

# SUBJECT TO DEBATE

A NEWSLETTER OF THE POLICE EXECUTIVE RESEARCH FORUM



**PERF's 2013 Annual Meeting  
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## Immigration Policy: What We Have Learned

AS CONGRESS AND THE OBAMA ADMINISTRATION search for a compromise on a long-awaited overhaul of national immigration policy, PERF would like to summarize what our members have told us about how they view the immigration issue. Since 2007, with support from the Carnegie Corporation of New York, the Ford Foundation, and the Motorola Solutions Foundation, PERF has undertaken several projects to explore local police perspectives on immigration policy.

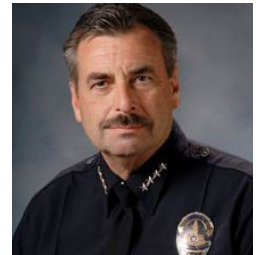
The fact that Congress and the President are reported to be making progress on a reform package is good news for the police chiefs who have participated in PERF immigration projects. One of the points of consensus that emerged from PERF's first immigration project was that "the U.S. Congress needs to set policy for the nation." Immigration is not an issue that should be governed by a patchwork of varying policies set by individual cities and states, police officials agreed at PERF's first immigration summit in 2007.

As Congress considers national policy, there are issues pending in many states regarding immigration policies. For example, a number of jurisdictions have approved or are considering measures to allow undocumented immigrants to obtain driver's licenses. From the local police perspective, it is safer for an officer to know the identity of people whom they stop for traffic violations. And policy-makers in several states, believing that the Obama Administration has been too aggressive in using the Secure Communities program to deport immigrants arrested for minor crimes, are moving to restrict local agencies' cooperation with Immigrations and Customs Enforcement (ICE).

**This issue of *Subject to Debate* provides a number of perspectives on immigration issues facing local police. PERF is planning to take a leadership role in providing Congress with information about the need for reforms.**

### LAPD Chief Charlie Beck on Immigration Reform: It's the Right Thing to Do—and the Effective Thing

*Charlie Beck has exercised leadership on immigration issues since he was named Chief of the Los Angeles Police Department in 2009. He changed what he considered overly strict rules for impounding cars, because the rules had a disproportionate impact on immigrants. He has publicly called for a special type of driver's license for illegal immigrants. And he has played a key role in defining the circumstances under which Los Angeles police will detain immigrants who are arrested.*



*Subject to Debate asked Chief Beck why these issues are important to him:*

Dealing with people who are immigrants, both legal and illegal, is a huge part of our business of policing. By the most conservative estimates, 10 percent of the population of Los Angeles—about 400,000 people—are here with questionable immigration status. Many of them live at the poverty line or below, so the police have more frequent interactions with them than with people in more affluent, stable neighborhoods.

I believe that building public trust, and creating expectations of behavior both ways—what the police expect of immigrants, and what they can expect from the police—goes a long way to increasing public safety. I think any chief who has a large immigrant population has to deal with this.

*Subject to Debate: How did the issue of impounding cars come about?*

There are two sections of California law that apply to the impounding of cars of people who don't have a driver's license. One of those

>> continued on page 2

sections, the stricter one, allows the municipality to hold the car for 30 days before releasing it. Under the other section, the vehicle can be immediately released at the impound lot if someone shows up with the proper documentation to show ownership and a licensed driver to drive the vehicle away.

The 30-day provision has come under some significant criticism, because it's a pretty severe punishment. It costs over \$1,500 to get your car out of impound after 30 days. And this often has unintended consequences that are detrimental to good, safe driving.

We have these 400,000 people in Los Angeles who can't get legally obtain a driver's license. But because having a vehicle is so imperative to life in Los Angeles, people are not likely to stop driving. So this policy creates a second tier of drivers. Because they're in immediate fear of losing their cars, they're less likely to stop at the scene of minor accidents. They're less likely to know the rules of the road, because they've never been tested on them. They're less likely to meet the vision requirements or other physical requirements of having a driver's license, because they haven't been tested. They drive cheaper cars that are less safe, because they're afraid of losing their cars.

In order to incentivize people to be more responsible drivers, I changed the impound policy. Under our new policy, which took effect this year, if you're driving in Los Angeles and you don't have a driver's license—but you have some type of proper identification, your vehicle is properly registered, and you have insurance—then we will use the lesser vehicle impound provision of law that allows immediate release to a licensed driver.

