



Five Things to Know about Texas' SB 4

May 7, 2017

What is SB 4?

The law requires all Texas law enforcement agencies to comply with U.S. Immigration and Customs Enforcement (ICE) detainers and punishes local government entities for not enforcing federal immigration laws. SB 4 requires local law enforcement to direct resources such as jail space, officers' on-duty time and local tax dollars to work that traditionally have been the responsibility of the federal government. SB 4 bars any local policy that would prohibit police officers from questioning a person's immigration status, even during routine detainments such as traffic stops. (For a more detailed summary of SB 4, see [here](#)).

Senate Bill 4 passed both houses of the Texas legislature and was signed by Gov. Greg Abbott on May 7, 2017. It will take effect Sept. 1.

Why is SB 4 significant on a national level?

SB 4 encourages other state legislatures to take up similar legislation, as occurred after Arizona passed its SB 1070 law. See [here](#) for a chart comparing SB 4 to SB 1070.

Already, similar bills are pending in other state legislatures including Florida, Louisiana, and North Carolina. These bills take a similar approach to SB 4 by imposing harsh penalties on law enforcement and other government agencies that do not honor detainer requests and/or prevent local law enforcement agencies from having policies that direct law enforcement resources to the most serious threats to public safety and away from identifying people who are undocumented.

These possibilities underscore the importance of federal action on immigration. Congress should act on constructive solutions that help American workers and taxpayers; allow immigrants to contribute to their fullest potential, not generate fear and drive immigrants into the shadows; and provide clarity for states.

How will SB 4 affect law enforcement?

- The law makes it more difficult for law enforcement to keep everyone in the community safe because relationships of trust between immigrants and law enforcement will give way to fear and tension. Despite a provision in the law intended to protect crime victims and witnesses, law enforcement leaders [are concerned](#) that in practice, they will refrain from calling police for fear of being targeted for immigration violations.
- SB 4 limits the authority of local police chiefs and sheriffs to direct their departments in ways that boost community safety. For example, SB 4 will make it more likely that anyone who looks or sounds like an immigrant will be stopped and asked to prove his or her immigration status because it restricts local law enforcement agencies from establishing policies such as commonsense restrictions on questioning individuals about

their citizenship or immigration status. Such profiling leads to community members feeling hurt, angry and less trusting of all law enforcement officers. The result is less cooperation between law enforcement and immigrant communities, which can negatively impact community safety for everyone.

- SB 4 puts federal immigration enforcement work in the hands of local law enforcement officials, who often lack the specialized training needed to do this work.
- SB 4 amounts to an unfunded mandate on local law enforcement, forcing them to redirect already limited resources away from their communities' law enforcement priorities.
- Rather than seeking cooperative partnerships with local law enforcement, SB 4 makes local law enforcement leaders and other elected or appointed officials subject to misdemeanor criminal charges and up to a year of jail time if they limit a jurisdiction's involvement with federal immigration officers.
- SB 4 is likely to face numerous legal challenges, providing an additional layer of uncertainty over the state of the law.

How will SB 4 affect business?

- SB 4 is likely to deter businesses, organizations and tourists from coming to Texas and spending money there, as [occurred in Arizona](#) following passage of that state's show-me-your-papers law, SB 1070.
- SB 4 could depress the buying power of the state's [4.7 million immigrants](#). The combined purchasing power of Latinos and Asians in Texas as of 2014 was [\\$297 billion](#).
- The bill moves in the direction of removing more undocumented immigrants, [who, in Texas, are responsible for](#) \$69.3 billion in economic activity, \$30.8 billion in gross state product and 403,174 jobs. In 2013, [state and local tax collections](#) from foreign-born Latinos totaled \$4.6 billion (and federal collections totaled \$8.4 billion).
- The agriculture, construction, retail, health care and hospitality industries in Texas rely heavily on an immigrant workforce. SB 4 will harm our developing workforce and economic vibrancy because immigrants will view Texas as a state that is hostile to them and choose to live in states that are viewed as more welcoming.

How will it affect the community?

- By making federal immigration detainers mandatory, the State of Texas is likely creating tens of thousands of dollars in legal liability for local governments, law enforcement agencies, and the State of Texas itself, creating significant burdens on Texas taxpayers.
- The loss of state funds to communities that resist aspects of SB 4 that undermine community safety will hurt those who benefit from that funding for (e.g. housing and other assistance) programs.
- SB 4 will undermine public safety by hurting law enforcement's relationship with local immigrant communities. It conflates the roles of federal immigration authorities and local law enforcement, which makes unauthorized immigrants, their families and other community members fearful of interacting with law enforcement because they do not want to be exposed to the risk of deportation. That reduces the reporting of crimes, a safety issue for everyone in the community.
- Finally, SB 4 tarnishes the reputation of Texas in the eyes of Hispanic and other families and the people who know and care about them.