

Arizona's Immigration Law—Not for Wisconsin

By Jerry Grzecka and John Sesini
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Wisconsin Republican legislator, Don Pridemore, is using Arizona's controversial immigration law as a model for Wisconsin. The Hartford Senator plans to introduce a bill at the start of the legislative session in January that would require local law enforcement to confirm the immigration status of anyone arrested or charged with a crime in the state.

Under Pridemore's proposed bill, suspected offenders would have 48 hours to prove citizenship by showing a birth certificate, passport, or immigration papers before they are turned over to Immigration and Customs Enforcement (ICE). Stacy Harbaugh, a community advocate for the ACLU of Wisconsin's Madison office, said the organization is hoping legislators will "really consider the civil rights implications and the legal fees attached" to the bill if it becomes law. "This is not doing our economy any good to profile people of color," Harbaugh said.

Pridemore said the bill is important as Wisconsin is not enforcing its immigration laws strongly enough, which could lead to a larger illegal immigration problem. However, Senator Pridemore never addresses what the larger "illegal immigration problem" is and fails to address the racial and economic ramifications of Arizona's SB 1070 law.

Proponents of the law fail to come up with any factors that could be used to determine "reasonable suspicion" that do not involve illegal racial profiling. If passed, this bill would give law enforcement the broad authority to determine what constitutes "reasonable suspicion."

One of the most costly economic ramifications of the proposed bill lies in the possibility of residents suing local governments for not enforcing immigration laws. Counties and municipalities could be compelled to pay penalties of up to \$500 a day. State funds could be depleted. This legislation would guarantee that many viable and costly lawsuits would be filed against the State of Wisconsin by individuals and likely the federal government. Wisconsin could spend millions of dollars in

lawsuits defending the bill – lawsuits the state is unlikely to win. In fact, Arizona has spent more than \$440,000 through this past June defending its state against lawsuits related to its immigration law. Legal costs are expected to top \$1 million, as Arizona battles seven federal suits. By adopting such immigration laws, Wisconsin would likely suffer the same fate.

"I want Wisconsin to be recognized as a state that will be on the side of Arizona," Pridemore says. But does Wisconsin really support immigration legislation that would incur the government hundreds of thousands of dollars in legal penalties and promote racial profiling under vague guidelines of "reasonable suspicion"?

While Rep. Pridemore is right to be frustrated with the federal government's response to our nation's immigration problems, his proposed legislation is not the answer for Wisconsin. Time, money and energy would be much better spent fixing our national immigration system with a comprehensive plan.

For more information on Rep. Pridemore's proposed bill or any other immigration matters, please contact Grzecka Law Group at (414) 342-3000 or visit our website at www.grzecalaw.com.



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