we’re concerned [about immigration status] is if we arrest them. We try to show we are here to help, no matter where they’re from or if they’ve been a victim of a crime; we provide the best police service we can to everyone.”

(“Council adopts immigrant policy,” *Durango Herald*, 7/7/2004)



**Bernalillo County Sheriff Darren White**

“It didn’t take me long to realize that we need to stand up against this legislation. This would jeopardize our ability to provide public safety to everyone in our community. We enforce criminal laws, not civil immigration laws.”

(“Plan finds many foes,” *Albuquerque Tribune*, 6/8/2004)

**Chicago Police Department, Officer Kevin Crocker**

“I don’t know how anyone would expect me to say, ‘Oh, you don’t have your papers? Come with me.’ It would absolutely be a huge step backward after all the work we’ve done.”

(“Bill imperils immigrants’ fragile trust in police,” *Chicago Tribune*, 3/31/2004)

**Pawtucket (RI) Police Department, Chief George Kelley III**

“If a person is in this country illegally, they may think twice before coming forward if they suspect their legal residence was found out during the trial. That would be a concern for us. You look to get the trust of the community.”

(“Immigrant testifies, faces deportation. Danny Sigui helped prosecutors win a conviction in a criminal case. Two days later, he was arrested by immigration officials,” *Providence Journal*, 7/31/2003)

**Hammonton (PA) Police Department, Chief Frank Ingemi**

“If there is a [traffic] violation and [undocumented immigrants are] stopped, they’re issued a summons and that’s it. Immigrants . . . do serve a purpose here by picking crops. They’re willing to do that, and they’re hired and they’re good workers.”

(“U.S. agents limit scrutiny of illegal-immigrant arrests,” *The Philadelphia Inquirer*, 9/9/2003)

**Houston (TX) Police Department, Spokesperson Silva Trevino**

“The INS handles immigration. We handle crime.”

(“Local police may get role in immigrant law,” *Baltimore Sun*, 7/9/2003)

**Los Angeles (CA) Police Department, Spokesperson Sandra Escalante**

“We don’t arrest people because of their status.”

(“Police May Join Hunt for Illegal Migrants; Advocates see a way to boost enforcement, but officers and civil rights groups fear abuses,” *Los Angeles Times*, 11/11/2003)

**Bensalem (PA) Department of Public Safety, Deputy Director Frederick Harran**

“They put so much burden now on law enforcement with this whole 9/11 thing. And they’ve given us no resources.”

(“U.S. agents limit scrutiny of illegal-immigrant arrests,” *The Philadelphia Inquirer*, 9/9/2003)

**Garland (TX) Police Department, Officer Steve Dye**

“Even if they’re here illegally, they still have rights. They should call the police and report [crimes]. They are residents. We serve them like any other residents.”

(“Non-English speakers may face questionable business dealings,” *Dallas Morning News*, 8/27/2003)

**Lewisville (TX) Police Department, Officer Richard Douglass**

“Our Police Department is open to help you. We’ll take reports from any of you, regardless of where you’re from.”

(“Police seek to ease crime victims’ fear of being deported,” *Dallas Morning News*, 12/11/2003)

**Phoenix Police Department, Detective Tony Morales**

“We’ve always been opposed to [local enforcement of immigration laws].”  
 (“Plan to have police enforce immigration law is delayed,” *Arizona Republic*, 4/9/2004)

**Marin County Sheriff Robert Doyle**

“There are overcrowded jails in some counties. We don’t have people who commit crimes in our communities (in jails) and now we’re going to start being an INS lockup?”  
 (“Police, feds may work in tandem,” *Sacramento Bee*, 5/14/2004)

**Sacramento Police Department, Chief Albert Nájera**

“We can’t afford to have victims out there who won’t call us because they’re afraid they’re going to be deported. People need to be able to call the police and have trust in us, without regard for their immigration status.”  
 (“Police, feds may work in tandem,” *Sacramento Bee*, 5/14/2004)

**National City (CA) Police Department, Chief Penu Pauu**

“We just clarified [our policy] so our people have a clear understanding of what we do out there. And that is that we’re not out there to enforce federal immigration laws.”  
 (“National City forum on police relations,” *San Diego Union-Tribune*, 5/12/2004)

**OTHER GOVERNMENT OFFICIALS**

**National Association of Counties**

“Counties are facing a serious budget crisis. ‘Counties in Crisis,’ a report issued by NACo in February showed that 72 percent of counties are facing budget shortfalls. The report further showed that jails and corrections were among the most affected by state cutbacks. In addition to enforcing civil immigration laws, states and counties would have new and onerous reporting requirements in a field that is neither our responsibility nor our expertise. Additional responsibilities placed on our sheriffs and police departments would only exacerbate the crisis. We have already shouldered substantial costs associated with other aspects of homeland security.”  
 (letter to Representative Sensenbrenner, 9/30/2003)

**National League of Cities**

“[T]he National League of Cities opposes the CLEAR Act because it would divert local personnel from their primary duties and constitute a cost shift onto local governments.”  
 (Resolution # 2004-39)

**National Conference of State Legislatures**

“This legislation would undermine the states’ ability to address local immigration situations in a manner that is suitable for the individual states. If passed, this legislation would amount to a huge unfunded federal mandate and open the door to costly state litigation if a perceived violation of federal law occurs.”  
 (resolution adopted by the NCSL Standing Committee on Law and Criminal Justice, December 2003)

### **United States/Mexico Border Counties Coalition**

“We believe the solution to apprehending undocumented immigrants is for Congress to enforce federal immigration law by hiring more Border Patrol agents rather than imposing the burden on financially strapped local governments that lack the expertise to enforce these laws.”

