

The Catholic Lighthouse

The Cradle of Texas Immigration



OFFICIAL PUBLICATION OF THE DIOCESE OF VICTORIA IN TEXAS

Policy Critique of Arizona's Immigration Enforcement Law S.B. 1070, as amended by H.B. 2162

Introduction

Faced with mounting public concern regarding the nearly 500,000 unauthorized immigrants within its borders, Arizona enacted a law in April aimed at strengthening its immigration enforcement (S.B. 1070, amended by H.B. 2162). In short, the law effectively criminalizes unlawful presence, making it a criminal misdemeanor for a person to willfully fail to carry documentation proving his or her lawful immigration status. Second, it requires Arizona law enforcement officers to ask people about their immigration status in certain circumstances.

Under the New Law:

(1) If an Arizona officer stops, detains, or arrests a person for an unrelated offense, such as a traffic violation; and

(2) Then develops "reasonable suspicion" to believe that person is an unauthorized immigrant, for instance if the person lacks any form of identification and cannot answer certain questions related to their immigration status; then

(3) The officer must, when practicable, make a "reasonable attempt" to determine that person's immigration status, unless the determination "may hinder or obstruct" his investigation.

"Reasonable suspicion" -- is a legal standard established by the Supreme Court that allows an officer to stop and briefly detain a criminal suspect long enough to question

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EXTRA! EXTRA! READ ALL ABOUT IT!



Diocesan trainers listen and ask questions at OCYP Workshop for Trainers

Office of Child and Youth Protection Provide Workshop for Trainers

The Office of Child and Youth Protection hosted a workshop for all current and potential safe environment trainers at the Spiritual Renewal Center.

The workshops were held on Tuesday, April 20, and Wednesday, April 21. The Most Reverend David Fellhauer began Tuesday's workshop with a Mass thanking the entire diocese for the hard work and dedication that has gone into implementing the safe environment program. On Wednesday, Father Ty Bazar, pastor of St. Patrick's in Bloomington and Father Samuel Appiasi of St. Peter's in Blessing, assisted by Deacon Linard Harper from St. Joseph's Parish and School in Yoakum, also began the workshop with Mass. Father Bazar stressed the

importance of the program, the scorn that is sometimes endured by our priests and others who belong to the Catholic Church. Father Bazar reminds us that protocols are in place, and without these, the children may have never had a voice.

Each trainer and site administrator was given updated information regarding safe environment policies and procedures. Most importantly, upcoming audit information was discussed. The Diocese of Victoria will be part of a full on-site audit during the next few months. Each parish and school representative will return to their prospective par-

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Donate Blood & Connect with South Texans for Life

Donors and patients are connected for life because of their part in a patient's survival

SAN ANTONIO - One in 10 people entering a hospital will need blood. The South Texas Blood & Tissue Center (STBTC) strives to collect 600 units every day to help save lives of patients in need. But blood donations do more than save lives; they connect donors to patients across South Texas.

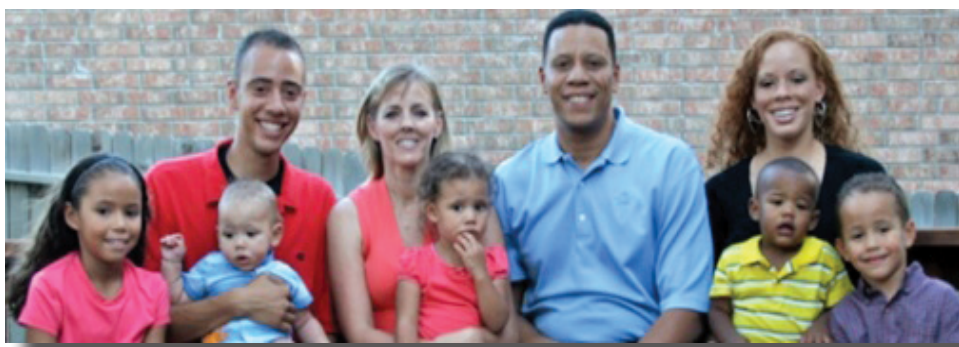
Blood transfusions play an important role in many patients' recovery. As a result, donors are connected to patients for life. A single donation can unite a donor with as many as three patients in the South Texas area, each one unable to forget the gifts that helped save them. STBTC has supplied life-saving components for more than 35 years to area hospitals, which can only be done with your donations. Give blood to save lives and connect with South Texas patients for life.