And related to that, I've recommended to the governor that we have some type of provisional driver's license for non-residents.

Until the mid-1990s, you could get a driver's license in California, regardless of your immigration status. But in the late 1990s there were a number of anti-immigration bills passed. The penalties were increased with the reasoning that "We'll make it so uncomfortable for immigrants to be here that they'll stop coming in." And one of those laws was that you couldn't get a driver's license, and this 30-day impound law came along with that.

But the laws haven't worked as intended, because the population of illegal immigrants in the state has doubled since the 1990s. So I've recommended that we create a special class of provisional license. Unlike standard driver's licenses, the provisional licenses would not be attached to any other privileges, such as voting. But by creating this type of license and mandating insurance and other requirements to get it, we'll get a safer class of drivers.

*Subject to Debate: Why is the national immigration reform legislation important to Los Angeles? Why should police chiefs care about it?*

I think you can approach that question from two angles. First, philosophically, is it the right thing to do? It meets that test for me. By and large, we are talking about a large population of hard-working people who are trying to better the situation of their families.

There's also the practical side, and I'm a practical guy. I look at issues in terms of what will have a positive impact on public safety. And building community trust, so people will come to the

police when they have issues and will report to the police when they see crimes, is important. It's not that immigrants are going to trust everything you do, but it's important that they trust that you understand their plight and have their best interests at heart.

I think it's not only the right thing to do; it's the effective thing to do.

## President Obama and Senate "Gang of Eight" Agree on a Compromise Immigration Package

As *Subject to Debate* went to press, there was a certain degree of optimism in Washington—following years of pessimism—about the prospects of Congress and the White House reaching an agreement on a comprehensive overhaul of national immigration policy.

On April 17, the so-called "Gang of Eight" U.S. Senators—four Republicans and four Democrats—jointly introduced an 844-page compromise bill that would establish a path to citizenship for persons who have been in the United States illegally since December 31, 2011 or earlier.<sup>1</sup>

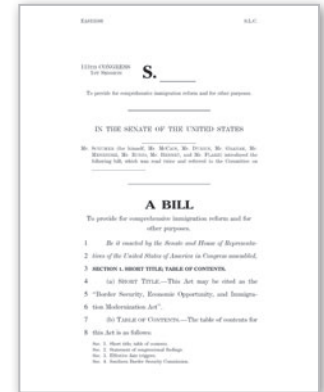
Advocates of the legislation cited the bipartisanship as a sign that Congress may succeed this year in passing the first major immigration reform since 1986. But opponents quickly attacked the new proposal, so it was not considered a sure bet. Senate hearings on the "Gang of Eight" plan began almost immediately.

The path to full citizenship would take at least 13 years—10 years in a temporary legal status, followed by three years in a "green card" status. However, because many of the 11 million illegal immigrants currently in the country could apply for the temporary "registered provisional immigrant status" within six months of the legislation being enacted, the bill could simplify matters for local police agencies by significantly reducing the number of people who currently are subject to possible deportation or detention.

Thus, the controversies in many communities about the extent to which local police should cooperate with ICE and be involved in immigration enforcement presumably could abate, as the pool of deportable immigrants becomes much smaller.

The legislation provides that certain categories of immigrants would not be eligible to begin the path toward citizenship, including:

- Anyone who has a conviction for "an offense classified as a felony in the convicting jurisdiction" (unless an "essential element" of the felony was the person's status as an illegal immigrant);
- Anyone convicted of an aggravated felony;
- Anyone convicted of "3 or more misdemeanor offenses (other than minor traffic offenses or state or local offenses for which an essential element was the alien's immigration status...);"



1. "Beside a Path to Citizenship, a New Path on Immigration." Julia Preston, *New York Times*. April 16, 2013. <http://www.nytimes.com/2013/04/17/us/senators-set-to-unveil-immigration-bill.html?pagewanted=all>

- Anyone convicted of unlawful voting; and
- Anyone who the Secretary of Homeland Security “knows or has reasonable grounds to believe is engaged in or is likely to engage ... in any terrorist activity.”<sup>2</sup>

President Obama, who on January 29 released a set of principles that he wants to be included in immigration legislation<sup>3</sup>, said he would support the bill proposed by the Gang of Eight. “This bill is clearly a compromise, and no one will get everything they wanted, including me,” the President said. “But it is largely consistent with the principles I have repeatedly laid out for comprehensive immigration reform.”