(letter to Congress, 11/6/2003)

### **The United States Conference of Mayors**

“[T]he enforcement of federal civil immigration law will distract local and state law enforcement from their primary mission of ensuring public safety and preventing crime in our community by having them focus on the apprehension of immigrants instead of criminals . . . . The United States Conference of Mayors opposes committing local resources to un-funded federal mandates and affirms that the Clear [sic] Act as written does not achieve the purpose of protecting local citizens against terrorism.”

(resolution, adopted at the USCM 2004 Annual Meeting)

### **54 members of the California Legislature**

“If passed, the CLEAR Act would make state and local law enforcement officers’ job nearly impossible and move us further from the goal we all share of making our communities safer.”

(letter to Congress, 9/12/2003)

### **Governor Bill Richardson**

“I am concerned with the potential negative consequences of [the CLEAR Act and HSEA], should it become law. . . . [t]he proposed CLEAR Act runs counter to President Bush’s efforts.”

(letter to Congress, 3/2/2004)

### **New York City, Mayor Michael Bloomberg (R)**

“New York City cooperates fully with the Federal government when an illegal immigrant commits a criminal act, but our City’s social-services, health, and education policies are not designed to facilitate the deportation of otherwise law-abiding residents. Do we really want people who could have information about criminals – including potential terrorists – to be afraid to go the police? Do we really want people with contagious diseases not to seek medical treatment? Do we really want people not to get vaccinated against communicable diseases?”

(testimony before the Senate Judiciary Committee, 7/5/2006)

### **Los Angeles County Board of Supervisors**

“The CLEAR Act suggested requiring states and local law enforcement to enforce Federal immigration laws, including civil laws, as a condition for receipt of SCAAP funds. The County Sheriff’s resources already are stretched far too thin in trying to meet its state and local responsibilities and to improve homeland security. Sheriff’s deputies should not be required to act as Federal immigration agents, especially at the expense of their ability to maintain the trust of the communities they serve.”

(successful motion, 10/21/2003)

### **Lorain County (OH) Board of Supervisors**

“[The CLEAR Act] would be another unfunded mandate and would have a corrosive effect on community policing efforts.”

(resolution 03-836 opposing the CLEAR Act, adopted 11/6/2003)

**Oregon Attorney General Hardy Myers**

“[T]he effort to interdict foreign terrorists necessarily depends on the cooperation of persons who may themselves fear entanglement with federal immigration laws. . . . Section 102 of S. 1906 will make it less likely that friends, acquaintances, and family members of suspected foreign terrorists will cooperate with law enforcement officials in terrorism investigations. In short, it may have the unintended consequences of making us less safe.”  
(letter to Senator Smith, 1/21/2004)

**Maine Executive Order (Signed by Governor John Baldacci)**

“All State agencies with law enforcement, investigative, or prosecutorial authority shall not inquire about a person’s immigration status unless investigating or prosecuting illegal activity other than mere status as an undocumented alien . . . . It shall be the policy of all State agencies with law enforcement, investigative, or prosecutorial authority not to inquire about the immigration status of crime victims, witnesses, or others who call or approach these agencies seeking assistance.”  
(Executive Order, 4/9/2004)

**Jaffrey/Peterborough District Court (NH), Judge L. Phillips Runyon III**

“Am I going to determine whether someone is here legally or not? Isn’t that what the federal immigration system is for? Is it for part-time district court judges like me who know nothing about immigration and arguably nothing much about anything else either?”  
(“Town Uses Trespass Law to Fight Illegal Immigrants,” *The New York Times*, 7/13/2005)

**Alamance County (NC), Interim County Manager David Smith**

“We’re not going to be picking up Hispanics because they are Hispanic.”  
(“Feds agree to immigration pact,” *Times-News*, 9/6/2006)

**Danbury (CT), Public Safety Commissioner Leonard Boyle**

“In short, given the extensive amount of training necessary to deputize state officers and the absence of any meaningful deportation process for illegal aliens who have not committed felony offenses, deputization would not seem to be a wise use of state resources.”  
(“Connecticut cops say no to immigration enforcement,” *World Net Daily*, 6/18/2006)

**Texas State Representative Norma Chavez (D-El Paso)**

“We are still failing to address the fundamental issue here, and that is true immigration reform and enhanced border security.”  
(“EP chief opposes bill to let police go after immigrants,” *El Paso Times*, 10/6/2005)

**Fresno (CA), Mayor Mayor Alan Autry (D)**

“I don't believe we'll ever make a dent in the problem by approaching the symptoms.”  
(“Shift Work: Should policing illegal immigration fall to nurses and teachers?” *Washington Monthly*, April 2006)

**Chicago (IL) City Council, Finance Committee Chairman Edward M. Burke (14<sup>th</sup>)**

“The roundup and deportation of undocumented workers in our country is neither fair nor intelligent... Our nation desperately needs an intelligent and humane policy of immigration... We cannot permit the resources of the City of Chicago to reflect the narrowness and punitive nature of present U.S. immigration law.”

(“City takes stand against immigration bill,” *Chicago Sun-Times*, 3/30/2006)

**Albuquerque (NM) City Council**

“The City opposes the enactment of the CLEAR Act and HSEA and any other legislation encouraging or compelling local law enforcement to enforce federal civil immigration laws.”

(resolution, 6/2004)

**Montgomery County (MD), County Executive Doug Duncan**

“This legislation would be another unfunded mandate and would have a corrosive effect on our community policing efforts.”