Donate at a mobile drive in your area in June and be entered to win a Weber Genesis gas grill.

Victoria:

- Del Papa Distributing
Friday, June 11; 1:30 - 5:30 p.m.
3907 E. Rio Grande
- Hospice of South Texas
Friday, June 11; 8:30 - 11:00 a.m.
605 E. Locust
- First English Lutheran Church
Sunday, June 13; 8:45 a.m.-12:30 p.m.
516 N. Main St.
- Knights of Columbus
Sunday, June 13; 8:15 a.m.-12:45 p.m.
704 Mallette
- DeTar Hospital
Thursday, June 17; 8:30 - 10:30 a.m.
101 Medical Dr.
- DeTar Hospital
Thursday, June 17; 1:00 - 4:00 p.m.
506 E. San Antonio St.
- Victoria Mall
Saturday, June 19; 1:00 - 6:00 p.m.
7802 N. Navarro
- First Victoria National Bank
Wednesday, June 23; 12:00-5:00 p.m.
101 S. Main
- Pattie Dodson Health Department
Thursday, June 24; 1:30 - 4:00 p.m.
2805 N. Navarro
- Quail Tools
Friday, June 25; 7:30 - 10:30 a.m.
7701 US Highway 59 North
- Citizens Medical Center
Tuesday, June 29; 10:00 a.m.-4:30 p.m.
2701 Hospital Dr.

Anyone 16 years old weighing 120 pounds (with a parental consent form), or at least 17 years old weighing 110 pounds, and in good general health can donate blood. It is recommended to eat iron rich foods before donating and to drink plenty of fluids to keep the body hydrated. Donors must present identification. Visit www.southtexasblood.org for more information.



Catholic Marriage Ministry Seeks to Assist Couples Across the Globe

SAN ANTONIO—They say an ounce of prevention is worth a pound of cure.

The founders of a San Antonio-based organization devoted to helping lower the divorce rate agree. For 11 years, the Alexander House has assisted nearly a thousand couples in troubled marriages to preserve their covenant by rebuilding the bonds of love and inviting God into their relationship.

Through their outreach, founders Greg and Julie Alexander began to see the need to educate and support couples throughout their marriage, not just when hurt and hopelessness have already led to profound brokenness. So two years ago, the Alexander House created a parish-based initiative to help all married couples understand God's plan for marriage and learn ways to deepen their commitment to one another in love and selfless service to family, church and community.

"We saw other denominations offering numerous programs for married couples," Greg Alexander says. "And we wanted to

minister to the Catholic faithful. Julie and I decided to start working on the Covenant of Love Ministry, a dedicated marriage ministry which is implemented at the parish level by married couples."

Requests for the program continue to grow. Some 55 parishes are using the Covenant of Love Ministry's Marriage Group model, which renews couples through prayer and individual reflection with a focus on fun, fellowship and faith. "A parish in Louisiana tells us that 120 couples per month are participating -- and that it's literally transforming the life of the parish itself," Alexander says.

Covenant of Love recently went international, with one parish in Canada and another in Great Britain now participating. Interested parishes in South Africa and Sydney, Australia have also inquired about it.

Meeting the growing needs of married couples on an international scale will require a significant increase in the organization's financial resources. To help meet this need,

the Alexander House is bringing renowned preacher Father John Corapi to San Antonio on August 7.

Fr. Corapi, a member of the Society of Our Lady of the Most Holy Trinity, will lead a daylong conference entitled Life, Love and the Purpose of Our Existence. The priest is known for his wit and wisdom, borne of an extraordinary life journey that took him from millionaire to homeless drug addict to devout preacher of Christ and defender of the Church.

Greg eagerly anticipates how he and Julie can continue to help fulfill God's plan for the Alexander House. "We're very excited about the future. Proceeds from the Corapi conference will enable us to hire more staff to take the Covenant of Love ministry directly to many, many more married couples," he says. "Eventually, we hope to develop additional services to address even more specific ages and stages of married life ... starting from young adult couples still preparing for marriage to those who have journeyed together for decades."

