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A Change in Police Policy Has Immigrants Hoping for More

By [JENNIFER MEDINA](#)

LOS ANGELES — The weekend checkpoints set up along intersections here were always meant to catch those who had had too much to drink. In an operation intended to be equal parts deterrent and enforcement, the police would stop every car, testing drivers suspected of being under the influence of alcohol or drugs.

But for years, advocacy groups have complained that the checkpoints unfairly targeted illegal immigrants, who cannot get driver's licenses, ensnaring far more unlicensed drivers than drunken ones. And in March, the Los Angeles Police Department decided that it would no longer automatically impound the vehicles of drivers without licenses.

The change was a significant shift here in the country's second-largest city, home to thousands of illegal immigrants who, like many other residents, see driving as the only viable way to move around a sprawling metropolitan area larger than Delaware and Rhode Island combined. And it is in marked contrast to debates in other places around the country where local governments are cracking down harder on illegal immigrants living within their borders.

The Police Department here has for years tried to cultivate trust among immigrants, who often view law enforcement as a threat. The city's police chief, Charlie Beck, has repeatedly said that the impound change was an issue of "fairness and compassion" and that he hoped it would improve the department's relationship with immigrants and help persuade more of them to cooperate with police investigations.

Immigrant advocacy groups and some political leaders hope that the department's shift will encourage other cities to make similar changes — and open the door to the prospect of granting driver's licenses to illegal immigrants, an idea Chief Beck has endorsed.

"It is good to show some sense of understanding of their plight," Chief Beck said when the city's Police Commission approved the change in March.

But the new policy faces a legal battle. Last month, the union representing police officers filed a lawsuit to stop the change, saying that it placed officers at risk and would make the city's roads less safe.

"We need to find a way to be compassionate, yes, but also keep the roads safe," said Tyler Izen, president of the union, the [Los Angeles Police Protective League](#). "I'm not sure the right way for us to deal with this is at the local level."

The city attorney's office assured the Police Department that it had the authority to change the policy, but the district attorney for Los Angeles County and state legislative lawyers disagreed, saying it contradicted state law. While the state's attorney general was expected to issue an opinion in the coming days, the matter will most likely be settled in state court.

Under the new policy, drivers who are pulled over for minor traffic violations, including speeding, are asked to show valid identification and proof of insurance. If unlicensed drivers do not have a previous citation, they will not face a 30-day impound, where fees can often reach into the thousands of dollars (often more than a car is worth). If a licensed driver is able to come to the scene immediately, that driver usually will be allowed to take the car. If not, the car will be towed but can be picked up as soon as the owner comes to retrieve it with a licensed driver.

"You have situations where you are pulling someone over and you've got a husband pulling out the baby seat from the car and a wife crying," said Andrew Smith, a Police Department spokesman. "For us, that's a really difficult thing when we want to show some humanity."

Several other California cities have already put similar policies into effect, including Oakland, San Francisco and San Jose, and a lawmaker representing Northern California has introduced legislation to create a similar law for the entire state. But in the vast majority of cities, including the dozens patrolled by the Los Angeles County Sheriff's Department, unlicensed drivers still face a 30-day impound if they are caught.

Advocates have their sights set on a more sweeping change — simply allowing anyone to get a license after passing a driving skills test. Chief Beck has said he favors such a plan, although he said such licenses should not be identical to a regular license. The Los Angeles County sheriff, Lee Baca, has also said he would support a similar idea.

It is impossible to know precisely how many illegal immigrants drive in California, but Chief Beck and advocates say that not having a license does little to discourage them from getting on the road.

"After all these years, has not providing driver's licenses ameliorated [immigration](#)?" asked Angelica Salas, the executive director of Coalition for Humane Immigrant Rights of Los Angeles, which has lobbied for licenses for more than a decade. "The answer is no. It has only made things more dangerous on the road. We should just go back to really what was the whole purpose of them in the first place: to have safety on the roads."

The battle to grant licenses to illegal immigrants in California began in the mid-1990s. State Assemblyman Gil Cedillo of Los Angeles pressed for and got legislation passed giving illegal immigrants the right to a license in 2004, but facing a statewide referendum opposing the change, he withdrew it. Now, with just a few months left in his final term in office, Mr. Cedillo has vowed to pass the legislation again.

Gov. Jerry Brown, a Democrat like Mr. Cedillo, has not taken a clear stand on the issue, although during his 2010 campaign he indicated that he would oppose such a law, calling it "piecemeal" immigration reform.

But advocates said they were encouraged by the fact that Mr. Brown had signed other legislation, including the [state's Dream Act](#), which allows all students to receive state financial aid for college, regardless of immigration status.

“Everyone wants to be skeptical, but I’m as optimistic as I ever have been in the 15 years we’ve been talking about this,” said Daniel Savage, Mr. Cedillo’s chief of staff. “For us now, this is the most important piece of legislation for the community.”

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