

Please Oppose HB 151 and HB 453

HB 151 and HB 453 are bad for local communities, bad for local law enforcement, and bad for Louisiana. These bills force law enforcement agencies in Louisiana to do the work of the federal government in the enforcement of immigration laws, force sheriffs and police chiefs to choose between violating state or federal law, and impose heavy fiscal consequences and liability on law enforcement agencies who do not comply with the proposed state laws. HB 151 and HB 453 will cost local communities thousands of dollars that could be better spent on issues of local concern.

HB 151 and HB 453 undermine community safety for all Louisiana residents by taking away discretion from local police in prioritizing their work.

The safety of every community member depends on trust and a willingness to interact with police in order to participate in investigating and solving crimes. HB 151 and HB 453 would interfere with common-sense police efforts to assure that crime victims and witnesses feel safe when interacting with police to help solve and prevent crimes by creating an affirmative duty for local law enforcement to report individuals to ICE. These bills also encourage local law enforcement agencies to use their own resources to investigate the immigration status of community members and prohibit placing any limits on local law enforcement's communication and cooperation with federal officials in immigration investigations. This limitless mandate pushes police departments to prioritize the enforcement of federal immigration law at every turn, above their primary mission and goal, which is to ensure public safety.

HB 151 and HB 453 cost cities and counties a significant amount that could be spent more effectively on addressing issues prioritized by the local community.

HB 151 and HB 453 also effectively mandate every Louisiana law enforcement agency to utilize scarce jail resources and beds to hold individuals at federal immigration officials' request. The requests, or ICE detainers, ask the local jail to hold the individual named in the detainer voluntarily for an additional 48-hour period after he/she would otherwise be released. Local agencies are not reimbursed for the cost of detaining these individuals and could be liable in federal court for constitutional violations that may result (see below).

HB 151 and HB 453 force local law enforcement to choose between violating state law or federal law and the costly liability that results from either choice.

HB 151 and HB 453 put sheriffs and police chiefs between a rock and a hard place. If either bill passes, local law enforcement officers will need to choose whether to violate state or federal law. Either they honor detainers and make themselves vulnerable to a civil rights lawsuit for holding an individual without probable cause. Or they do not honor detainers and violate Louisiana law enacted in HB 151 and HB 453. Provisions of the bills imposing fiscal consequences and liability for failure to comply with the bills' requirements simply attempt to strong-arm local police into choosing state law over federal law.

If HB 151 and HB 453 become law, every local community in Louisiana would be exposed to potential liability for constitutional violations while sacrificing more pressing public safety concerns. These bills are not right for Louisiana. We urge you to reject these proposals.