The ultimate vision of the Alexander House is to see a society full of married couples who are living God's plan for marriage, so that the joy, sanctity and permanence of the sacrament may be realized and preserved.

Individual tickets for "Life, Love, and the Purpose of our Existence" begin at \$37.00. For more information or to reserve seats, call (800) 745-3000 or visit fathercorapisa.com. To inquire about individual and corporate sponsorships available, contact the Father

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Office of Child and Youth Protection Provide Workshop for Trainers

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ish/school and ensure that they are compliant with the policies and procedures of the safe environment program. Parish and school self-audit materials were distributed.

Following the updates and audit information, the director for the Office of Youth and Young Adult Ministry, Debbie Vanelli, along with associate director, Jose Ortega, reviewed and answered questions regarding the newly promulgated Policy and Procedure Resource Manual for Youth Ministry and Catechetical Programs. Sample quizzes depicting real life situations were administered and reviewed. The manual provides an overview of youth ministry, visions and goals of catechesis, pastoral care, diocesan policies and procedures, housing policies and procedures, travel policies and procedures and forms required by the diocese. The manual is available through the Youth Office and it may be downloaded via the diocesan Web-site at www.victoriadiocese.org.

Following the rules, regulations, policies and procedure overviews, Mr. Bradford Irvin, Child Protective Service Investigation supervisor, shared statistics and information regarding child abuse in our area. Mr. Irvin gave examples of individuals who are investigated when child abuse is reported. During the presentation, Mr. Irvin answered questions regarding neglectful supervision, sex offender stipulations, teen pregnancy, physical neglect, "failure to thrive" in children, the Baby Moses Law, sexual abuse, medical issues, suicide statements and how cases are prioritized. Mr. Irvin stated that we should "always err on the side of caution."

Melissa Perales, director for the Office of Child and Youth Protection, feels that our diocese continuously strives to provide a safe environment for the children and youth. "We know that most first time offenders are not prosecuted. We also know that most child abuse goes unreported. Many of our children live with these secrets the majority of their life. We must understand that our first line of defense is the children."

The Diocese of Victoria annually educates all children and youth enrolled in our religious education programs and our Catholic schools in the areas of personal safety. Parents are also invited to attend education sessions. "Many children have no idea that they are experiencing child abuse because that is the only life they know," said Melissa.

"Educating over 10,000 children and youth annually is no easy task," states Melissa. We are fortunate to have 81 video and book resources available to our diocese and

its members regarding personal safety, this allows us to broach the subject in a careful, caring and pastoral manner.

Not only does the diocese have video and book resources, it also has live presenters that will visit parishes or schools and conduct pre-selected presentations to the student body and their parents. Among these presenters are: The Hope of South Texas, Mid-Coast Crisis Center-Family Violence Programs, Mid-Coast Crisis Center-Drug and Alcohol Prevention Program, Escape School Abduction Prevention Program and our new presenter, The Harbor, from Port Lavaca. Each presenter in attendance was given the opportunity to give details concerning the mission and goals of their program.

Present at the workshop from Hope of South Texas (HOST) were Julie Flessner, executive director, and Robyn Heller, Structured Education/Community Outreach coordinator.

They commented that the "Hope of South Texas (HOST) is dedicated to eliminating sexual violence within our community through comprehensive services. Our agency provides sexual assault awareness and prevention programs for elementary through college age students, as well as training for professionals from such fields as education, religion, criminal justice, health care and social services. We offer free presentations on topics such as sexual harassment, Internet safety, personal safety, bullying, and healthy relationships. Hope of South Texas supports that education and training is the key to long-term prevention of sexual assault and abuse."

Elena Torres, LCSW, director of the Family Violence Program with Mid-Coast Family Crisis Center, gave a brief overview of the program she conducts with high school students on teen dating, violence and abuse.

Mrs. Torres stated that the primary goal of Mid Coast Crisis Center is to prevent the abuse from happening. "Teens are seriously at risk for dating violence. Research shows that physical or sexual abuse is a part of 1 in 3 high school relationships."

Each parish and school is provided a booklet for student distribution. The booklet contains the definitions of teen dating abuse and questions a teen should ask themselves if they are questioning their relationship

such as: Do you feel less confident about yourself when you're with him/her? Do you feel scared or worried about doing or saying "the wrong thing"? Do you find yourself changing your behavior out of fear or to avoid a fight?