The Republican Senators in the Gang of Eight are John McCain (AZ); Marco Rubio (FL); Jeff Flake (AZ); and Lindsey Graham (SC). The Democrats are Charles Schumer (NY); Robert Menendez (NJ); Richard Durbin (IL); and Michael Bennet (CO).

## Timeline of PERF’s Projects On Immigration Enforcement

*Following is a summary, in chronological order, of PERF’s work to date on immigration enforcement issues.*

*Through all of these projects, PERF has strived to identify the most critical immigration-related issues facing local police chiefs and sheriffs, from their point of view. We also have searched for consensus points that can help Congress and the President to reach an agreement on national reform that reflects the views of local police leaders.*

### Chief Charlie Deane’s Perspective

*Few police chiefs have experienced a local battle over immigration policy as intensely, or have handled it as well, as Charlie Deane, who recently retired as Chief of Police in Prince William County, Va. Chief Deane offered these comments about the package of immigration reforms currently being considered in Congress:*

While the “path to citizenship” that is being proposed may settle the issue of citizenship opportunities for many of the 11 million undocumented immigrants already in the country, without further action, including funding, local police may be faced with new challenges.

First, federal criteria for deportation must be specific, so that enforcement is consistent across the country. The question of DUI convictions has been recognized as a hot-button issue that is unresolved.

Furthermore, public acceptance of the “fix” to the system will be tempered with how well the deportation system actually works. There should be no confusion regarding what is and what is not a deportable offense or series of offenses. Public frustration with the federal immigration system and with local police will increase if illegal immigrants with significant criminal records are allowed to stay in the country and obtain citizenship.



### November 2007: First PERF Survey and Summit on Immigration

In PERF’s first project, we surveyed law enforcement agencies and found that 71 percent of the jurisdictions surveyed had not enacted any written policy or law regarding enforcement of immigration laws by local police.

At the same time, however, 76 percent of the responding police officials said that the undocumented immigrant population in their jurisdiction had “increased substantially” over the previous five years, and 82 percent said that illegal immigration had become an issue in their community.

As Irving, TX Chief Larry Boyd expressed it, “Immigration has created a rapid change from what Irving looked like to residents who have been there for the last 30 years. Irving looks much different today than it did 15 or 20 years ago.”

PERF also held a national meeting for police executives to discuss immigration. A few of the issues discussed at that meeting have become moot; for example, police chiefs discussed the federal government’s 287(g) program, under which local police, after receiving special training from Immigrations and Customs Enforcement (ICE), could perform certain immigration enforcement functions. ICE recently has phased out the 287(g) program in favor of its newer Secure Communities program.

However, most of the issues aired at the 2007 meeting remain important today, including these questions: “If local police enforce immigration laws, will illegal immigrants be less like to report being a victim of crime? Should immigration status be checked for minor offenders? Should illegal immigrants be allowed to obtain driver’s licenses or other identification credentials?”

I’m pleased to see that the legislation acknowledges that there’s a shortage of immigration court judges and that it calls for more judges to be appointed. The current backlog of several years will be multiplied when millions more begin the process of applying for citizenship.

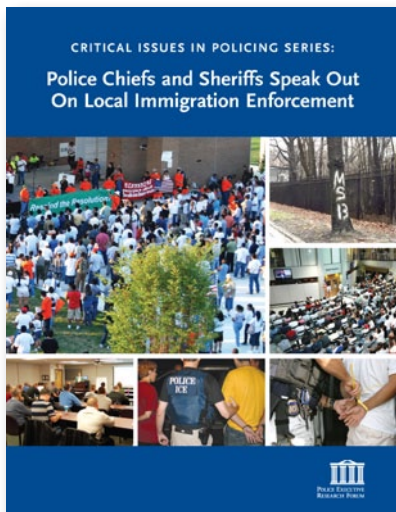
There is no doubt that our borders are more secure than in the past. But we know that many people will continue to cross the border illegally and commit crimes in the United States. So we will continue to need ICE to maintain detainers on these offenders throughout their local criminal process.

