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Police urged not to check legal status

Activists want immigration standing off-limits in stops; some chiefs agree

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Christine Neumann-Ortiz had heard enough stories about immigrants facing deportation after traffic stops or random encounters with police, so the immigrant rights leader went right to the source of concern.

Neumann-Ortiz is asking local police departments for new policies to prevent officers from questioning people about their immigration status during unrelated investigations.

Some departments are going along.

A policy Milwaukee police officials adopted recently prohibits officers from asking immigration questions or alerting federal authorities to suspected illegal immigrants, with some exceptions.

Neumann-Ortiz's group, Voces de la Frontera, is asking other departments to follow suit, suggesting that enforcing federal immigration rules not only distracts police from investigating local crime but also drives a wedge between law enforcement and minorities.

"It creates kind of a poisonous culture," she said.

Others object to her view, saying that illegal immigration is too big a problem for any law enforcement agency to abdicate its role.

Racine Ald. Greg Holding said his community, for one, has no intention of adopting the policy sought by Voces de la Frontera. "It's just not going to happen," he said.

Holding questioned whether requiring police officers not to enforce certain laws would be legal. He said he would rather see Racine ask the federal government for special police authority to pursue immigration cases and start deportation proceedings.

Waukesha County considered seeking that special authority earlier this year, but officials dropped the matter

after community leaders privately raised concerns about a potential police crackdown.

Anselmo Villarreal, executive director of the Waukesha agency La Casa de Esperanza, said that although he does not plan to pursue a hands-off-immigration policy with police, he warned authorities earlier that equipping officers with special immigration power would jeopardize good relations with the minority community.

"I truly believe that's not the solution. It's just going to create more problems," Villarreal said.

As illegal immigration has grown into a national issue the past couple of years, stepped-up enforcement efforts have produced deportation stories that rankled immigrant rights groups.

In 2004, a Waukesha County mother of two was sent back to India after she got a flat tire and police officers discovered that she had entered the United States illegally 12 years earlier.

Neumann-Ortiz recounted a situation in Illinois where a man was murdered and his grieving family was questioned at the murder scene about their immigration status.

Illegal immigration is generally treated as a civil offense - not a crime - and enforcement historically has been handled by the federal government with little local police involvement.

Milwaukee-based Voces de la Frontera decided to pursue a hands-off policy with area police departments after a police raid at a Whitewater factory where 25 illegal immigrants from Mexico were arrested in August 2006.

The Whitewater Police Department was one of the first departments to change its policies.

Whitewater Police Chief Jim Coan said he agreed to stop collecting Social Security numbers from traffic offenders and others because of concerns in the minority community that such information was used to trace immigration records. Not having Social Security numbers sometimes can make other police work more difficult, Coan said.

"It was a tradeoff that we were willing to make," he said. "It's a very polarizing issue - no question about that."

Milwaukee police spokeswoman Anne E. Schwartz released a copy of her department's policy and confirmed that it was updated in April, but she declined to comment further.

According to the policy, Milwaukee officers can question a person's immigration status or alert federal authorities only in cases of violent crimes, suspected terrorism, street gang crimes or other limited cases.

Neumann-Ortiz acknowledged that public sentiment in many circles favors tougher enforcement of immigration laws, and said federal reform is needed so that the nation has fewer illegal immigrants.

Yet the current push for local enforcement, she said, has created an environment in which Hispanics and other minorities are being subjected to racial profiling. She said her group's efforts to promote hands-off policies will defuse the situation.

"It really is about a separation of roles," she said. "It has become a new kind of battle front."

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