

**WANTED: SENSIBLE IMMIGRATION ENFORCEMENT
ENFORCEMENT WITHOUT PRIORITIES WASTES MONEY AND HURTS PUBLIC SAFETY**

There are now an estimated 11 million undocumented immigrants in the country, many of whom have lived and worked here for many years. They pay taxes and are no threat to public safety or national security. Yet the continuing failure of Congress to deal realistically with these immigrant workers and their families has led to enforcement policies and actions that are costly, unfocused, and divert resources from protecting us from real threats.

A record amount of our tax dollars is being spent tracking down, detaining, and deporting undocumented immigrants. Half of the immigrants being deported today have no criminal record, or have been arrested for minor violations, such as a traffic infraction. National security and public safety are undermined as time and money are spent finding, detaining, and removing busboys and nannies. **The price tag: \$4.5 billion in 2010** alone for detaining and deporting undocumented immigrants with no criminal record. In addition, billions are wasted when these non-violent immigration violators are warehoused in jails built to hold dangerous criminals.

Enforcement of federal immigration laws is a federal responsibility. However, the absence of national reform has led many states and cities to pass their own immigration laws. Many of these laws are now being challenged in the courts, another waste of taxpayer dollars.

In addition, turning already overburdened local police into immigration officers undermines public safety, because they are diverted from their core safety responsibilities and because immigrants, fearing they will be deported, do not come forward and report crimes.

Smart Enforcement Depends on Reform and Prioritizing Real Threats

To enforce immigration laws effectively, we need major federal reform to make them enforceable. However, until Congress does act, there are steps which can be taken now to make immigration enforcement more sensible.

- ***Prioritize threats:*** The use of prosecutorial discretion can concentrate resources on true threats to national security and public safety while placing low priority on ordinary immigrant workers.
- ***Keep criminal and immigration enforcement separate:*** Don't make police double as immigration officers. Public safety is undermined when a segment of the community is afraid to approach police to report a crime or to provide a tip. If the government does partner with local police, there should be strict oversight, so that local police agencies don't abuse their authority at the expense of immigrants and U.S. citizens of immigrant descent.
- ***Don't use jails when there are less costly options:*** Holding immigrants in jails is expensive. The majority are non-criminal, and don't need to be housed in an expensive prison facilities. There are Alternatives to Detention programs that have proven to be effective for a fraction of the cost of detention. Billions of dollars are wasted each year

when immigrants are unnecessarily detained. When immigrants are detained, there should be uniform standards that apply to their care in custody, so that issues of health care, access to attorneys, and other problems are adequately addressed.

- ***Immigration enforcement is a federal responsibility:*** Rules governing how we treat foreigners should be set at the federal level. Otherwise, we have a patchwork of immigration laws, and the rules are different from state to state, locality to locality.
- ***Worksite enforcement should not interfere with other enforcement:*** Investigation of employers for labor law violations should not be undermined by immigration enforcement actions, which has the potential to remove valuable witnesses for prosecutors. Worksite enforcement actions should prioritize employers who use vulnerable undocumented workers to avoid compliance with wage and hour laws.
- ***Ensure the highest professional standards:*** There must be adequate internal controls, external oversight, and robust complaint processes to serve as a check on abuses of authority. Enforcement actions must not ignore the rights of individuals caught up in the enforcement system. Immigration courts must be adequately resourced to keep pace with the demands placed on them.

Until Congress reforms the immigration system, billions of dollars will be wasted trying to remove immigrant workers who have been in the country for many years and would, if allowed to stay legally and continue working, contribute more than a trillion dollars to our economy over the next 10 years. While we wait for reform, the Administration should do everything it can to target resources sensibly and make sure enforcement is conducted in a humane manner.