



Understand Senate Bill 4

Summary of the Bill. S.B. 4 changes the relationship between ICE (Immigration and Customs Enforcement) and local police in two ways: first, police must comply with ICE requests to transfer local prisoners to ICE custody. If a sheriff or police chief releases an arrested person when ICE requests detention, they will be removed from office and punished with a \$4,000 fine and/or 1 year in jail. Second, local governments must allow their police and attorneys to:

1. inquire into the legal status of a person who is arrested or detained,
2. send information about legal status to ICE,
3. help ICE enforce immigration law, and
4. permit ICE to enter local jails.

Police are allowed, for example, to ask for the legal status of someone stopped for a traffic violation. If a local government prohibits police and attorneys from carrying out these four actions, the government will be punished with a \$25,000 fine per day. In addition, the leaders will be removed from office.

Exclusions. S.B. 4 does not apply to churches, hospitals, school districts, charter schools, public health departments, or community centers serving the mentally ill. In other words, employees of these institutions—including off-duty police—can be prohibited from carrying out the four actions above.

Second, local governments can prohibit on-duty police from enforcing immigration law in a church.

Last, police can ask witnesses or victims to a crime about their legal status only if the investigation requires it, or to provide information about the S Visa Program, which offers 250 visas each year to migrants who help police investigate criminal organizations.

Why the Bishops Opposed S.B. 4. We support the right of a sovereign nation to ensure the integrity of its borders and to enforce its laws. All residents in the U.S. are obliged to respect with gratitude the material and spiritual heritage of this nation, obey its laws, and assist in carrying out civic duties.

At the same time, governments are established to protect individuals' God-given rights. We object when laws do not do so, such as when due process is not upheld. The U.S. immigration system, for example, is frequently absent of legal representation for migrants, lacks sufficient judges, and is reliant on large-scale detention. In many cases, migrants go through proceedings without impartial adjudicators, such as a jury of citizens.

In the long-term, we must address the deepest causes of flight: poverty, gang violence, climate change, and corruption. All governments should protect their residents' God-given rights so that all people can live in their native country with dignity. In the short-term, we must improve our immigration system in a comprehensive way. In other words, both admittance requirements and enforcement must be addressed. To focus on only one of these, as S.B. 4 does, neglects the common good.

Finally, we opposed S.B. 4 because it charges our local police with enforcing immigration law. Specifically, S.B. 4 allows individual police officers to inquire into legal status, which will hurt trust between migrants and police. This damages communication, which is essential to community policing, and makes our communities less safe. The bill's promise to protect victims and witnesses is not reassuring because of the S Visa's small size and because the spirit of the law—which focuses only on enforcement—treats immigration as a problem.

In sum, S.B. 4 neglects Christ's call to welcome the stranger and undermines our nation's heritage to offer the light of freedom to the oppressed.



How can we make our community safe?

Know the facts. Immigrants make up 17% of Texas' population. A coalition of mayors and business leaders have found the economic impact of immigrants to be positive on the US economy. Texas immigrants are far more likely to be of working age than the US-born population. (www.newamericaneconomy.org/locations/texas/) In addition:

- ✓ About 15% of non-citizens are eligible to receive legal status, but they often don't have access to legal assistance or screening resources to seek relief.
- ✓ Occupations with the highest share of foreign-born workers in Texas are: painters and maintenance work (60%), maids and housecleaning (60%), grounds maintenance (51%) and construction (50%). Businesses, workers, and customers all benefit from these relationships.
- ✓ The U.S. detains about 400,000 people each year, more than double the number detained in 2004. We limit the number of refugees accepted to 50,000 annually.
- ✓ More than 8 million people living in the United States are eligible to become US citizens; only about eight percent of them seek citizenship each year.

In sum, the federal agencies working on immigration are frequently bureaucratic, punitive, and ineffective. People are frequently detained for an indeterminate time, due to a tremendous backlog in the judicial system. This is destructive to family life, creates a cynicism toward American institutions, and denies basic human dignity to migrants.

Maintain a welcoming community. First, pray for our police, who sacrifice to keep us safe; for migrants, who seek a better life for their families; for our leaders, who seek the common good; and for ourselves, that we all may be worthy of the promises of Christ.

You can also:

- ✓ Provide *Know Your Rights* cards at your business or workplace. Ask your children's school, your doctor, local media, and law enforcement to consider distributing them. You can obtain printable digital files at txcatholic.org/SB4.
- ✓ Work with your diocesan Catholic Charities and local legal professionals to establish a legal network for immigrants.
- ✓ Know your own 4th Amendment rights: ICE cannot enter your business, home, church or children's school without a search warrant. Learn what a valid search warrant is by visiting Catholic Legal Immigration Network's (CLINIC) website at <http://cliniclegal.org>.
- ✓ Encourage your co-workers, neighbors, family members, and friends who are migrants to consider becoming U.S. citizens or apply for legal status. An online screening tool is available at <http://immi.org>. Catholic Charities offers free legal services to help in this process.
- ✓ Organize a *Know Your Rights* workshop with resources from CLINIC (<https://cliniclegal.org/resources/know-your-rights-law-enforcement>) which contains:
 - what you need to know and do when encountering law enforcement in different places
 - information about how to read a warrant
 - twelve things for you and your family to remember in any situation
 - an emergency planning checklist
 - a workplace planning checklist
 - an emergency contact information sheet
 - a step-by-step plan for what to do if a loved is detained.