

FOX News

El Paso Sheriff Fears Texas Gov. Rick Perry's Anti-Immigration Push

By Elizabeth Llorente

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It sits beside Mexico's deadliest city, Ciudad Juárez.

Nearly a third of its residents are foreign-born, many of them from Mexico and undocumented and struggling financially.

Yet El Paso, Texas manages to come out on top as the safest large city in the United States – a distinction due in no small part to the trust law enforcement authorities in El Paso County have built between themselves and the largely Mexican immigrant community, said Sheriff Richard Wiles.

“We’ve worked years and years to build up that trust,” Wiles said. “If the people who live in our community are afraid to talk to us, they won’t report crimes when they’re victims or witnesses.”

Now, Wiles is concerned that his department will lose that trust.

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Joining a growing chorus of governors, Gov. Rick Perry said this week that he sees immigration enforcement as the responsibility of state officials, as well as federal authorities. In a speech to state legislators, Perry, a Republican, said that cracking down on illegal immigration was one of the “emergency items” for Texas officials to tackle.

Many governors and other state and local officials who want strict enforcement on immigration believe that the federal government has failed to control illegal immigration, and that states must take the matter into their own hands.

“We’re at a time when governments are dealing with budget crises,” said Ira Mehlman, spokesman for the Federation for American Immigration Reform, or FAIR, one of the nation’s leading organizations pushing for tougher immigration enforcement. “They’re looking for where the money is going. While immigration is a federal issue, the cost of illegal immigration is incurred at the state and local levels.”

Saying he does not want Texas to be seen by illegal immigrants as a safe haven, Perry has indicated that he may want local police and sheriff’s deputies asking the immigration status of people they encounter during the course of their work. He has ordered the new GOP-dominated state legislature make the issue a top priority.

"There are cities in this state that have made decisions that they're going to be havens for those that are in conflict with federal immigration laws or state laws, and we're going to prohibit that," Perry said. "We'll have a good and open discussion about what we're going to prohibit."

Texas Democrats say they've identified at least 40 bills targeting illegal immigration this session. The proposals include requiring local law enforcement to ask anyone without ID during a legal traffic stop whether they're in the country legally. Another would require school districts to identify students who are illegal immigrants.

Mehlman of FAIR said that Arizona, whose governor signed a law that is the toughest state measure on immigration in the country, has served as a model for local officials who are frustrated by illegal immigration and looking for a solution.

“A lot saw what happened in Arizona, and the popular response, and it seems to be working in Arizona,” he said. “Illegal aliens are leaving Arizona in large numbers.”

But Wiles, one of many Texas sheriffs who have voiced opposition in recent weeks to the push in their state to have local authorities enforce immigration laws, says it shouldn’t be the job of local police to do what he says is the job of federal agents.

Besides, he added, the beefed up number of Border Patrol agents in recent years had made a dramatic difference in rate of border crimes, and criminals crossing in from Mexico to wreak havoc in El Paso County.

Wiles says if his officers, and other local law enforcement authorities, are required to play a large role in cracking down on illegal immigrants, it would mean local and state officers possibly making judgment calls on complex immigration issues that they are ill-prepared to handle.

“When you enforce immigration law, that can be a sticky subject,” he said. “You stop someone, you don’t want to get into profiling. What if my officers stop a citizen and they mess up, and book them, and discover it was a mistake? It doesn’t make sense to put his burden on local officials who already have plenty of work to do.”

Later this month, Wiles is putting the issue up for discussion at the meeting of the Southwest Border Sheriffs Coalition.

“I want to get the impression on where everyone is on this,” he said. “Whether they want to let it go, or whether they want to be active. There’s been talk about sheriffs being on a panel that would advise lawmakers, to make sure they’re educated about the issue.”

Some sheriffs have joined the Reform Immigration for Texas Alliance, a coalition of law enforcement authorities, business leaders, faith based leaders and civil rights activists who oppose a hardline on illegal immigration.

“Texas is basically Republican, but there have been pragmatic Republicans,” Fernando García, head of Border Network for Human Rights and a member of the coalition. “George Bush was pushing for comprehensive immigration reform, a way to help undocumented immigrant legalize their status.”