(“Bill would morph local police into INS agents,” National Association of Counties membership newsletter, 10/2003)

**Baltimore (MD), Mayor Martin O’Malley**

“The CLEAR Act poses many dangers to the safety of our communities by asking local police to juggle their more pressing missions and take on civil immigration law enforcement. . . . Baltimore City’s Police Commissioner Kevin Clark has expressed to me his opposition to the CLEAR Act, and I agree with the many state and local law enforcement officials around the country who have indicated that enforcing civil immigration laws actually jeopardizes their ability to enhance public safety.”

(letter to Congress, 11/4/2003)

**Danbury (CT), Mayor Mark Boughton**

“The federal government needs to do its job, not create more work for police.”

(“Mayor asks for federal help,” *Danbury News-Times*, 3/26/2004)

**Maine Department of Public Safety, Commissioner Michael Cantara**

“The Department of Public Safety is here to protect the people of Maine, whether you’ve been here 200 years or 20 minutes.”

(“Baldacci order bars questions by state on immigration status,” *Portland Press Herald*, 4/10/2004)

**New Mexico Office of Victim Advocacy, Director Tammi Lambert**

“This act further decreases the number of women who are going to be reporting domestic violence and assault. It is creating a possible increase of crime against immigrant women.”

(“Plan finds many foes,” *Albuquerque Tribune*, 6/8/2004)

**Los Angeles City Council Member Ed Reyes**

“The bottom line is we have people, families, who are being abused by their landlords, by gang members, by vultures taking advantage of them. They are told that if they complain, they will be deported.”

(“City opposes immigration enforcement,” *Los Angeles Daily News*, 9/17/2003)

**Los Angeles City Council Member Greig Smith**

“The federal government has no business telling us how we should police our city.”  
 (“City opposes immigration enforcement,” *Los Angeles Daily News*, 9/17/2003)

**Houston, Mayor Pro Tem Gordon Quan**

“The American public wants us to find effective tools to combat terrorism. I submit that the most effective tools are not preemption, unfunded mandates, deteriorated community policing, and racial profiling [as in CLEAR]; rather, our most effective tools to fight terrorism are improved coordination, planning, technology, training, and funding.”  
 (testimony before the House Immigration Subcommittee, 10/1/2003)

**Dearborn (MI), Mayor Michael Guido**

“The CLEAR Act is a bad piece of legislation on every front. It is not funded by the federal government. It burdens our already hard working police force with tedious reporting requirements, and it doesn’t prepare our officers to deal with the complexities of immigration law. Most importantly, it threatens to destroy the positive relationships that the Dearborn Police Department has fostered with our residents.”  
 (press release, “Mayor Guido opposes CLEAR Act,” 4/22/2004)

**Durham (NC), Mayor Bill Bell**

“[Immigration law enforcement] isn't what we're about, and I don't think that's what the Police Department is about.”  
 (“City Council to discuss policy on migrants, Patriot Act,” *Durham Herald-Sun*, 10/18/2003)

**National City (CA), Mayor Nick Inzunza**

“It’s important that our local law enforcement officers enforce the law locally, not federally.”  
 (“2 deported after police stop in store,” *San Diego Union-Tribune*, 11/20/2003)

**Washington, DC, City Council Member Adrian Fenty**

“[E]nforcement of the CLEAR Act invites racial profiling and other infringements on the civil liberties of those who merely ‘look’ or ‘sound like’ immigrants. The Constitution extends its protections to all people in the United States, regardless of how they arrived here, as I think it should.”  
 (statement on City policy, 9/2003)

**Albuquerque (NM), Mayor Martin Chavez**

“This would discourage people from reporting crime and make this a less safe place. We want people in the immigrant community to report crime.”  
 (“Plan finds many foes,” *Albuquerque Tribune*, 6/8/2004)

**Los Angeles City Council Member Dennis Zine**

“[CLEAR] doesn’t do much for our relationship with the diverse people we have in Los Angeles. It will turn our local law enforcement officers into immigration officers. What will that do to our efforts on community policing?”  
 (“City opposes immigration enforcement,” *Los Angeles Daily News*, 9/17/2003)

**St. Paul City Council Member Pat Harris**

“We think the police officers have enough to do in our city right now that they don’t need to do the work of INS. Once again, a higher level of government is pushing a duty on local governments and not attaching the dollars to do it.”

(“Measure targets immigrants’ fears,” *Pioneer Press*, 12/27/2003)

**Albuquerque (NM) City Councilor Eric Griego**

“This legislation is misguided. The last thing we want is for someone not to report a crime because of their immigration status.”

(“Plan finds many foes,” *Albuquerque Tribune*, 6/8/2004)

**Seattle City Council Resolution**

“H.R. 2671, the Clear Law Enforcement for Criminal Alien Removal (CLEAR) Act, and S. 1906, the Homeland Security and Enhancement Act (HSEA), while purporting to enhance homeland security by requiring the country's over 600,000 state and local police to operate as immigrant agents, would burden police with enforcement of technical civil immigration statutes, diverting them from priority tasks of public safety.”

(Resolution 30672, passed 4/19/2004)

**Durham (NC) Assistant City Manager Ted Voorhees**

“What we wouldn’t want to happen is for persons from other countries to feel like they can’t readily communicate with the Police Department on matters of public safety for fear that the conversation could switch to their immigration status.”

(“Durham resolution galvanizes advocates,” *Raleigh News and Observer*, 10/22/2003)

**Chicago City Council Alderman George Cardenas, 12<sup>th</sup> Ward**

“[T]he CLEAR Act would destroy the relationships that city agencies have built with our newcomers, to everyone’s detriment. Chicago would be less safe, less secure, and further stretched in our city resources.”