Under the provisions for this new path to citizenship, the impact of criminal convictions will make the difference in whether a person is eligible for citizenship or not. This will put increased pressure on police, whose actions will be closely scrutinized. For example, will we have more hit-and-run incidents by offenders who want to avoid a criminal conviction?

**Police leaders need to make sure that the legislation in Congress will truly solve the problems that are currently on the shoulders of local police agencies. But I’m hopeful that this new legislation will allow immigrants who are hard-working and are making a contribution to step out of the shadows, as they take the first steps toward citizenship.**

2. The full text of the bill is available at <http://www.schumer.senate.gov/forms/immigration.pdf>.

3. <http://www.whitehouse.gov/the-press-office/2013/01/29/fact-sheet-fixing-our-broken-immigration-system-so-everyone-plays-rules>



### April 2008: First PERF Report on Immigration

In April 2008, PERF released its report on the project described above, *Police Chiefs and Sheriffs Speak Out on Local Immigration Enforcement*<sup>4</sup>. This report includes the survey findings, summaries of the discussions at the Summit, and three Points of Consensus:

1. It is appropriate to check immigration status at the time of arrest and booking for serious offenses.
2. A national identification card based on biometric technology would be helpful.
3. The U.S. Congress needs to set policy for the nation.

Regarding the last point, there was general agreement that many local police departments were being dragged unwillingly into immigration enforcement. "I think it's a mistake for local police, in the absence of federal policy, to take on this role when we don't have the authority and we don't have the resources," said then-Charlotte-Mecklenburg, NC Chief Darrel Stephens.

Austin, TX Chief Art Acevedo said that illegal immigration could be curtailed simply by making it very costly for U.S. businesses to hire illegal immigrants, but that would hurt the economy. "As a consequence, we in policing are being forced to step into this political, economic debate that we should not be involved in," Chief Acevedo said.

### July 2009: PERF Arranges Meeting Between DHS Officials and Local Police

PERF's next step, undertaken with support from the Carnegie Corporation, was to bring federal officials to the table, joining local police chiefs to find consensus on policy goals for a national reform effort. This meeting, held on July 22, 2009 in Phoenix, brought together more than 100 police chiefs and other local officials from across the nation, along with leaders from DHS headquarters, ICE, U.S. Customs and Border Protection, and the U.S. Justice Department.<sup>5</sup>

This meeting produced nine recommendations for Congress and the Obama Administration, including the following:

*"National comprehensive immigration reform legislation should not be delayed any longer. New legislation should include provisions regarding guest workers, provision of permanent legal status, and employer and family-based visa systems....Improvements should be made to ensure tamper-proof identification and work authorization documents.... ICE should increase its coordination with and responsiveness to local police agencies....The authority of local police agencies and their officers to become involved in the enforcement of federal immigration laws, and limitations on that authority, should be clearly defined."*<sup>6</sup>

The meeting also produced nine recommendations for local police agencies, including the following:

*Officers should be prohibited from arresting or detaining persons for the sole purpose of investigating their immigration status....Officers should arrest persons who violate the criminal laws of their jurisdictions without regard to the immigration status of the alleged perpetrator or the victim....Local police must uphold the Constitutional and civil rights of persons regardless of their immigration status....Local police must protect crime victims and witnesses regardless of their immigration status....Local police should engage immigrant communities in dialogue about department policies and programs....Local police agencies should monitor indicators of racial profiling by employees, investigate violations, and sanction offenders."*

### May 2010: PERF Members Speak Out on Arizona's SB 1070 Law

By 2010, the immigration issue was heating up, nowhere more so than in Arizona, where Gov. Jan Brewer on April 23 signed SB 1070 into law. One of the more controversial provisions of SB 1070 *requires* law enforcement officers in the state to make a rea-



Attorney General Eric Holder chats with PERF member chiefs following their meeting.