The booklet also contains a Teenagers Dating Bill of Rights, Personalized Safety Plan for Teens, Teen Relationship Equality Wheel, Teen Power & Control Wheel and Teen Dating Violence Resources.

Also included in the presentation is a video, *Causing Pain: Real Stories of Dating Abuse and Violence*. It is an award-winning video featuring compelling stories of teens, parents, and professionals who have been in or witnessed abusive relationships.

This program is available to all parishes and high schools in our diocese.

Carissa Soliz and Beverly Smith, presenters for The Harbor, thanked the diocese for allowing them the opportunity to help educate the children, youth and parents. The Harbor educates on Bullying and Peer Pressure, Child Abuse, Sexual Harassment, Internet Safety, Sexual Assault and Laws, Dating Violence, Boundaries and the latest trend called "Sexting" which is sending, receiving or forwarding provocative images of oneself or others via mobile phones.

Melissa Perales reflects on the workshop by saying, "Our safe environment program would not be successful without the support of our bishop, pastors, priests, deacons, religious, principals, employees and volunteers. It is not always easy being the safe environment coordinator or trainer. We were each called to serve and we continue our mission with faith and confidence that we will save a child. One child may not seem much... but if it is your child, your grandchild, your nephew, your niece, brother, sister or simply a friend...that ONE child was well worth the effort."

When asked "how was the safe environment workshop?" The participants gave various answers.

Janie I. Martinez, secretary/Safe Environment site administrator for Our Lady of Guadalupe Church in Bay City, said: This was "my first time attending and I found the information very useful. It shed light. The ceremony to end the day was quite wonderful and touching."

Dana Daughtry, Safe Environment Trainer for Moravia/St. John Parishes, said: "We are truly blessed to be called to serve as safe environment trainers for our children. Just having the parents and children knowledgeable about safe environment is such a head start. We had an inspiring, informative retreat/ training so that we can go forth and serve."

Laura Taylor, SE site administrator, trainer and parish office administrator/secretary for Holy Cross, San Luis, and St. Ann of Yorktown, said: "The Safe Environment Workshop, held at the Spiritual Renewal Center was absolutely the most professional workshop I've been to in a long time. Like a crescendo, it began quietly with Mass, and just went up from there. The messages were informative, fun and interesting. New friends were made and old friendships renewed. Wonderful food provided by a new chef at the center. Special presenters offered renewed hope for Safe Children Programs, and the conclusion shouted Hallelujah and Amen with a most touching Service of Friendship and Hope. My thanks again for the opportunity to participate in such a wonderful day."

Bishop Fellhauer reiterated his gratitude for the efforts of so many to ensure the safety of our children and young people.

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him about suspected criminal activity. After questioning, the officer may only arrest the suspect if his reasonable suspicion has risen to "probable cause"—a higher standard requiring more proof.

"Stop, Detain, or Arrest" -- Some have said the law permits an officer to ask about immigration status during a random street encounter. This is not the case. But it does require an officer to make this query when he stops, detains, or arrests a person for an unrelated offense, such as speeding, and then develops reasonable suspicion that the person is an unauthorized immigrant. There is one exception: the officer need not make this immigration inquiry if it "may hinder or obstruct" his investigation. Still, the exception, while notable, can't swallow the rule. In fact, the law subjects police agencies, politicians, counties and cities to potential lawsuits from concerned citizens if it is shown that they adopted a policy of not fully enforcing the law.

"May Not Consider Race" — Importantly, the law was amended to attempt to avoid racial profiling. In enforcing the law, officers "may not consider race, color, or national origin ... except to the extent permitted by the United States or Arizona Constitution." This language was taken from the Department of Justice's Guidance on Racial Profiling. It means that an Arizona officer may not cite race as a factor in explaining why she decided to ask a person about his immigration status, unless a prior applicable court case allows it. In Arizona, the case law appears to oppose this use of race. The issue of profiling is more fully treated below.