(letter to Rep. Luis Gutierrez, 2/2/2004)

**Chicago City Council Alderman Thomas Tunney, 44<sup>th</sup> Ward**

“[The CLEAR Act] would have a dire impact on public safety and would undermine the strides that the Chicago Police Department and other city agencies have made in building trust in our city’s immigrant communities.”

(letter to Rep. Luis Gutierrez, 2/2/2004)

**Washington, DC City Council Member Jim Graham**

“Our local police department has its hands full. It is best to leave immigration matters in the hands of those who are trained and qualified to handle those tasks.”

(statement on City policy, 7/28/2003)

**Philadelphia City Solicitor Nelson Diaz**

“Individuals should know that they may seek and obtain the assistance of city agencies . . . without negative consequences to their personal lives.”

(memorandum on City policy, 10/10/2003)

### **Arlington County (VA) Board Member Walter Tejada**

“We are all for tightening security and keeping terrorists out. [But police enforcement of immigration laws would mean] millions of hard-working immigrants who support the service industry will be targeted based on their looks. The last I heard, that is against the law.”  
(“Illegals policy angers leaders,” *Washington Times*, 4/27/2004)

### **Dane County Board of Supervisors Member Scott McDonell**

“We’ve had incidents where victims of crime are unwilling to talk to law enforcement because they fear they’ll be deported. We want to assure people they don’t have to be afraid to come forward.”  
(“County may stiff the feds: On information about immigrants,” *The Capital Times*, 12/18/2003)

## **FEDERAL GOVERNMENT**

### **President George W. Bush (R)**

*(In calling on Congress to give temporary legal status to undocumented immigrants)*

“Law enforcement will face fewer problems with undocumented workers, and will be better able to focus on the true threats to our nation from criminals and terrorists. . . . Temporary workers will be able to establish their identities by obtaining the legal documents we all take for granted. And they will be able to talk openly to authorities, to report crimes when they are harmed, without the fear of being deported.”  
(public address, 1/7/2004)

### **Senator Joe Lieberman (D-CT)**

“I don’t know whose bright idea [the CLEAR Act] was, but this bulb ought to be turned off.”  
(“Lieberman blasts immigration bill,” *Atlanta Journal-Constitution*, 10/25/2003)

### **Department of Homeland Security, Bureau of Immigration and Customs Enforcement (BICE) Spokesperson Paula Grenier**

“The enforcement of immigration laws is the responsibility of [federal immigration] officers. The police are not mandated to do that. We coordinate with them. They are an invaluable resource. But as far as arresting people for immigration violations, that's the function of our agency.”  
(“Life in the shadows: Illegal immigrant works three jobs, all the time fearing arrest or deportation,” *Milford (MA) Daily News*, 10/26/2003)

### **Congressional Hispanic Caucus Leadership**

“Under [the CLEAR Act], first responders would have to use precious national and local security resources scrutinizing immigrants instead of doing the police work needed to keep criminals off the streets, terrorists out of the country and Americans safe in their communities.”  
(Dear Colleague letter, 9/30/2003)

### **Immigration and Customs Enforcement Spokesperson Sue Brown**

“[L]ocal officers aren’t trained to recognize or deal with fraudulent documents. That’s something for immigration officers to handle.”  
(“Immigration status not a local matter, police say,” *Atlanta Journal-Constitution*, 5/16/2004)



**Representative Howard Berman (D-CA)**

“[The CLEAR Act] is essentially creating a national police to try to search out, find and deport some 8 million people, with all the human, economic and political consequences.”

(“Police May Join Hunt for Illegal Migrants; Advocates see a way to boost enforcement, but officers and civil rights groups fear abuses,” *Los Angeles Times*, 11/11/2003)

**Representative Heather Wilson (R-NM)**

“Albuquerque law enforcement officers I’ve spoken to are concerned that this law could strain our already overburdened police force. I agree. And there’s also the concern that this will reduce the likelihood that victims of crime, or potential witnesses, will come forward because of a fear of law enforcement. This makes an already tough situation that much harder for investigators and for victims of crime. This would roll back the amazing progress Albuquerque law enforcers have made with community policing.”

(press release, “Heather Wilson Expresses Concern about bill’s effect on NM Immigrants [sic],” 5/26/2005)

**Representative Sheila Jackson Lee (D-TX), Ranking Member, House Immigration Subcommittee**

“We need to develop police forces that are strengthening community relationships, not driving a wedge further into them.”

(statement, 10/1/2003)

**Representative Zoe Lofgren (D-CA)**

“[A]s a member of the Select Committee on Homeland Security, I am very concerned that the Department of Homeland Security will become so bogged down in answering calls from local law enforcement about non-criminal immigrants that they will be diverted from their primary mission—protecting us from terrorism.”

(statement, 10/1/2003)

**Representative Luis Gutierrez (D-IL)**

“Since 9/11, first responders have taken on significant new duties in the face of dwindling resources. In fact, we have heard resoundingly from state and local police throughout the nation that they stand strongly against such initiatives [that make them either enforce immigration laws or lose funding] because cutting their resources would make their work more dangerous and our communities less safe.”

(Dear Colleague letter, 6/16/2004)

**Representative Lloyd Doggett (D-TX)**

“If undocumented workers, who are too often the victims of crime, hesitate to report crime because they fear the police, then our entire community loses.”

(House floor speech, 6/17/2004)

**Representative Ciro Rodriguez (D-TX)**

“[The CLEAR Act and Senate counterpart are] dangerous pieces of legislation that place the safety of Americans in jeopardy by overburdening officers and should not be allowed to see the light of day.”

(“Bill would let local police enforce immigration law,” *Gannett News Service*, 11/21/2003)

### **Representative Linda Sanchez (D-CA)**

“The result of this legislation will be to set back years of community policing efforts and attempts by law enforcement agencies to build good will in the community. It makes communities less safe, not more safe.”