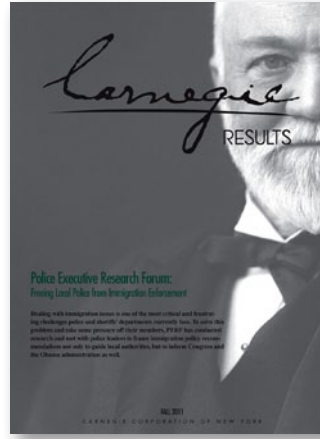
4. [http://www.policeforum.org/library/critical-issues-in-policing-series/Immigration\(\\$25\).pdf](http://www.policeforum.org/library/critical-issues-in-policing-series/Immigration($25).pdf)

5. "Police chiefs press for immigration reform." *USA Today*, July 23, 2009. [http://usatoday30.usatoday.com/news/nation/2009-07-23-police-chiefs-immigration\\_N.htm](http://usatoday30.usatoday.com/news/nation/2009-07-23-police-chiefs-immigration_N.htm)

6. <http://www.policeforum.org/library/immigration/PERFImmigrationReportMarch2011.pdf>



LEFT: Reporters question 10 PERF member chiefs following their meeting with Attorney General Holder.



MIDDLE: A 2011 report by the Carnegie Corporation of New York highlighted PERF's work on immigration issues.



sonable attempt to verify the immigration status of people whom they have stopped for any reason, if there is “reasonable suspicion” that the person was unlawfully present in the United States.

That provision, known as the 2(B) section of the law, was given strong teeth by another section of the law allowing anyone to sue the police for failing to enforce the law. Thus, local police chiefs who prefer a less aggressive policy could face lawsuits by activists.

In May 2010, PERF worked with then-Police Chief Jack Harris of Phoenix to organize a meeting between Attorney General Eric Holder and nine local police chiefs: Tucson Chief Roberto Villasenor; Los Angeles Chief Charlie Beck; Philadelphia Commissioner Charles Ramsey; Houston Chief Charles McClelland; Minneapolis Chief Tim Dolan; San Jose Chief Rob Davis; Salt Lake City Chief Chris Burbank; Montgomery County, MD Chief Tom Manger; and Sahuarita, AZ Chief John W. Harris.

At this private meeting, the local chiefs told Mr. Holder of their concerns about the Arizona immigration law, and recommended that he challenge the Constitutionality of the law in federal court.

“This law doesn’t fix the immigration problem; it only diverts our scarce resources,” Chief Jack Harris said later. At a press briefing following the meeting, Chief Villasenor said, “When you enact legislation that makes any subset of the community feel like they are being targeted, or makes them concerned about coming forward and talking to the police, that damages our capability to obtain information and solve crimes.”

Several weeks later, Attorney General Holder announced that the Justice Department would challenge SB 1070 in court.

### March 2011: PERF Releases Second Major Immigration Report

In March 2011 PERF released *Police and Immigration: How Chiefs Are Leading Their Communities through the Challenges*. This report provides six case studies of communities that experienced significant challenges regarding immigration issues: Phoenix, AZ; Mesa, AZ; Minneapolis, MN; New Haven, CT; Prince William County, VA; and Montgomery County, MD.<sup>7</sup>

To take one example, Minneapolis is home to the largest population of Somali immigrants in the United States. The large majority of Somali immigrants are believed to be in Minneapolis legally, and the Minneapolis Police Department has not struggled with the debate over the issue of local enforcement of immigration laws. The department has long had a policy of barring officers from asking about immigration status. However, the Minneapolis Police Department has faced a variety of challenges related to the acclimation of Somali immigrants. The department has made significant strides in establishing connections to this community.

### June 2011: Task Force on Secure Communities

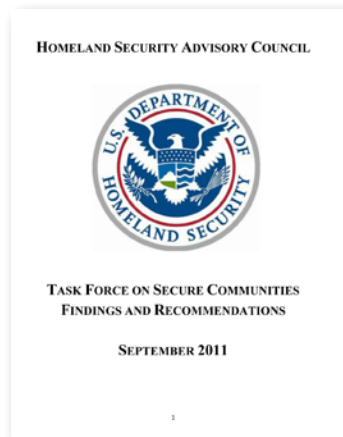
In June 2011, PERF Executive Director Chuck Wexler was asked by ICE Director John Morton to chair the DHS Task Force on Secure Communities, which was charged with recommending changes to improve the Secure Communities program. Four PERF members—Philadelphia Police Commissioner Charles Ramsey, Tucson Police Chief Roberto Villasenor, Las Vegas Sheriff Doug Gillespie, and Dallas County, TX Sheriff Lupe Valdez—also served on the broad-based 14-member panel.

Under the Secure Communities program, fingerprints of persons arrested by state and local law enforcement agencies, which those agencies routinely submit to the FBI for criminal justice database checks, are automatically shared with ICE as well.

