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May 10, 2017

The Honorable Greg Abbott
Office of the Governor
P.O. Box 12428
Austin, Texas 78711-2428

Dear Governor Abbott:

On behalf of The Leadership Conference on Civil and Human Rights and the undersigned national civil and human rights organizations, we write to express our strong disappointment over the enactment of S.B. 4, a bill that threatens to drastically and unwisely expand the involvement of state and local law enforcement authorities in the enforcement of federal immigration laws. This bill raises profound legal, constitutional, and public policy concerns that must be addressed.

S.B. 4 was initially described by proponents as a measure to stop so-called "sanctuary city" policies, such as those that prevent state and local law enforcement agencies from complying with "detainer" requests – i.e., requests to hold suspected immigration law violators in custody longer than they would normally be detained in criminal justice proceedings – issued by U.S. Immigration and Customs Enforcement (ICE). This in itself is highly problematic, as detainer requests have been found by multiple courts to violate the Fourth Amendment because they do not provide the same due process protections as the issuance of judicial warrants.

As enacted, however, S.B. 4 is significantly more expansive. It now allows law enforcement officers to investigate the immigration status of individuals during traffic stops and other routine interactions. It even goes so far as to allow the questioning of children, and even allows such questioning of vulnerable populations at places such as domestic violence shelters, homeless shelters, and potentially at public schools. S.B. 4 was also amended to impose fines and possible jail time for law enforcement officials who fail to comply with detainer requests.

As such, S.B. 4 will promote widespread racial profiling and outright discrimination against individuals who are perceived to be undocumented immigrants, even if they are legally present or are United States citizens. It will undermine community policing efforts by making immigrant and Latino residents afraid to report crimes or otherwise cooperate with police out of fear that they will themselves be targeted. The chiefs of police of several of Texas' largest cities voiced identical concerns that S.B. 4 as amended will make communities "more dangerous, not safer."ⁱ

In addition to S.B. 4's harmful consequences on public safety efforts, the legislation will also have significant and negative economic consequences for the state of Texas. After Arizona



enacted a similar law (S.B. 1070), that state was widely criticized and even boycotted for being an unwelcoming state to immigrants and those perceived to be immigrants. The negative publicity resulted in the loss of \$490 million in tourism revenue in a single year, as well as the loss of 3,000 tourism-related jobs. Another similar law in Alabama (H.B. 56) wound up costing the state up to \$11 billion, including drastic losses in tax revenues, and resulted in the loss of some 140,000 jobs. Texas runs the risk of a similar economic fallout now that S.B. 4 has been enacted. Finally, S.B. 4 raises significant legal and constitutional concerns that will be closely scrutinized in the courts.

For these reasons, we condemn the enactment of S.B. 4. If you have any questions, please contact Rob Randhava, Senior Counsel at The Leadership Conference, at (202) 466-3311, or any of the organizations listed below.

Sincerely,

The Leadership Conference on Civil and Human Rights

9to5, National Association of Working Women
A. Philip Randolph Institute
African American Ministers In Action (AAMIA)
America's Voice Education Fund
American-Arab Anti-Discrimination Committee
American Federation of State, County and Municipal Employees (AFSCME)
American Federation of Teachers
Anti-Defamation League
Asian Americans Advancing Justice – AAJC
Asian Americans Advancing Justice – Asian Law Caucus
Asian American Psychological Association
Asian Pacific American Labor Alliance, AFL-CIO (APALA)
Center for Media Justice
Center for Responsible Lending
Church World Service
Demos
Disability Rights Education & Defense Fund
Equal Justice Society
Feminist Majority
Hmong National Development
International Association of Official Human Rights Agencies (IAOHRA)
Labor Council for Latin American Advancement
Lambda Legal
LatinoJustice PRLDEF
League of United Latin American Citizens (LULAC)
Legal Aid at Work
NAACP

NAKASEC

National Action Network

National Advocacy Center of the Sisters of the Good Shepherd

National Asian Pacific American Families Against Substance Abuse

National Asian Pacific American Women's Forum (NAPAWF)

National Association of Human Rights Workers

National Association of Social Workers (NASW)

National Black Justice Coalition

National Black Caucus of State Legislators

National Center for Transgender Equality

National Council of Asian Pacific Americans (NCAPA)

National Council of Churches

National Council of Jewish Women

National Council of La Raza

National Education Association

National Employment Law Project

National Fair Housing Alliance

National Hispanic Media Coalition

National Immigration Law Center

National Organization for Women

National Queer Asian Pacific Islander Alliance (NQAPIA)

OCA – Asian Pacific American Advocates

Self-Help Credit Union

Service Employees International Union (SEIU)

Sikh American Legal Defense and Educational Fund (SALDEF)

Southeast Asia Resource Action Center (SEARAC)

Southern Border Communities Coalition

The United Methodist Church – General Board of Church and Society

Voices For Freedom

Women's Voices.Women Vote Action Fund

YWCA USA

ⁱ Manley, Brian, Interim Chief of Police, Austin, Texas, et al. "Letter to the Editor: Texas Major City Chiefs Oppose SB4." *mysanantonio.com*, Apr. 28, 2017 at <http://bit.ly/2q0ZWFy>.