(House Immigration Subcommittee hearing, 10/1/2003)

### **Representative Joseph Crowley (D-NY)**

“State and local police are often our first responders in times of terrorist attacks. Their jobs are already incredibly difficult and incredibly critical. To threaten them with reduced resources is not only offensive to the work that they do, it is also dangerous to the communities that they strive to protect.”

(House floor speech, 6/17/2004)

### **Representative Karen McCarthy (D-MO)**

“Another harmful bill, the worst of all, is the CLEAR Act.”

(“Harmful’ laws and a Congressional medal to Cesar Chavez occupy Rep. Karen McCarthy’s time,” *Kansas City Dos Mundos*, 6/9/2004)

## **EDITORIAL BOARDS AND COLUMNISTS**

### **Houston Chronicle**

“Houston Police Chief Harold Hurtt says his officers are already well-trained in handling lawbreakers who are here illegally, and that additional requirements to enforce immigration laws would ‘stretch our manpower to the point where we could not provide the services that the citizens expect from us.’ He points out that federal funds to local law enforcement agencies have been drastically reduced over the past five years, and homeland security money can't be used to hire police or emergency workers.”

(“A question of priorities / Houston's police can't enforce immigration laws without being diverted from their primary mission of public safety and crime prevention,” 7/31/2005)

### **The Lowell (MA) Sun**

“It’s time for Washington lawmakers to conduct a comprehensive review on the issue and stop forcing local officials to deal with the nation’s illegal-immigration problem on their own.”

(“Local concern, national crisis,” 6/12/2005)

### **Athens (GA) Banner-Herald**

“While the idea of states and cities being drafted to complete a federal task is unpleasant, we are most concerned about the burden [the CLEAR Act] could place on community police departments. Not only would officers have to be trained regularly in the dizzying intricacies of federal immigration law, but the day-to-day search for illegal aliens also would take time away from normal policing duties. It’s important to remember that not all crimes are equal. When it comes to solving a murder, responding to a domestic violence report or catching a thief versus snagging someone who has overstayed his or her visa, the priority for communities and their law enforcement officers should be clear.”

(“Feds shouldn’t unload immigration burden on state, local police,” 11/6/2003)

### **Boston Globe**

“Police are needed to focus on preventing and fighting crime. If they are forced to become immigration agents, they could lose a crucial tool: conversation. Communities that are willing to work with police can provide tips and information.”

(“A misuse of local police,” 3/19/2004)

### **Los Angeles Times**

“Most police agencies in Southern California long ago dropped the idea of doing the job of federal immigration authorities. If victims won’t report crimes because they’re afraid of being deported, how can investigators find out about crimes, much less solve them? The Orange County Sheriff’s Department would be stepping back a quarter of a century if it carried through on a plan to gain the powers to enforce immigration laws, despite its declared intent to use those powers only to go after criminals, not to sweep up illegal residents. The department already can go after criminals, regardless of their legal status.”

(“Let Uncle Sam’s Cops Do It,” 11/1/2003)

### **Des Moines Register**

“Iowa is home to immigrants who come to work in meat-packing plants, poultry operations and other back-breaking jobs. Some of them live in Des Moines, where Police Chief William McCarthy strongly opposes Norwood’s bill. It would compromise the investigation of local crimes, McCarthy said, by making people reluctant to cooperate. It would also generate additional red tape.”

(“Cops shouldn’t be INS agents,” 10/13/2003)

### **Tucson Citizen**

“In addition to imposing an onerous additional burden on police officers, there is another concern. Illegal immigrants who now report crimes would refuse to do so, fearing deportation. That would leave criminals free to victimize others.”

(“Immigration role not for local police,” 10/15/2003)

### **Minneapolis Star Tribune**

“[Undocumented immigrants] live here; they work here; they raise families here. Further heightening their innate fear of local police makes the community less safe, not more. It also puts illegals further at risk of unethical employers, landlords and others who use fear of deportation to silence complaints about economic exploitation, unsafe conditions in the workplace and inhumane conditions at home.”

(“Illegal immigrants/Pawlenty’s off base, again,” 9/2/2004)

### **San Jose Mercury News**

“Sept. 11 pointed out the need for better immigration enforcement, but roping local police into the job isn’t the way to do it. The reasons to kill this bill go on and on – there are funding reasons and extraordinarily dangerous civil rights reasons – but the best reason comes from local police chiefs, who understand the importance of building trust in a diverse community like San Jose.”

(“CLEAR Act puts cuffs on police; Giving them another duty, immigration enforcement, would make us all less safe,” 4/15/2004)

### **The Miami Herald**

“Ultimately, turning local police into deportation agents would destroy the trust on which community policing depends. Victims of domestic abuse and other crimes won’t come forward if they fear that they or a family member might be deported. Ditto for witnesses or informants. The Miami Police Department, for example, battled that fear during its hunt for a serial rapist in the Little Havana area. Police continually had to reassure residents that they wouldn’t ask about immigration status.”

(“When police become immigration agents,” 9/25/2003)

### **Houston Chronicle**

“Should a charter change overturn police policy on illegal immigrants, it could lead to the opposite of its intent. Illegal immigrants would avoid police, letting crimes go unreported and dangerous criminals go unhunted. Instead of keeping foreign criminals from being loosed onto the street, the charter change could increase the number of crooks never apprehended.”

(“No Sanctuary: Houston doesn’t protect illegal immigrants from arrest, prosecution or deportation,” 4/10/2006)

### **El Paso Times**

“If more Border Patrol agents are needed, then hire and train more Border Patrol agents. It would be a better use of money.”

