

Turning TN Highway Patrol into Immigration Agents: At What Cost to Our Communities?

(SB 1604 by Norris, HB 491 by Gresham)

Governor Bredesen rightfully expressed opposition to this initiative during a speech to small business leaders last year. "I don't think it's appropriate for the state (to have) the Highway Patrol expanded to go and look out for illegal immigrants," the Governor said (The City Paper, March 29th).

Increasing Racial Profiling

There are nearly eleven million naturalized U.S. citizens, and more than twenty-five million native-born Americans of Latin American and Asian descent. In this free nation we are not required to carry "papers" to prove our citizenship, and few of us do. Because there is no simple way to check someone's immigration status, highway patrol officers will inevitably stop and question people of certain ethnic backgrounds, who speak foreign languages, or who have accents in English. This legislation essentially encourages racial and ethnic profiling.

Jeopardizing Public Safety

These proposals strike a direct blow at the efforts of law enforcement to win the trust and confidence of the communities they serve. If state police become immigration agents, word will spread like wildfire among newcomers that any contact with police could mean deportation for themselves or their family members. Immigrants will decline to report crimes or suspicious activity, and criminals will see them as easy prey, making our communities less safe as a result. Experience shows that this fear will extend not only to contact with police, but also with the fire department, hospitals, and the public school system.

Skewing Federal Law Enforcement Priorities

When police identify immigration violators, they will have to call the federal government to take over. Law enforcement resources at the federal level are also limited, which is why the Bureau of Immigration and Customs Enforcement (ICE) prioritizes searches for criminals and terrorists over immigrants with civil status violations. Will ICE agents come to collect every undocumented immigrant identified by the Tennessee Highway Patrol? With twelve million undocumented immigrants in the United States and an infinitely smaller cohort of foreign-born criminals, this is hardly the right prioritization of Department of Homeland Security resources.

Undermining National Security

Security experts and law enforcement agree that good intelligence and strong relationships are the keys to keeping our nation and our streets safe. Under this legislation, foreign nationals who might otherwise be helpful to security investigations will be reluctant to come forward, for fear of immigration consequences. If immigrant communities are alienated rather than embraced, state and local law enforcement loses important relationships that can lead to information they might not otherwise have access to.

Not About Apprehending Criminals

Proponents of immigration enforcement agreements suggest that they are needed so that police can help deal with the "criminal alien crisis." They ignore the fact that police already have the authority to arrest criminals, both in enforcing state or local laws and assisting the federal government. Police also have the authority to help the federal government deport criminals who are removable because of their offenses. But there is a necessary distinction between enforcing criminal laws and enforcing civil immigration laws—a mandate best left to the federal agencies without local crime-fighting responsibilities.