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Criminalizing Law Enforcement

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By now, it is clear from his conduct in office that President Obama believes he knows what's best for every American—and he believes Washington knows better than Arizona what's good for Arizonans.

On April 23, Arizona Governor Jan Brewer signed SB1070, making it a crime to be in the state illegally. It requires law enforcement officers, where contact has been made with an individual who has broken a law and there is “reasonable suspicion” to suspect the individual may be in the state illegally, to ask that person for identification.

President Obama's rush to condemn this legislation indicates that, for him, the needs and preferences of our individual states are irrelevant. It is this arrogant disregard in Washington for the plight of states that led Arizona to enact this law against illegal immigration. Law enforcement officers and Border Patrol along the Arizona border have long emphasized that the situation is out of control, with roughly half of all illegals who enter the country coming in across the Arizona border.

Leo W. Banks, who covers the border for Tucson Weekly, wrote on April 27: “As Obama lectures Arizona, citizens here await his decision on an urgent request to send three thousand National Guard troops to the border. Senators John McCain and Jon Kyl recently asked for soldiers, as did Democratic Congresswoman Gabrielle Giffords, to bring some security to American citizens being hammered by cross-border smugglers and thugs” (Banks, “Arizona Uproar,” published at www.americanthinker.com, 4/27/10).

According to Banks, an estimated 500,000 illegal aliens now live in Arizona. It would be highly unjust to characterize all of them as troublemakers or criminal, but the fact remains they have come into the country illegally. The border is still wide open, and the illegal immigrants keep coming. Banks writes that in Border Patrol's 262-mile-wide Tucson Sector, agents arrested 241,000 illegal aliens last year. However, those who got away outnumber arrests by three to one, he adds.

SB 1070 is by far the toughest measure against illegal immigration ever proposed by any of our states; but Kris Kobach, a University of Missouri-Kansas City law professor who helped write the Arizona legislation, said he anticipated legal challenges and carefully drafted the language. He emphasized that the state law is only prohibiting conduct already illegal under federal law.

According to a Rasmussen poll from April 21, it is supported by 70% of Arizona voters. At the same time, pollsters discovered that 53% of those polled have concerns that in the process of trying to identify illegal immigrants, the civil rights of some U.S. citizens could end up being violated.

Nevertheless, the polling indicates that Arizona citizens' concerns over potential civil rights abuses is secondary to their anxiety over an invasion that threatens to turn Arizona into a wasteland of economic destruction and anarchy. Anyone who has lived in the Southwestern U.S.—particularly Arizona—has seen a lawless border drama escalating in intensity over the past twenty years or so. All the while, Washington politicians chose to wring their hands, criticize the citizenry, and look the other way.

Austin Hill, writing for Townhall.com (“Message from Arizona: Don't Tread on Me,” April 25, 2010) says the polling data articulate an important message: “We didn't want it to come to this point. We want a free and open society, yes, but in order to achieve this we must remain a society where everyone plays by the rules. You have failed to uphold our nation's rules, Washington, and as a result our free and open society is slipping away...”

The sense of society “slipping away” has been mounting for years in places across the United States, but it has been especially acute in the American Southwest. It's bad enough that crime rates have dramatically escalated, and that public schools, social services and hospitals are being bankrupted by the invasion of illegal immigrants. But when American citizens see illegal immigrant “advocates” and “activists” flagrantly parading in American streets, demanding that America treat them better and more “fairly,” the sense of outrage grows. And when American police officers and

private citizens are murdered in cold blood by illegal immigrants, the urgency to deal with the outrage overrides concern for the “rights” of persons who are in this country illegally.

Hill recounts his first-hand experience with illegal immigrants’ demands for “rights” in Phoenix, Arizona, back in 2006 and 2007. Demonstrators assembled outside the offices of U.S. Senator Jon Kyl and shouted through a bullhorn, “Come out here and talk to us, Senator Kyl...you represent us, too!”

Really? Since when do our elected representatives go to Washington to represent the “rights” of those who are in our country illegally?

Since that time, three Phoenix city police officers have been killed on-duty by illegal immigrants. On March 30 this year, Robert Krentz, a rancher from the rural southern Arizona town of Douglas, was gunned down and robbed as he tended fences and water lines on the family’s cattle ranch. Law enforcement officials in the area have indicated Krentz was likely murdered by an illegal immigrant. Krentz was known locally as a Good Samaritan who often brought water and helped injured illegal immigrants who tried to cross the desert in an area where summer temperatures can hit 120 degrees.

Opponents of the new law are mounting a near-hysterical campaign to discredit it as “racist.” The New York Times says that the state has gone “off the deep end.” Los Angeles Cardinal Roger Mahony likened SB1070 to “German Nazi and Russian Communist techniques.”

President Obama is summoning his Justice Department to look into the matter, saying that the law would “undermine basic notions of fairness that we cherish as Americans.” As this is being written, we learn that Obama has concocted another of his anecdotal scenarios contrived to introduce prejudicial overtones that support his point of view: A Latino couple—who are American citizens—take their child for ice cream and are harassed by law enforcement because of the color of their skin.

Give us a break! Does Obama really believe Arizona law enforcement officers will be out on the streets, looking for opportunities to harass anyone who looks like a Latino—or, in other words, someone whose appearance is very similar to that of many members of law enforcement in Arizona?

Despite clearly stated prohibitions against profiling that are written into the bill, Obama partisans, Al Sharpton, ACORN enthusiasts, and “Chicanos Por La Causa” members are loudly protesting that the new law will lead to profiling and will violate the rights of citizens who are here legally.

Sharpton, who has called for a boycott of Arizona businesses, plans to take busloads of demonstrators to Arizona to protest the law. Nevertheless, he has admitted there are black Americans who oppose amnesty for illegals. Those people are legitimately concerned about loss of jobs, the undermining of law and order, and the bankrupting of hospitals, schools and social services—as are Americans of other ethnic backgrounds. We notice that Sharpton is careful not to label blacks who oppose illegal immigration as “racist.” One commentator, who sides with Arizona’s right to defend itself against an overwhelming flood of illegal immigrants, observed that the term “illegal” does not mean racist—it means unlawful.

Our free and open society is, indeed, slipping away. The problems are many, they are pressing, and they are escalating. The volatile situation in Arizona is a clear example of one key way the Left characteristically works to undermine a system they are attempting to overthrow: You criminalize law enforcement.