Potential Difficulties With the New Law:

It May Divert Law Enforcement From Its Core Responsibilities

- *Consumes scarce law enforcement resources*
The law consumes scarce police resources by requiring them to enforce immigration law in addition to their core responsibilities. How much immigration enforcement police undertake will depend on how they implement the law. The law technically grants police latitude to inquire about immigration status while enforcing such mundane matters as noise violations. But whether they will exercise this authority is another matter. Police chiefs must provide guidance to field officers on how broadly to enforce the law. This will be key.

Regardless, the law essentially forces state and local police to wear two hats: one for immigration enforcement and another for criminal enforcement. This will undoubtedly divert some police resources away from serious criminals. In fact, the Arizona Association of Chiefs of Police says it will "negatively affect the ability of law enforcement ... to fulfill their responsibilities..." But rank-and-file officers disagree, including the Arizona Association of Police. It says that working among a large illegal population endangers its officers. Nevertheless, the law will also require significant resources from overstretched prosecutors and judges who must process new criminal cases.

- *May Discourage Victim and Witness Cooperation*

The law does not permit officers to ask victims and witnesses of crime about their

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Catholic Marriage Ministry Seeks to Assist Couples Across the Globe

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Corapi Event Chairman at: info@fathercorapisa.com. Alexander House is a 501 (c)(3) lay Catholic Apostolate, non-profit organization. Donations may be tax-deductible.

About the Couple Who Founded The Alexander House

A dozen years ago, Greg and Julie Alexander were on the brink of divorce "as a result of living by the ways of the world." The couple had been married for 10 years and were raising two children, ages 8 and 9.

Unhappiness, infidelity, and hopelessness were the consequences of both spouses' decision to meet their needs in people and things outside of each other. Marriage counselors seemed to echo society's easy answer, "You two just weren't meant to be together."

A priest challenged Greg to seek out for himself God's hope for his and Julie's marriage. Greg turned to Scripture and "it began to dawn on me that maybe it was some of my own selfishness that was leading to the demise of my marriage."

Julie remembers Greg calling her to share with her what he discovered. "I can tell you

honestly — that was the day that I truly fell in love with Greg," she says.

For the first time in their marriage, the couple prayed together to God, saying, "We've tried it our way, and we want You to come into our lives and show us how to do this thing called marriage ... and if you deliver us from this evil, we will commit the rest of our lives to working in some sort of marriage or family ministry."

A year and a half later, Greg and Julie Alexander founded The Alexander House. Both are working full-time today to help couples recognize and live out God's plan for their relationship in selfless love. Their eldest child is 21, and the Alexander's are expecting their seventh child in October.

"Once we recognized it was our job to serve each other, to build each other up into who God wants us to be, we experienced a sense of peace and love that we hadn't known before ... the key to marriage is dying to self and totally focusing on the other person. That's what we were created for. And it's this total gift of self that makes us a reflection of God's love."



Julie Flessner of Hope of South Texas speaks to trainers.



Youth Activities/Events

Eighth Grade Religion Awards

The Eighth Grade Diocese of Victoria Catholic Schools Religion Awards was held at Our Lady of Victory Cathedral in Victoria on April 29, 2010, with Bishop David E. Fellhauer, officiating.

The purpose of the Diocesan Catholic School Religion Award is to encourage students in the Catholic Schools of the Diocese of Victoria to realize, intellectually and practically, the purpose of Catholic Education as stated by the Catholic bishops of the United States:

“Christian education is intended to make one’s faith become living, conscious and active through the light of instruction.” ~To Teach As Jesus Did, #108

Therefore, all criteria for this award are directed toward the accomplishment of the three goals listed:

The student will learn the Message of Jesus, the Good News. (Christian Doctrine)

The student will give witness to the Good News by the manner in which he or she relates with fellow students, teachers and others in the school community. (Formation of Christian Community)

The student will use his or her unique, God-given talents to serve God and others for the Good of all. (Worship and Service)

Congratulations to all eligible eighth graders.

