



APPLESEED CALLS FOR REPEAL OF ARIZONA IMMIGRATION LAW *SB 1070 Undermines Civil Rights, Strains Local Law Enforcement, Threatens Public Safety*

Appleseed, a network of public interest justice centers in the United States and Mexico, is deeply troubled by the enactment of Arizona's unprecedented new immigration law, SB 1070, provisions of which codify racial profiling, inject untrained police into complex federal immigration matters, and incite fear in local communities. We call upon the federal government to seek repeal of the law and urge other states not to follow Arizona's lead.

Some people may be frustrated that federal enforcement efforts have not stopped unauthorized immigration, but such frustration does not justify this drastic incursion into everyone's rights. Arizona police are now required to determine a person's immigration status if there is "reasonable suspicion" that the person is in the country illegally – like many, we wonder what, exactly, constitutes "reasonable suspicion" – and we fear that police will use skin color and language as determining factors, notwithstanding a new amendment prohibiting such determinations.

Racial profiling exacts a heavy toll on a free and open society, betraying the core values of our nation – it is not, however, the only reason that Arizona's law is inherently problematic. For example, under Section 5 of SB 1070, those who transport or harbor a person they know to be an unauthorized immigrant can be charged as accessories, including lawyers who drive clients to hearings or clergy who provide sanctuary.

The law also will prove detrimental to overall police effectiveness and public safety.

In 2006 Appleseed released a comprehensive report, updated in May 2008, on section 287(g) of the Immigration and Nationality Act, which authorizes the federal government to enter into agreements with state and local law enforcement agencies permitting designated officers to perform immigration law enforcement functions. As discussed in [Forcing Our Blues into Gray Areas](#), the most unsettling consequences of harnessing state and local officers to enforce immigration law include:

- Adding immigration enforcement duties to local law enforcement is a strain on already limited resources and saps a community's ability to attend to more immediate threats to public safety.



- The lives and safety of victims of domestic violence, trafficking, and other crimes may be put at risk if immigrants are afraid to contact police.
- Immigration enforcement by police officers seriously undermines their efforts to build trust and gather information from all members of the community, thus impeding cooperative efforts to promote the security and wellbeing of all residents (including anti-terrorism efforts).
- Federal immigration law is complex and technical, and local police lack the training to properly understand and enforce its many provisions.

With Arizona now imposing a policy that goes even beyond 287(g), these same problems are likely to fetter communities throughout the state, while the federal government's detention facilities simply cannot hold the greatly expanded number of persons contemplated by the new law.

More recent studies by National Appleseed and nine Appleseed Centers (Alabama, Chicago, Louisiana, Mexico, Nebraska, New Jersey, New York City, Texas and South Carolina) further highlight the dangers posed by SB 1070.

The over-worked, understaffed [immigration courts](#) across the country are ill-equipped to properly adjudicate a flood of new cases initiated by untrained law enforcement. Likewise, the detention and repatriation of unaccompanied immigrant children and [immigrants with mental disabilities](#) already pose significant challenges to the U.S. immigration court system – challenges that National Appleseed, Chicago Appleseed, and Texas Appleseed are currently addressing. The new law will only exacerbate the burden on relevant agencies and officials.

These problems call for common-sense reform at the federal level, our fullest efforts to create fair and practical solutions that move us forward. The Arizona law is not the answer. Let's not abandon our ideals of justice, but hew more closely to them.

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