ICE then checks the local arrestees’ information against DHS immigration databases. If ICE determines that it wishes to take an arrestee into custody for immigration enforcement proceedings, it may ask the local police agency to detain the arrestee for up to two days. ICE argues that Secure Communities helps ICE to focus its limited enforcement resources on illegal immigrants who have committed serious crimes, especially when compared to previous, unfocused enforcement strategies, such as raids on workplaces. However, Secure Communities has many critics who claim that in practice, the program results in deportations of many immigrants who were arrested for minor offenses.

7. <http://www.policeforum.org/library/immigration/PERFImmigrationReportMarch2011.pdf>

In September 2011 the Task Force on Secure Communities issued its report of findings and recommendations.<sup>8</sup> In brief, the Task Force called on ICE to clarify the goals of Secure Communities, to accurately share that information with local jurisdictions, to increase the transparency of the program, to clarify that civil immigration law violators, misdemeanants, and others charged with or convicted of minor offenses are not top enforcement priorities, and to strengthen accountability mechanisms.



For example, then-Chief Harry Dolan of Raleigh, NC said that the complexity of immigration issues has increased in recent years:

“In the past, as long as it was serious gangsters and violent offenders being deported, nobody had much objection,” he said. “When we lock up members of the MS-13 gang, my community thanks me. But the tough issues facing local police involve stories like the person who has worked in this country 15 years, has two children here, speaks better English than Spanish, and is being forced to leave. Or it might be the 16-year-old girl who is being told to go ‘back’ to a country where she doesn’t know anyone. Those are the issues that are capturing everyone’s attention.”

### March 2012: PERF Formally Urges Supreme Court to Strike Down SB 1070

In March 2012 PERF joined the Major Cities Chiefs Association, the National Latino Peace Officers Association, and 18 individual police chiefs and sheriffs in filing an *amicus curiae* brief with the U.S. Supreme Court, urging the court to strike down Arizona’s SB 1070 immigration law as unconstitutional. The brief’s Summary of Argument begins as follows:

*The Arizona law at issue creates serious obstacles and grave complications for federal and state law enforcement. The law categorically requires that all state and local law enforcement officers verify with federal authorities the immigration status of almost anyone they stop or arrest in the course of their day-to-day policing activities. If permitted to go into effect, this mandate would jeopardize the integrity of federal and state law enforcement in at least three ways.*

*First, Arizona’s categorical verification mandate ignores that its police are in no position to enforce responsibly the immensely complex body of federal immigration law....Second, Arizona’s categorical verification mandate would overburden federal resources..., very likely overwhelm[ing] the National Law Enforcement Support Center....Third, Arizona’s categorical verification mandate would seriously destabilize federal and local community policing priorities....[T]he Arizona law would poison any culture of cooperation in communities most afflicted with crime.”<sup>9</sup>*



### January 2012: Third Major PERF Report on Immigration Released

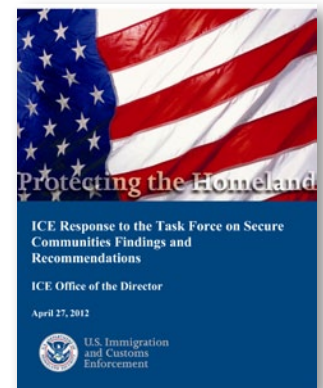
In January 2012, PERF released *Voices from Across the Country: Local Law Enforcement Officials Discuss the Challenges of Immigration Enforcement*. This report summarizes the results of regional town hall meetings organized by PERF in 2010 and 2011 in Raleigh, NC; Colorado Springs, CO; and Laredo, TX. In each meeting, police chiefs and sheriffs met with DHS officials, mayors, advocacy groups, and other stakeholders to discuss the impacts of current immigration policies.

The results were organized around seven themes:

- Why are local police a central part of the immigration debate?
- Balancing conflicting community viewpoints
- The relationship between crime and immigration
- When immigrants cannot provide identification
- Working with immigrant communities
- The perceptions and reality of the Southern Border, and
- The need for strong relationships among stakeholders.