(“Bill could encourage racial profiling,” 10/13/2003)

### **Palm Springs Desert Sun**

“[The CLEAR Act] turns police officers into immigration officers and swings a wrecking ball toward all of the community policing efforts local law enforcement agencies have made toward building goodwill. . . . The proposed CLEAR Act is as its acronym implies: clear. Clearly wrong. Congress should not try to solve the undocumented immigration problem on the backs of local law enforcement.”

(“CLEAR Act could prompt racial profiling by police officers; Republican legislation signals growing lack of concern for immigrants,” 10/19/2003)

### **Los Angeles Times**

“Local police cannot and should not enforce federal immigration laws. Otherwise, no one fearing deportation would be likely to report or testify against criminal activity, from domestic abuse to gang violence. Local government also can’t carry the fiscal burden of enforcing federal immigration laws.”

(“Broken Immigration Policy,” 4/23/2004)

### **St. Petersburg (FL) Times**

“Local law enforcement officials say they need an open-door policy with people in the immigrant community if offers are to battle issues such as human trafficking and abusive work environments. This trust is tested when people in the immigrant community see local police officers being used to send their neighbors to jail and then out of the country.”

(“Piling it on the police,” 8/6/2004)

### **San Diego Union-Tribune**

“If police are suddenly seen as *la migra* in these communities, they will receive hostility, not cooperation. They may round up a few more illegal immigrants, but it won’t help the fight against violent crime and property crime. Immigrants who fear deportation won’t come forward to report crimes or assist police.”

(“Catching illegals; Local police should not join federal effort,” 11/16/2003)

### **Ft. Worth Star-Telegram**

“Enforcement of the nation’s immigration laws is the responsibility of the federal government. Not local police officers.”

(“Diagnosis: bad idea,” 12/3/2003)

### **The Miami Herald**

“As it is, counter-terrorism measures have turned into anti-immigrant sweeps, secret detentions and other policies that propagate fear in immigrant communities. As a result, the people who could provide leads on foreign terrorists are driven to hide from authority. Now the proposed Clear Act would turn local law-enforcement agencies into immigration agents, as if police already don’t have enough to do. Congress should stop that bill.”

(“Freedom riders push for immigrant rights,” 10/3/2003)

### **Columnist O. Ricardo Pimentel, Arizona Republic**

“It’s difficult to imagine a more short-sighted piece of legislation. . . . There’s a reason that many local law enforcement officers nationwide have lined up to oppose this legislation. They know it’s difficult just to gain enough trust in the immigrant community so that crimes get reported. But local departments have tried hard to build that trust, upping the number of officers and support folks who speak Spanish and also launching tip programs. And they’ve made inroads. The CLEAR Act, as it’s been coined, threatens to undo all that.”

(“A ‘Clear’ end to immigrants’ trust in the law,” 12/2/2003)

### **Columnist Domenico Maceri, HispanicVista.com**

“Fear of being arrested is a serious disincentive for undocumented workers to report crimes or serve as witnesses.”

(“The GOP: Bashing Immigrants with Stones and Words,” 12/9/2003)

## **DIVERSE ALLIES**

### **Professor Robert J. Sampson**

“[O]ur study found that immigrants appear in general to be less violent than people born in America, particularly when they live in neighborhoods with high numbers of other immigrants... In today's world, then, it is no longer tenable to assume that immigration automatically leads to chaos and crime. New York is a magnet for immigration, yet it has for a decade ranked as one of America's safest cities. Border cities like El Paso and San Diego have made similar gains against crime. Perhaps the lesson is that if we want to continue to crack down on crime, closing the nation's doors is not the answer.”

(“Open Doors Don’t Invite Criminals,” *The New York Times*, 3/11/2006)

**Victoria Fahlberg, Executive Director of ONE Lowell (MA)**

“Aren’t there enough real criminals that we should be concerned about? This is a total waste of taxpayer money.”

(“Hudson chief in the middle of immigration fight,” *Lowell Sun*, 5/26/2005)

**Reverend Luis Cortes, Jr., President and CEO of Esperanza USA, a national network of Hispanic Christians, churches, and ministries**

“In our zealotry to be secure, however, we urge that enforcement of federal immigration statutes remain a federal responsibility. It is especially critical that 9-1-1 emergency first responders and local law enforcement and police have no enforcement or reporting responsibilities in illegal immigration enforcement. Giving state and local law enforcement authority, even partial reporting responsibility, for federal immigration law enforcement would, quite simply, endanger the health and safety of Hispanic and non-Hispanic communities, reverse and disintegrate years of progress in community programs and transform what is today a close, cooperative and productive relationship between Hispanic clergy and state and local law enforcement into an adversarial one.”

(testimony before Senate Judiciary Committee, 7/5/2006)

**Over 200 organizations, including: domestic violence prevention advocates; faith-based groups; civil rights, civil liberties, and human rights watchdogs; immigrants’ rights groups; legal services providers and law firms; refugee advocates; health care providers; workers’ advocates; labor unions; businesses; counselors; financial services providers; and police**

“[E]xamples show how criminals are not apprehended when immigrants begin to fear contact with local police, and stop reporting crimes or information. A Pakistani immigrant from Brooklyn, NY was stabbed in the foyer of his building in January 2003. To avoid having to make a police report (because he was undocumented and feared the consequences), he told paramedics that he had stabbed himself.”

(letter to Congress, 9/16/2003)

**Over 80 organizations that work with victims of domestic violence, trafficking, and other crimes**

“*The chilling effect that the CLEAR Act will have on the reporting of crime by immigrant victims and witnesses will be immediate and severe.* Domestic violence victims will once more be forced to make an impossible choice between deportation – and the abrupt separation from and danger to their children that this could entail— and continued abuse. The CLEAR Act thus very effectively enhances the power of the batterer and strengthens the weapons in his arsenal.”

