

Why AZ Lawmakers Should Oppose HB 2223 & SB 1378

These Bills Are Unnecessary

- There is no jurisdiction in Arizona that has true “sanctuary” policies that refuses all cooperation with immigration requests from the federal government. No city, town or county prohibits or restricts any government entity or official from gathering or maintaining immigration information or sharing information with the Department of Homeland Security (DHS).
- DHS is already notified of all individuals booked into jails across Arizona. Anyone who is arrested and booked in Arizona has their fingerprints automatically shared with federal immigration authorities.

These Bills Undermine Public Safety

- Punishing localities for making decisions about how to run their departments jeopardizes public safety for all residents by threatening police-community relationships and undermining community trust in law enforcement.
- Law enforcement depends on community trust to effectively maintain public safety and combat crime. A 2013 University of Illinois survey found that 70% of undocumented immigrants and 44% of Latinos are less likely to report crime to the police because they feared that police would inquire about their immigration status or the status of someone in their household. Since undocumented immigrants commonly live in households where at least one member has legal status, U.S. citizens and lawful residents also fear that contacting the police will result in the arrest of a family member.
- The most vulnerable members of our communities would be cut off from police protection if local law enforcement shares information with federal immigration agents. When immigrant survivors and witnesses of crime can feel confident that their interactions with the police will not lead to their deportation, they are much more likely to report crimes.
- Community safety depends on overall trust and willingness to interact with local law enforcement so that they can prevent and investigate crimes. These bills would disrupt established and effective community policing policies by interfering with common-sense police efforts to assure crime survivors and witnesses that they should feel safe when interacting with police to solve and prevent crimes.

These bills divert resources away from criminal law enforcement

- Withholding state funds from police departments makes our communities less safe by taking away resources from their core mission of fighting dangerous crime.
- Law enforcement agencies are best able to decide how to utilize and prioritize their resources – these bills take away their discretion to set priorities and to create safe communities.
- These bills force police departments to prioritize the maximum enforcement of federal immigration law, no matter what the police department thinks is right. This means they are pushed toward immigration enforcement even when it interferes with their work

preventing and solving serious and violent crimes.

Arizona Will Incur High Costs

- These bills would force local law enforcement agencies to comply with all requests from Immigration and Custom Enforcement (ICE), ranging from local collaboration in immigration enforcement operations to the allocation of office space in local jails for ICE agents. This would force local law enforcement to spend more on immigration enforcement efforts or prioritize the enforcement of immigration law over state laws.
- Passage of these bills could bring a civil rights lawsuit challenging their constitutionality. In just the first two years of Arizona's defense of SB 1070, the State spent more than \$3 million dollars in legal fees.¹
- If these bills become law, they would expose every government entity in Arizona to potential liability for constitutional violations.

¹ "SB 1070 legal defense supported by private funds," The Arizona Republic (June 25, 2012), <http://archive.azcentral.com/arizonarepublic/news/articles/2012/06/21/20120621sb1070-legal-defense-private-funds.html>.