



Enforcement of Immigration Law

“Love the stranger as yourself, for you were strangers in Egypt.” – Leviticus 19:3

The Texas Catholic Conference of Bishops opposes compelling local and state agencies to enforce federal immigration laws and supports targeted, proportional, and humane enforcement.

Humane Immigration Enforcement Policies

The Catholic Church accepts the legitimate role of the U.S. government in intercepting unauthorized migrants who attempt to travel to the United States. Expanding lawful means for migrants to live and work in the United States enables law enforcement to focus upon those who truly threaten public safety: drug cartel members, human traffickers, smugglers, and terrorists. Enforcement measures must be targeted, proportional, and humane.

Unfortunately, some policies and tactics in effect or proposed at both the federal and state level do not meet that standard. Rather, they undermine the human dignity of migrants and create a confrontational and often violent relationship between enforcement officers and migrants. This results in negative impacts on the rule of law and the maintenance of public order.

We believe enforcement should be the responsibility of federal authorities. We urge them to develop training curricula to instruct agents in appropriate tactics. The curricula should include human rights so that agents are more sensitive to the handling of undocumented migrants. Community organizations, including dioceses and parishes, can assist in this effort. State and local law enforcement agencies

can and should cooperate with federal authorities wherever it is feasible and consistent with their primary responsibilities: the maintenance of public order and protection of their communities. They should not be compelled to determine the legal status of persons who merely look like they may be illegal immigrants. No community is well-served if some of its members are afraid to speak to the police or to report crimes.

Important Principles for Enforcement Measures

Targeted. U.S. enforcement resources should be focused so those who are dangerous are more easily identified and apprehended. Enforcement policies should be tailored and not overly broad so the basic rights of all immigrants are not abridged. Ethnic or racial profiling should be avoided. Improvements in intelligence and information sharing, and technological improvements in border security would help ensure those who are most dangerous are intercepted.


Proportional. Enforcement of immigration laws should not feature unnecessary penalties or force. Immigration control officers and border control agents should receive intensive training on appropriate enforcement tactics and use of force. Border enforcement should not force policies should not drive migrants into more remote regions of the desert, risking their lives.


Humane. In any enforcement action, the human rights and dignity of the person should be preserved and respected to the greatest extent possible.


Families should not be divided and should receive special consideration. Undocumented immigrants should not be detained for lengthy periods or intermingled with violent offenders. Asylum seekers should receive appropriate screening by a qualified adjudicator. Children should be accommodated within a child welfare context.


Where we stand


The TCCB has reviewed the following legislation for the 85th Texas Legislature:


 **SB 4/HB 52/HB 149/HB 611/HB 763/HB 921** are all “anti-sanctuary cities” bills that require local law enforcement to ask immigration status of someone lawfully detained and withholds state funding from entities who do not comply. The TCCB opposes this bill which punishes local entities for not enforcing complex federal law.


 **HB 278** establishes a task force to assess the public and private costs of providing humanitarian relief to refugee children. The TCCB supports this bill to better assess and provide for the needs of children seeking asylum.


 **HB 393/HB 753** eliminates the Texas DREAM Act which allows resident tuition for undocumented immigrants who completed high school in Texas. The TCCB opposes this bill which reduces access to affordable tuition for tax paying residents of Texas.

 **HB 580** prohibits refugees from using driver’s licenses for employment or public benefits. The TCCB opposes this bill which denies access to benefits that refugees currently have and need to become self-sufficient.


 **HB 764** creates civil liability for a local government that releases an immigrant with an ICE detainer if that immigrant commits a felony within four years of release. The TCCB opposes this bill which will result in costs local citizens based on the actions of others.


 **HB 765/HB 1453/SB 85** would deny state funding to local communities for failure to use an E-verify program. The TCCB opposes this bill because the potential economic harm to the state’s economy and local service delivery appears to outweigh the minimal benefits this bill seeks to achieve.


 **HB 767** removes in-state tuition for undocumented residents of Texas. The TCCB opposes this bill which prevents access to education for children who are high school graduates from Texas public schools.


 **HB 825** puts in place protections to ensure that victims and witnesses of crimes are not inappropriately


targeted for immigration violations. The TCCB supports this bill to improve community policing.


 **HB 826** requires the comptroller to compile an annual comprehensive financial analysis of the impact of undocumented immigrants on the state budget and economy. The TCCB supports this bill because it addresses both the costs and contributions of immigrants to the economy.


 **HB 2137** establishes an interstate compact to coordinate nine multi-state actions pertaining to immigration and refugee resettlement. The TCCB opposes this bill primarily because it would abolish the ability of the Church to aid in the resettlement of refugees transferred to their care by the U.S. government.


 **SB 85** requires the use of E-verify for state contractors and grant recipients and authorizes suspension of licenses by private employers who hire undocumented workers. The TCCB opposes this bill because of the high error rate of the E-verify program.


 **SB 141** requires eligibility for federal financial aid in order to receive TEXAS grants for state financial aid. The TCCB opposes this bill because it penalizes tax-paying Texas residents.

 **SB 168** increases the immigration law, use of force, and cultural sensitivity training requirements for all forces assigned to patrol the border. The TCCB supports this bill to improve law enforcement training for those serving the Texas border region.

 **SB 169** puts in place protections to ensure that victims and witnesses of crimes are not inappropriately targeted for immigration violations. The TCCB supports this bill to improve community policing.

 **SB 254** would withhold contracts from businesses which could delay the state’s construction projects and delay revenue that would have been generated through the projects. The TCCB opposes this bill because the potential economic harm to the state’s economy appears to outweigh the minimal benefits this bill seeks to achieve.

 **SB 1054** requires judges to determine lawful immigration status of individuals on trial for violent offenses. If the convict is an unlawful migrant, punishment for the offense is increased and the convict cannot be released for parole without the guarantee of deportation by federal authorities. The TCCB supports this bill because it is targeted, proportional, and humane.

 **SB 1311** would establish a driver’s permit program for individuals who have: resided in Texas for one year; are unlawful migrants; and have not be convicted of a felony. The TCCB supports this bill as a part of comprehensive immigration reform, which addresses enforcement and admittance.