Our Lady of the Gulf, Port Lavaca

Hannah Armstrong, C. J. Carmichael, Michael Chen, Harley Desoto, Mason Elgin, Zane Herrera, Kevin Holdgraf, Dillon Janecka, Stephanie Johnstone, Natalie Lyssy, Tristin Phillips, Hannah Rose

St. Anthony, Columbus

Amanda Briscoe, Cassie Cantu, Hannah Hartigan, Madison Olivarez, Savannah Streckfuss, Alix Lares-Rodriguez

St. Rose of Lima, Schulenburg

Aimee Adamek, Hannah Fogle, Meagan Jurica, Haley Nidey, Jacob Rehak, Rachel Saulnier, Scott Stoner, Sarah Walker

Sacred Heart, Hallettsville

Jacob Barton, Joshua Blaschke, Colton Bludau, Danson Bludau, Megan Harper, Macey Jacobs, Calen Janak, Megan Janak, Trent Janak, Sabrina Koerth, Jaycie Orsak, Kelsey Pilat, Luke Steffek, Jonathan Vanek, Andrew Watson, Evan Wick, Elizabeth Wysocki, Michael Zaruba



Pictured are Catholic Schools Religion Awards winners from St. Anthony School in Columbus. In no particular order, they are Madison Olivarez, Amanda Briscoe, Cassie Cantu, Hannah Hartigan, Savannah Streckfuss and Alix Lares-Rodriguez. They are pictured with Bishop David E. Fellhauer at Our Lady of Victory Cathedral on April 29, 2010.



JCDA MEMBERS BRING SUNSHINE TO NURSING HOME RESIDENTS— Yoakum’s JCDA #206 members helped to “Put a Little Sunshine in the Day” of the residents of Steven’s Nursing Home on May 1, 2010. The members sang fun and uplifting songs to the piano accompaniment of Mrs. Andrea Aselin. After singing, the girls presented the residents with beautiful suncatchers that they made at an earlier meeting.

St. Joseph, Yoakum

Ashley Carroll, Jenna Holik, Mindi Janak, Trey Janak, Kelley Kusak, Anna Kvinta, Haley Lorke, Sam Patek, Reagan Renken, Callie Witte

St. Ludmila, Shiner

Meagan Chumchal, Ben Janecek, Kymberlie Malatek, Hannah Novosad, Stephany Rankin, Luis Rodriguez, Kristin Schacherl, Nicolette Siegel, Samantha Siegel, Melanie Wagner

St. Michael, Weimar

Mariah Carroll, Trey Davila, Seth Helcamp, Josh King, Emily Koenig, Kendall Marak, Ana Karen Ortiz, Corie Ritter, Greyson Ulrich, Bonnie Winkler

St. Philip, El Campo

Katelyn Baros, Alexis Crowell, Taylor Fuechec, Matthew Graff, Nicklaus Jasek, Austin Kelly, Kacey Knesek, Koy Kresta, Jordan Limmer, Brandon Naiser, Shelby Stary, Michaela Thornton, Hunter Tupa, Kari Wilkins, Hunter Winkelmann

Nazareth Academy, Victoria

Dodge Bludau, David Du, Tyler Englebart, Jordan Gisler, Dane Guerra, Aubrey Gutierrez, Briana Gutierrez, Shaughnessy Hall, Seth Hawes, Rachel Hennessey, Rachel Innocenti, Caitlin Jacob, Kimberly Parma, Ciara Schmidt, Travis Seger, Kristin Sontheimer, Douglas Wall, Chloe Walther

Our Lady of Victory, Victoria

Hannah Adams, Baxter Bradicich, Ethan Carrasco, Austyn Clements, Olivia Creaeger, Peyton Cuella, Morgan DeLaGarza, Thomas Dentler, Alex Ferrell, Tom Followwill, Collin Hartman, Jade Hayes, Christina Haynes, Harrison High, Johanna Hoang, Cody Janak, Adam Konarik, Connally Krueger, Lauren Kurtz, Hira Malik, Vina Nguyen, Emily Omecinski, Jacob Ortmann, Ryan Pozzi, Barclay Proctor, Brenden Pupi, Allyson Reithmeier, Alyssa Rodriguez, Jordan Shaulis, Luke Stone, Brette Tucker, Claudia Valenzuela, Sarah Valenzuela, Chloe Velasco, Sarah Warner, Luke Wenske, Logan Wiggen, Denny Williams, Cameron Zafereo

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immigration status. But will the news of this legal protection reach them? The challenge for Arizona will be ensuring that it does. Otherwise, victims and witnesses who lack lawful status may fear working with the police.

