

Phoenix Police to Check Arrestees' Immigrant Status

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PHOENIX — The police in this city at the center of the immigration debate will soon ask all people arrested whether they are in the United States legally and will in certain cases report the information to the federal authorities, Mayor Phil Gordon announced on Friday.

People stopped for civil traffic violations like speeding will not be questioned, nor will crime victims or witnesses.

All those arrested on criminal charges like drunken driving and murder will be asked by officers whether they are in the United States legally.

The police may decide to recommend checking by Immigration and Customs Enforcement.

The change includes having the police notify the immigration agency about people who are detained but not arrested who officers have “reasonable basis” to believe are illegal immigrants.

A conservative legal group said the policy did not go far enough.

Civil rights advocates suggested that people who appeared to be Latino or spoke with accents would be more likely to be checked than others.

Hispanics make up 34 percent of Phoenix, the nation’s fifth-largest city, with 1.5 million residents.

At a news conference on Friday, Mr. Gordon and the four lawyers on a commission that recommended the changes tried to emphasize that the program would be closely monitored. Police officers, they said, would not become immigration agents and would not stop people at random and ask their legal status.

“We are doing what every city in this country should be doing but doesn’t,” Mr. Gordon said.

He added that the policy drew “a bright line between what should and should not be the role of the Phoenix Police Department.”

The program departs from a policy that is more than 10 years old that bars officers from asking people about their legal status in most cases. It also sets Phoenix apart from most other big cities with large immigrant populations, including New York and Los Angeles. The police in those cities generally avoid such questions over fears that they would lead to racial profiling and discourage immigrants from cooperating with the police.

Mr. Gordon had faced criticism that the current policy was in effect helping make Phoenix a sanctuary for illegal immigrants. The city is 200 miles from Mexico and is the largest in a state with the heaviest influx of illegal immigrants.

An illegal immigrant killed a police officer last fall, and the police union and others stepped calls to change the policy. Judicial Watch, a conservative-leaning legal group in Washington, began preparing a suit and looked into a recall of Mr. Gordon.

Police Chief Jack F. Harris, who has been outspoken in warning of the dangers of major police involvement in immigration enforcement, said he endorsed the policy, would write regulations for it and put it into place within three months.

Christopher J. Farrell, director of investigations with Judicial Watch, called the change a “public relations feel-good piece” that “split the baby.” The main problem, Mr. Farrell said, is that it continues to restrict officers from contacting the immigration agency, which Judicial Watch believes violates federal law.

Antonio D. Bustamante, a member of Los Abogados, a Hispanic legal group in Phoenix, said the policy changed “only because of xenophobia” and people “who hate the undocumented without understanding the huge contribution they make to the city and the economy.”