“If Texas goes ahead with an Arizona-style approach to immigration, this would have a negative effect on the local economy, security and our families,” García added. “It seems Gov. Perry is more interested in fulfilling a political agenda than moving forward with security in Texas. Immigration is a broken system, but it is the federal government’s job to fix it.”

The coalition, and other advocates of providing the undocumented with a path to citizenship, plan a Feb. 22 rally – and a visit to congressional offices around the state – “to send the message that a xenophobic agenda doesn’t go with Texas,” García said.

Wiles said spending time checking immigration documents, which could be complex do judge, is something he feels many local law enforcement officials have neither the expertise nor training to do.

“It’s a bad idea for many different reasons,” said Wiles, who has worked in law enforcement in El Paso County for almost 30 years.

“The process of booking someone in our local jail is costly,” he said. “Rooming them is costly, prosecuting them is costly, providing them with a local defender is costly. Why should the citizens of El Paso have to pay more for a service that is the issue of the federal government.”

His officers already contact immigration agents when they come across someone arrested for a crime who turns out to be in the country illegally, Wiles said, an approach that helps to ensure that people who are a threat to public safety do not go back out on the street, and eventually get deported.

Perry said he expect legislation addressing the matter of local law enforcement of immigration matters within “the next 140 days.”

He has alleged that some cities, specifically Houston, is a so-called sanctuary city that forbids its officials from reporting illegal immigrants – even those involved in crimes – to immigration officials.

Houston has bristled at the "sanctuary city" label. Mayor Annise Parker, speaking to reporters in Houston after Perry's comments, said her city's policies for police are the same ones followed by state troopers. She said she wasn't aware of a sanctuary city anywhere in Texas.

"We are going to continue doing what we do, and we believe common sense will prevail in Austin," Parker said.

Texas opened a new legislative session Tuesday with a historic GOP 101-49 supermajority in the House, meaning Republicans in that chamber can pass legislation with no Democratic support.

Perry declared immigration one of several emergency items for lawmakers. That puts the issue on the legislative fast track, whereas dozens of anti-illegal immigration bills in previous sessions withered quickly.

Sen. Leticia Van De Putte, chairwoman of the Senate Democratic caucus, said Perry putting sanctuary cities on top of lawmakers' to-do list is another sign of the momentum behind illegal immigration proposals in Texas.

"I figured that one out on election night," said Van De Putte, referring to sweeping GOP gains in November.

But Van De Putte said she is waiting to see how "sanctuary cities" are defined before commenting on the push to pass a bill. She is opposed to measures she believes would

complicate the job of police officers if people in the community, including illegal immigrants, were reluctant to come forward with information about crimes.

Arizona passed the toughest state anti-immigration laws in the nation last year. It requires police officers, when enforcing other laws, to question the immigration status of those they suspect are in the country illegally. Perry has said he doesn't support Texas passing an identical measure but has lauded the state for taking the matter into its own hands.

In Houston, Parker said her problem with Arizona-style laws is that it gives too much discretion to officers on the street in determining who might be here legally and who isn't. Parker said 20 percent of her city's population wasn't born in America, and that she wasn't just referring to Hispanics born elsewhere.

"Are we as Americans willing to carry and display, for any police officer who wants to stop us, something that proves that we were born here and have the right to be here?" she asked.

Perry has not mentioned any specific bill since declaring sanctuary cities a priority. But one that seems to closely match his comments is Republican Rep. Debbie Riddle's bill that would deny state funding to local governments that do not enforce immigration laws.

Wiles, like many law enforcement authorities across the country, say punishing government officials for not enforcing immigration laws is unfair, and puts an added burden on them to do the job the federal government has neglected.

"Law enforcement has a wide range of discretion and it always has," he said. "Now they say they would fine us or deny us grant money if we don't enforce immigration law."

Riddle, of suburban Houston, has long been one of the loudest anti-illegal immigration voices in the Capitol. She found Perry's prioritizing validating.

"This is the United States of America. Not the United States of Luby's," said Riddle, referring to a popular cafeteria-style Texas restaurant chain. "We cannot just pick and choose the laws that we want to enforce. We cannot pick and choose the laws we want to respect."