

Misguided Boycott

In my 28 years of public service, I have made a lot of tough calls. But with a federal government unwilling to secure our border for years and years, Arizona is left with little choice. Imagine a sporting event, where rules have been agreed to for 70 years, but the umpires refuse to enforce those rules. It makes no sense. Although I recognize that Senate Bill 1070 as amended is not the entire solution to our illegal immigration problem in Arizona, most people are united in the hope that it will finally inspire the politicians in Washington to stop talking, and start action now.

By now, sports fans everywhere have heard something about the passage of Senate Bill 1070, a measure I signed into law, and one that has resulted in protests outside ballparks hosting our Arizona Diamondbacks and led to calls on Commissioner Bud Selig to strip the City of Phoenix's opportunity to host baseball's mid-summer classic in July 2011.

Urging Major League Baseball to take away next year's All Star Game from Phoenix is the wrong play. In Arizona, both proponents and opponents of Senate Bill 1070 have stated that economic boycotts are an inappropriate and misguided response to an issue that is clearly worthy of proper public debate and discourse. Put simply – history shows that boycotts backfire and harm innocent people. Boycotts are just more politics and manipulation by out-of-state interests. As a border state, Arizona has already paid a heavy price for the federal government's failure – hundreds of millions if not billions of dollars in unreimbursed costs, and its citizens should not be punished further.

It is critically important that all Americans understand the impetus for this new law and have a clear understanding of the law itself. Our neighbor to the south is in a massive battle with well-organized drug cartels. Because of Washington's failure to secure our southern border, Arizona has become the super highway of illegal drug and human smuggling activity. In December 2008, the U.S Justice Department said that Mexican gangs are the "biggest organized crime threat to the United States." In 2009 Phoenix had 316 kidnapping cases, turning the city into our nation's kidnapping capital. Almost all of the persons kidnapped were illegal immigrants or linked to the drug trade.

Essentially our border leaks like a team with a last place defense. The very same week that I signed the new law, a major drug ring was broken up and Mexican cartel operatives suspected of running 40,000 pounds of marijuana through southern Arizona were indicted.

While drug smuggling is the principal cause of our massive border violence problem, many of the same criminal organizations also smuggle people. Busts of drop houses, where illegal immigrants are often held for ransom or otherwise severely abused, are not an uncommon occurrence in Arizona neighborhoods.

Today Arizona has approximately 6,000 prison inmates who are foreign nationals, representing a cost to our state of roughly \$150 million per year. Arizona taxpayers are paying for a vast majority of these incarceration expenses because the federal government refuses to pay what it owes. Homeland Security Secretary Napolitano, as Governor of Arizona, sent numerous requests to the federal government to pay for these prisoners – only to be given the same answer she and President Obama are now giving Arizona: they will not pay the bill.

When I signed the legislation, I stated clearly I will not tolerate racial discrimination or racial profiling in Arizona. My administration worked for weeks with Legislators to improve SB 1070, to specifically clarify and strengthen its civil rights protections. I issued an executive order to implement proper training and enforcement protocols for our police so that the intent of the language could not be misconstrued. Although it is already against the law, the new law undeniably prohibits law enforcement officers from considering race, color, or national origin in implementing the new statute.

I have worked for years without fail to solve problems diligently and practically. I have done so always with an eye toward civility, and always with the greatest respect for the rule of law.

This new law is no different. As committed as I am to protecting our state from crime associated with illegal immigration I am equally committed to holding law enforcement accountable should this statute ever be misused to violate an individual's rights.

There have been countless distortions, honest omissions, myths, and bad information about Arizona's new law – many, undoubtedly, spread to create fear or mistrust.

So, here are the facts:

1. The new Arizona law creates a state penalty to mirror what already is a federal crime. Despite the most vile and hate-filled portrayals of proponents of the law as 'Nazi's', actions that have been condemned nationally by the Anti-Defamation League, it is ALREADY a federal requirement for legal aliens in the United States to carry their green card or other immigration document. The new Arizona law enforces what has been a federal crime since before World War II. As anyone who has travelled abroad knows, other nations have similar laws.
2. Contrary to many of the horror stories being spread around – President Obama suggested families risk being pulled over while going out for ice cream – law enforcement cannot randomly ask anyone about their immigration status. Much like enforcement of seat belt laws in many states – under SB 1070 there must first be reasonable suspicion that you first are breaking some OTHER non-immigration law before an officer can ask a person about their legal status. Only then, after law enforcement officers have a "reasonable suspicion" that another law has been broken, can they inquire about

immigration status – but ONLY if that individual’s behavior provides “reasonable suspicion” that the person is here illegally.

"Reasonable suspicion" is a well understood concept that has been thoroughly vetted through numerous federal court cases. Many have asked – what is reasonable suspicion? Is it race, skin color, or national origin? NO, racial profiling is prohibited in the new law. Examples of reasonable suspicion include: a person running away when approached by law enforcement officers, or a car failing to stop when the police turn on their lights and siren.

3. Arizona’s local law enforcement officers, who already reflect the great diversity of culture in our state, are going to be trained to enforce the new immigration law in a constitutional manner. It is shameful and presumptive for opponents to question the good will and the competence of Arizona’s law enforcement personnel. The specter that is raised of rogue, racist police harassing people is insulting to those in Arizona who risk their lives in the name of law enforcement every day.

President Roosevelt said, “No man is above the law and no man is below it; nor do we ask any man’s permission when we require him to obey it. Obedience to the law is demanded as a right; not asked as a favor.” Arizona has been more than patient waiting for Washington to act. Decades of federal inaction and misguided policy have created a dangerous and unacceptable situation. Arizona has acted to enforce the rule of law, equally, and without bias towards any person.

It is time for our country to act to resolve our border security problem; an economic boycott in Arizona would only exacerbate it – and hurt innocent families and businesses merely seeking to survive during these difficult economic times.

A boycott that would actually improve border security would be to boycott illegal drugs. Dramatically less drug use and production would do wonders for the safety of all our communities.

Jan Brewer
Governor
State of Arizona