(letter to Congress, 9/30/2003)

**Americans for Tax Reform, American Conservative Union, and American Conservative Union Foundation**

“We are convinced that should the CLEAR Act become law, it will set a dangerous precedent with regard to the authority of state and local law enforcement agencies to enforce civil violations of many federal laws.”

(Grover Norquist, David Keene, and Bob Barr, letter to President Bush and Congress, 9/22/2003)

### **Bruce Schneier, security expert and CTO of Counterpane Internet Security**

“The CLEAR Act and HSEA will certainly result in more people being arrested for immigration violations but will probably have zero effect on terrorism. Some of the Sept. 11, 2001, terrorists were in the country legally. Others were easily able to keep their heads down. It’s not as if terrorists are waiting to be arrested, if only the police have sufficient information about their immigration status. It’s a nice theory, but it’s just not true.”

(op-ed, “CLEARly muddying the fight against terror,” *News.com*, 6/16/2004)

### **Legal Momentum**

“Congress has sought to encourage immigrant victims to report crimes without fear of deportation. It created visas for victims of violent crimes and trafficking to both encourage cooperation with the criminal justice system and provide humanitarian relief for victims of crimes. If the HSEA becomes law, immigrant victims and witnesses of sexual assault and other crimes will be afraid to come forward and report these crimes.”

(statement, “Legal Momentum Opposes the Homeland Security Enhancement Act, 4/2004)

### **American Civil Liberties Union**

“It makes no sense for the neighborhood police to be checking up on whether someone filed a visa waiver form in time.”

(“Groups Fret Over Giving Police Immigration Control,” *Fox News Channel*, 10/29/2003)

### **James Jay Carafano, fellow at the Heritage Foundation**

“Congress must not establish a sweeping mandate that tries to force state and local law enforcement to do the federal government’s job. A broad mandate would: Represent a large, unfunded federal mandate; Shift police priorities so that officers spend their time tracking down immigration violations instead of solving and preventing crimes within their communities; Hinder law enforcement by undermining the usefulness of the FBI’s National Criminal Information Center (NCIC) database. NCIC entries for immigrants with minor violations and whose statuses change frequently will make it hard to keep the database current. Filling the database with records of immigration-law violators could also distract or impede police officers using the database to obtain information about violent criminals and terrorists.”

(“Build on Section 287(g) of the Immigration and Nationality Act to Boost State and Local Immigration Enforcement,” Heritage Foundation policy paper, 9/14/2006)

### **Family Violence Prevention Fund**

“An immigrant woman might have to choose between her safety and her fear of deportation. We have worked so hard for immigrant communities to trust law enforcement, and I think we’ve made headway.”

(managing director Leni Marin, in “Police, feds may work in tandem,” *Sacramento Bee*, 5/14/2004)

### **Colorado Coalition Against Domestic Violence and 60 member agencies**

“In eight town hall and community meetings held by CCADV last year all over Colorado, fear of INS was consistently found to be one of the greatest barriers to providing services to victims of domestic violence. . . . [W]e agree with the statements of law enforcement across the country that for every case where a victim’s immigration status is questioned, entire communities get the message that it is not safe to call the police for help.”

(letter to Representative Udall, 9/2/2003)

### **Iowa Coalition Against Domestic Violence, Iowa Coalition Against Sexual Assault, and 31 related projects in Iowa**

“The CLEAR Act would eviscerate the public policy interests of VAWA and VAWA II and erase hard-won gains by law enforcement of the trust of immigrant communities. Already, our colleagues across the country have witnessed the damage that opportunistic batterers can do in the current anti-immigrant environment. In a number of recent cases, even women whose self-petitions under VAWA have been approved have nonetheless been deported, and many others are fighting deportation, because the wheel set in motion by the batterers who report them to the authorities have moved more swiftly than those offering them relief and protection to which they are legally entitled.”

(letter to Congress, 9/15/2003)

### **Kansas Coalition Against Sexual and Domestic Violence**

“[L]ocal law enforcement officers are in [sic] integral part of the front-line web of safety for victims of sexual and domestic violence. Passage of the CLEAR Act would, in effect, eliminate law enforcement as a safety option for undocumented survivors [of domestic violence/sexual assault] and quite likely will be intimidating to survivors whose status is current and legal.”

(letter to Senator Brownback, 2/11/2004)

### **NAFSA: Association of International Educators**

“It is chilling to think that students who forget to get—or don’t understand that they need—permission to drop a course could end up in the NCIC database.”

(letter to Attorney General John Ashcroft and Secretary of State Colin Powell, 12/17/2003)

### **Anti-Defamation League**

“Many immigrants have come to the United States to escape from their oppressive governments and police abuse. Any effort to direct local police to both ‘serve and protect’ the community and pursue and detain illegal aliens may undermine the trust necessary for local law enforcement to perform its job effectively within immigrant communities. The League’s long experience with hate crime laws, for example, has proven that close cooperation between local law enforcement and immigrant communities is essential.”

(letter to Congress, 9/17/2003)

### **National Council of La Raza**

“Police officers know that their ability to protect our neighborhoods depends on building strong relationships with all members of the community. Community-based policing efforts have been successful. In Latino communities, for example, the Department of Justice found that violent crime against Latinos dropped by 56 percent during the 1990s once such efforts got underway. But if police start enforcing immigration laws—or are perceived to be enforcing immigration laws—trust between law enforcement and the community will erode.”

