



Contact: Kate Mason, 713-249-4466
katemason@mail.utexas.edu
or Rebecca Bernhardt, 512-992-7617
rbernhardt@aclutx.org

Oppose SB 358: Preserve Texas Law Enforcement Resources

SB 358 would take away state grant funding from any local entity found to have a policy of not fully enforcing all federal immigration laws. It would also permit a citizen to file a petition against a local entity perceived as having a policy of not fully enforcing immigration laws.

“I know it when I see it” is a recipe for disaster when it comes to immigration laws.

There is an assumption underlying this bill that we all know what the immigration laws are and it's obvious when a local entity is failing to follow them. In fact, this bill references the entire Immigration and Nationality Act, including the provisions that create the processes for applying for immigration benefits and the jurisdiction of the immigration courts. No one wants local governments trying to run their own immigration courts or issuing visas. But by referencing the entire Immigration and Nationality Act, this bill would prohibit local entities from having a formal policy of refusing to issue visas.

Immigration law is complex and should be left to the experts. A recent AP story reported that the federal government wrongfully detained or deported at least 55 U.S. citizens over the past eight years. How do we expect local law enforcement—with less money and little or no immigration law expertise—to carry out something even the Federal Government can't get right? Local law enforcement lacks the training and expertise to enforce immigration laws. Encouraging local governments to try to enforce federal immigration law will inevitably lead to expensive mistakes.

Local governments with limited resources should prioritize public safety over symbolic gestures. Requiring local governments to prove that they are not refusing to enforce immigration laws will encourage wasting law enforcement resources on symbolic gestures of compliance with this bill. Such symbolism undermines law enforcement relationships with immigrant communities, harming public safety.

SB 358 will make our cities less safe. When victims and their families believe a police encounter will result in deportation for those out of status, they fail to report violent crime and do not cooperate with law enforcement as witnesses. With over one million undocumented persons in Texas, SB 358 will create a large population for criminals to target. This crime can have a domino effect that will make all of us less safe over time.