

Immigration Critical Issue Advisory Committee Stance on 81st Legislature

The Immigration Critical Issue Advisory Committee encourages NASW/TX to voice its approval and opposition for various legislation proposed in the 81st Texas legislature. Among the proposed policies are bills that would eliminate the rights of immigrants in Texas as well as those that would promote people's well being. As social workers we declare that people, regardless of their nationality, should be granted basic human rights and be allowed to live to their potential without persecution, discrimination, and fear.

Public Safety

The ICIA NASW/TX supports the legislative bills that promote safety. Bills which offer protection and encourage reporting of crimes include HB 2222 which prohibits law enforcement from inquiring into the nationality or immigration status of a victim of or witness to a criminal offense and HB 4425 which authorizes undocumented children or guardian to declare through the court that a minor is dependant on the court due to abuse, neglect, or abandonment. With regards to human trafficking, we support bills such as HB 628, HB 639, SB 89, etc. which establish a human trafficking task force, develop policies to assist in the prevention and prosecution of human trafficking crimes, and allot for education and training on human trafficking.

The ICIA NASW/TX oppose any legislative bills that compromise public safety by requiring local law enforcement such as the police, sheriff or DA's office to fully enforce federal immigration laws such as HB 404, HB 4485, 4487, SB 358, etc. Similarly HB 49, which makes it a Class B misdemeanor and outlines arresting procedure for persons without lawful presence, and HB 260, which eliminates the option of receiving a sentence of community supervision for any undocumented immigrant with prior offenses, should be opposed. These bills as well as others similar in nature contribute to the escalation of crime and undermine safety. Local law enforcement acting as immigration agents would keep undocumented people from coming forward as witnesses to crimes and to report crimes against them such as domestic violence, child abuse, sexual assault, robbery, etc. In the long run, it increases mistrust of the agencies that are sworn to protect and complicates investigations of dangerous crimes.

Education

The ICIA NASW/TX supports bills that promote the educational development of immigrant students in Texas such as HB 3360 and SB 1818, which consider length of schooling for administering certain assessment instruments. However, we oppose bills such as HB 262 which requires school districts to determine citizenship status of each student enrolled, HB 4480 which requires school districts to deny

identification cards to an administrator, faculty member, student, or employee who is not a US citizen or in the country lawfully, and HB 266 which requires lawful presence to receive public educational benefits. In the same nature, HB 4482 requires lawful presence in the US to receive state educational benefits and charges public institutions of higher education to determine the resident status of students. Bills such as these would increase fear and deter families from enrolling their children in schools, as well as keeping students from pursuing higher education ultimately proliferating a lower educated population.

Basic Human Rights

ICIA NASW/TX supports legislation that protects people's basic human rights. Among those are HB 244 which declares that a political subdivision cannot require a landlord to refuse to lease to a prospective tenant or renew a lease based on immigration status or a family member's immigration status and HB 4620 which prohibits landlords from inquiring into immigration status and provides counsel to represent an individual in proceedings.

The ICIA NASW/TX opposes bills that inhibit the rights of immigrants such as HB 254 that requires all undocumented immigrants to reside in sanctuary cities. HB 256 which amends birth right citizenship based on status of parents, and HB 1061, HB 4675, HB 4036, and SB 1784 which relate to the requirement of citizenship or lawful presence in the US for issuance or renewal of certain occupational licenses, driver's licenses, and identification cards.

State Agencies

Furthermore, ICIA NASW/TX opposes bills which require state agencies to enforce federal immigration laws such as HB 261 which prohibits state agencies from adopting policies under which they do not fully enforce federal immigration law, HB 266 which requires each agency of the state to cooperate with federal immigration authorities in enforcing federal immigration laws, and HB 276 which requires that state agencies report the cost of services and benefits provided to undocumented immigrants. Such legislation would inevitably adversely affect social services provided by state agencies to the public, complicate reporting procedures, and ultimately make each state employee an agent of federal immigration law.

In conclusion, ICIA NASW/TX supports legislation that promotes all people regardless of national origin such as bills that protect victims of crime, promote the educational development of students, safeguard people's access to housing, provide opportunities to acquire an identification or driver's license, and contributes to the efficiency of law enforcement, government agencies, and public entities. The ICIA NASW/TX strongly opposes legislation which inhibits the rights of immigrants by forcing them to live in certain cities, deny birth right citizenship, deny access to schools, driver's license/identification cards, and housing, and compromise public

safety by requiring law enforcement and governmental agencies to enforce federal immigration law. NASW/TX should support legislation consistent with NASW ethics and values and oppose that which is discriminatory and impedes human rights.