(“Feds, not the cops, should police immigration,” op-ed, *St. Louis Post-Dispatch*, 10/6/2003)



### **World Relief**

“The CLEAR Act purports to enhance homeland security by deputizing state and local police as immigration agents. However, I believe it would have the opposite effect. The CLEAR Act would burden police, who are already overworked, with a new mandate to enforce highly technical civil immigration statutes, diverting them from higher priority tasks, while making their work more difficult.”

(letter to Congress, 12/17/2003)

### **Human Rights Watch**

“The proposed legislation would create a two-tiered system of justice. Immigrants detained in the federal system would have the right to a hearing, but those arrested by local police would have no guarantees of judicial review. The potential for abuse is rife:”

(press release, “Proposed Laws Would Lead to Abuse of Immigrants,” 4/21/2004)

### **Detention Watch Network**

“CLEAR does not target real criminals—it targets individuals with minor paperwork violations who pose no danger to society—such as people who have overstayed a temporary visa, or students who have dropped down in course load for a semester. Not only would the detention and processing of these individuals pose a tremendous strain on the system, but it seems unnecessarily cruel given the nature of their violations.”

(letter to Representative Sensenbrenner, 10/1/2003)

### **James Jay Carafano, fellow at the Heritage Foundation**

“The proposed Clear Law Enforcement for Criminal Alien Removal (CLEAR) Act takes exactly the wrong approach, inappropriately burdening state and local enforcement and providing insufficient protections for civil liberties. Furthermore, it is unnecessary: Adequate authorities already exist.”

(“No Need for the CLEAR Act: Building Capacity for Immigration Counterterrorism Investigations,” Executive Memorandum, 4/21/2004)

### **People for the American Way**

“Our concern is finding the proper balance to ensure that individuals’ civil rights and liberties are protected and that the safety of our communities is not undermined. We do not believe that the CLEAR Act can guarantee that balance.”

(letter to Congress, 10/22/2003)

### **Mexican-American Legal Defense and Educational Fund**

“The CLEAR Act would also gut civil rights protections. State and local authorities—who have no training in immigration law—would be exempt from any liability for civil rights violations. This would excuse racial profiling of Latinos by the police. That is why the Houston Police Department, along with many other police departments nationwide, opposes having to enforce federal immigration laws.”

(letter to the editor, *Houston Chronicle*, 8/25/2003)

### **National Immigration Project of the National Lawyers Guild**

“The flawed idea behind this legislation is that allowing local police to detain people for a broader range of minor offences will make it easier to catch the extremely small percent of undocumented persons who are violent criminals.”

(“The CLEAR ACT: Ironic title for murky legislation,” *The Miami Herald*, 10/2/2003)

### **Muslim Public Affairs Council**

“We must remind our representatives that the government was divided into separate agencies with different mandates not by mere coincidence, but due to careful calculations aimed to ensure the least amount of corruption and the greatest amount of security. Legislation that intends to disrupt these divisions will lead to confusion within agencies and misuse of authority.”

(statement, 9/15/2003)

### **Center for Justice, Peace and Environment (CO)**

“When people within a community live with such fear, there is a complete breakdown of trust and cooperation. People are afraid to report crimes as either victims or witnesses. Law enforcement agencies are looked upon as the enemy. Public safety is at great risk.”

(“Topic: Human Rights Protection Ordinance, Proposal would foster trust, safety in city;” *Coloradoan*, 12/16/2003)

### **South Asian Network (CA)**

“There is no demonstrated gain to national security from state and local enforcement of civil immigration laws. In light of the potential for wrongful arrests and civil rights abuses, the chilling effect on police-community relations, and the drain on police resources, the federal government must show a compelling reason to require state and local enforcement of civil immigration law.”

(letter to Congress, 9/30/2003)

### **Lutheran Settlement House (PA)**

“One inevitable consequence of the CLEAR Act is that more abusers will go unpunished and unreported by undocumented victims and their communities for the heinous crimes they commit, which include assault and battery, rape, sexual abuse, reckless endangerment and false imprisonment of their partners and frequently their children.”

(letter to Senate Judiciary Committee, 11/5/2003)

### **Enlace Comunitario (NM)**

“If passed, this legislation would endanger already vulnerable immigrant populations and would particularly have disastrous consequences for immigrant survivors and witnesses of domestic violence, sexual assault, and trafficking. Victims who wish to seek the protection of the police will have to make the agonizing choice between calling the police and risking deportation—which could entail the abrupt separation from and danger to their children—and continued abuse.”

(press release, “Heather Wilson Expresses Concern about bill’s effect on NM Immigrants [sic],” 5/26/2005)

### **Migrant and Refugee Cultural Support (MIRECS) (MD)**

“We’re all against terrorism. But enough care has to be exercised by police so that they don’t infringe on civil liberties.”

(“Groups Fret Over Giving Police Immigration Control,” *Fox News Channel*, 10/29/2003)

### **Jewish Community Action (MN)**

“Some folks are here illegally, but many are not. How do we know? Are we going to stop everyone who might be Latino? You don’t have to be Latino to come here illegally.”

(“Measure targets immigrants’ fears,” *Pioneer Press*, 12/27/2003)

**El Centro Amistad (CO)**

“This would pretty much devastate the relationship with the police department and the sheriff’s department.”

(“Locals fight immigration law change,” *Boulder County’s Daily Camera*, 12/8/2003)

**Somali Justice Advocacy Center**

“[O]ne reason the state of Minnesota has been successful in the war against terrorism is the tireless effort of the U.S. Attorney’s office to reach out to immigrants because, as the U.S. Attorney puts it, ‘we are all in it together.’”

(“Don’t target immigrants in war on terror,” *St. Paul Pioneer Press*, 9/16/2004)