• May Commandeer Scarce Jail Space

Judges sentencing immigrants convicted under the new law may impose up to 20 days in jail (or less). Probation and other non-custodial options are prohibited, but there is an exception if jails are overcrowded. Whether Arizona judges and prosecutors will opt to jail immigrants en masse remains to be seen. If they do, immigrants will occupy significant jail space in already overcrowded state and local jails. This will force Arizona to exercise one of three options: release criminals currently in jail, build additional prisons, or release immigrants more quickly. All three options carry significant safety and economic costs for the public, and thus impact the common good. How Arizona manages them will be important.

It Places State and Local Officers in Difficult Immigration Enforcement Roles

• Could lead to heightened scrutiny of minority residents

The law adopts sound language from the Department of Justice that appears to effectively prohibit explicit racial profiling. Officers may not use race in enforcing the law unless case law allows it, and the Ap-

peals Court covering Arizona appears to ban it. In addition, the new law states that officers must enforce it in a way that protects civil rights.

However, avoiding all forms of profiling may prove difficult for two related reasons. First, police have long been constitutionally permitted to conduct “pretextual stops” meaning a stop where an officer cites a technically-justifiable reason like a broken tail-light, but actually has an ulterior motive such as suspected drug activity. Arizona officers, in an attempt to enforce S.B. 1070, may conduct pretextual stops against suspected unauthorized immigrants. Second and relatedly, a challenge for Arizona police will be to minimize their use of more subtle racial or ethnic stereotypes such as clothing or behavior in deciding who to stop, question, and arrest.

We regret that the law places good officers in a tough spot. Helpfully, Governor Brewer did issue an executive order mandating immediate civil rights training for all officers. But this rapid measure may prove inadequate to properly equipping officers who are new to immigration enforcement. We will monitor implementation to ensure that minority residents are treated fairly and constitutionally.

• Could Ensnare Citizens and Lawful Residents

The law casts a fairly wide net that could unintentionally ensnare U.S. citizens and lawful residents. The new law mandates certain circumstances in which police must try to determine immigration status. But

separating unlawful residents from lawful ones could prove a difficult task. Those persons who can’t produce state-issued identification will be subject to increased police scrutiny about their immigration status, even if they simply left their I.D. at home. This may trigger lengthy questioning and wrongful detention of lawful citizens and residents, especially Hispanic residents. Fortunately, the law does require the officer to have probable cause to believe the suspect is unlawfully present before she arrests him, consistent with the Fourth Amendment. And it mandates that officers enforce the law in a way that respects the privileges and immunities of United Citizens and everyone’s civil rights. However, even these protections may not prevent errors in police judgment about who is or is not a lawful resident.

It is Unnecessary to the Effective Enforcement of Immigration Law

Effective immigration enforcement can be achieved without the new law. Unlawful presence in the United States is already a federal civil offense triggering deportation. The question is who should enforce it, and how. Some argue the law was necessary due to court rulings reserving immigration enforcement to federal authorities, a responsibility some say the feds have abdicated. Fair enough. But there are currently several federal programs that allow state and local police to cooperatively enforce federal immigration law, including the 287(g) program, the Secure Communities program, and the

Criminal Alien Program. In fact, Arizona already participates in all three. S.B. 1070 represents Arizona’s attempt to significantly broaden its enforcement authority vis-à-vis the federal government. Arizona argues that it has inherent authority—general police powers reserved to the states under the Constitution—to enforce immigration law. Others say the federal government has acted to preempt state immigration enforcement by passing laws reflecting sole federal responsibility for immigration enforcement. Courts must now judge the Arizona law’s constitutionality.

It Marginalizes Immigrants and Hispanic Residents

Criminalizing unlawful presence and requiring frequent police questioning stigmatizes and marginalizes Arizona’s immigrants and Hispanic residents. Arizona is the first state to criminalize unlawful presence; currently, it is a civil offense to be unlawfully present in the United States. The new law will, despite intentions to the contrary, create distrust and misunderstanding in immigrant communities and thus undermine solidarity among Arizonans.

Written by Ryan Dwyer in the USCCB Migration and Refugee Services policy office with the help of our legal counsel. It is our “official” opinion on it, it’s been widely circulated and you have permission to reprint.