### April 2012: ICE Accepts Nearly All Of Secure Communities Recommendations

On April 27, 2012, ICE Director John Morton released a 20-page, point-by-point discussion of the recommendations issued by the Task Force on Secure Communities, stating ICE’s position on each point and actions



8. “Task Force on Secure Communities Findings and Recommendations.” September 2011. <http://bit.ly/13cCivf>

9. <http://www.policeforum.org/library/immigration/AmicusBriefreArizonaSB1070.pdf>

that were planned or already undertaken to implement reforms.<sup>10</sup> The *New York Times* characterized ICE's response as follows:

*"Homeland Security officials also accepted almost all of the task force's recommendations, acknowledging that poor communications by Immigration and Customs Enforcement, the administering agency, had caused major confusion about the program's goals and how it works."<sup>11</sup>*

## June 2012: Supreme Court Rules on SB 1070

On June 25, 2012, the Supreme Court issued its ruling on the SB 1070 law in Arizona. The court struck down several elements of the law, including the idea that states have authority to set up their own immigration rules or penalties. However, the court let stand, at least for the time being, the critical 2(B) section that requires police to attempt to determine the immigration status of any person during traffic stops and other routine encounters if there is "reasonable suspicion" to believe the person is unlawfully present in the United States. (The Court noted that additional legal challenges can still be filed against the 2(B) section, after there is time for a factual record to be developed on the real-world application of the law and whether it results in racial discrimination.)

The decision was complex, but PERF was watching the Supreme Court action closely and issued a news media statement within a few hours, after consulting with immigration law experts.<sup>12</sup> "We absolutely expect lawsuits on both sides of this issue," Tucson Chief Villasenor said in the PERF statement. "This will result in our officers being tied up in court rather than working on the streets to reduce crime." The PERF statement was quoted in newspapers as far away as the UK.<sup>13</sup>

## December 2012: PERF and Tucson Police Department Host Executive Roundtable


On December 12, 2012, PERF, in partnership with the Tucson Police Department and with support from the Ford Foundation, convened a group of enforcement executives from Alabama, Arizona, California, Georgia, South Carolina, Texas and Virginia to discuss the challenges that various state immigration laws are posing for local law enforcement. The goal of the day-long conference was to bring together representatives from across Arizona with law enforcement officials from states that are in various stages of implementing legislation similar to SB 1070, and to share experiences and lessons learned.



**Tucson Chief Roberto Villasenor addresses fellow chiefs from other jurisdictions and federal officials.**

Also in attendance were officials from CBP and ICE, marking the first time local and federal law enforcement officers in Arizona had met to discuss the implications of SB 1070.

While the Supreme Court nullified much of SB 1070, it left intact Section 2(B), requiring Arizona law enforcement officials to check the immigration status of anyone a police officer believes might be in the United States unlawfully. Section 2(B), commonly referred to as the "show-me-your-papers" provision, raises many issues for law enforcement officials in Arizona and in other states that have enacted or are considering similar legislation. The issues include:

- Will departments have to narrowly tailor their policies and procedures to avoid any suggestion of racial profiling?
- What impact do laws like SB 1070 have upon trust and community policing? How are police departments mitigating damaging effects?
- In an era when many departments are struggling to provide public safety with limited resources, who will provide training in the new immigration enforcement policies?
- Are local police departments and sheriffs' offices working collaboratively?
- SB 1070 states that officers can inquire about the immigration status of a suspect if they have "reasonable suspicion" to believe that the suspect is in the country illegally. What constitutes reasonable suspicion in this context? What are the determining factors? 

**Look to PERF to take a leading role on the immigration issue in the coming months.**

10. "Protecting the Homeland: ICE Response to the Task Force on Secure Communities Findings and Recommendations." ICE Office of the Director. April 27, 2012. <http://bit.ly/11bkFP3>

11. "Fewer Illegal Immigrants Stopped for Traffic Violations Will Face Deportation." *New York Times*. April 27, 2012. [http://www.nytimes.com/2012/04/28/us/politics/traffic-violations-wont-earn-illegal-immigrants-deportation.html?\\_r=1](http://www.nytimes.com/2012/04/28/us/politics/traffic-violations-wont-earn-illegal-immigrants-deportation.html?_r=1)

12. <http://members.policeforum.org/library/press-releases/PERFStatementonSupremeCourtandSB1070June25.pdf>

13. "Arizona police sound alarm after court justices uphold immigration checks." *The Guardian*. June 25, 2012. <http://www.guardian.co.uk/world/2012/jun/25/arizona-police-alarm-immigration-checks>



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