



NEWS

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*U.S. Representative C.L. "Butch" Otter
First District - Idaho*

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OTTER BACKS LOCAL PATRIOT ACT RESOLUTIONS *CONGRESSMAN APPLAUDS CITIZENS, COMMUNITIES FOR PROTECTING CIVIL LIBERTIES*

WASHINGTON, D.C. – Congressman C.L. "Butch" Otter issued a letter on Wednesday endorsing the efforts of citizens and community organizations throughout Idaho and America to roll back what a growing number of people believe to be egregiously unconstitutional elements of the USA PATRIOT Act.

Below is the text of the letter.

Dear Friend of Liberty:

Spontaneous grassroots movements that begin in communities and grow into national movements can, and often actually do, produce meaningful change in government. Americans have a unique ability to achieve political change through grassroots, participatory democracy. Political movements which began with small groups of committed individuals - the abolition of slavery, voting rights for women, civil rights for minorities and American independence itself - have resulted in a nation with core values of freedom, liberty and respect for the individual.

The core American value of individual liberty is now being threatened by intrusive government policies adopted in the aftermath of 9/11. As the smoke was still rising from the Trade Towers, the Pentagon and a Pennsylvania field, Congress quickly adopted the USA PATRIOT Act which greatly expanded the government's power to monitor the activities of ordinary, law abiding people and secretly search the homes and possessions of innocent Americans.

I applaud the efforts of those across America who are writing the latest chapter in our long history of political mobilization. I stand behind individuals working at the community level to protect civil liberties. Communities are banding together and standing up against the USA PATRIOT Act and its efforts to undermine or eliminate essential liberties. The very liberties that make our nation unique must not be sacrificed for the sake of new measures that may not effectively ensure our safety.

I support local communities across the country, and especially here in Idaho, who are resolving to maintain higher standards for protecting civil liberties than the standards currently being used by the federal government. These resolutions reaffirm our nation's commitment to civil liberties from the bottom up and reject offensive portions of the USA Patriot Act. Communities can, and should, express their objections to activities authorized by the USA Patriot Act that undermine fundamental freedoms and threaten core American values.

[MORE]

The resistance to intrusive government policies is growing and reminds us that Americans remain firmly committed to liberty and democracy. I join with many Americans in communities across the nation in choosing to respect civil liberties even if the federal government will not.

As Always – Idaho, Esto Perpetua

O

C.L. “Butch” Otter
Member of Congress

[30]

Conservative Voices Defending Civil Liberties, Post September 11

James Sensenbrenner (R-WI), Chair of the House Judiciary Committee ("J. Edgar Hoover Is Back" *Washington Times*, 6/10/2002) "The Justice Department has gone too far. [We can have security]... without throwing respect for civil liberties into the trash heap. We don't have to go back to the bad old days when the FBI was spying on people like Martin Luther King."

Dick Armev (R-TX), House Majority Leader and Chair of the House Select Committee on Homeland Security, ("Armev: Justice 'Out of Control'" *USA TODAY*, 10/16/2002) "I told the President I thought his Justice Department was out of control... Are we going to save ourselves from international terrorism in order to deny the fundamental liberties we protect to ourselves?... It doesn't make sense to me."

Phyllis Schlafly, President of the Eagle Forum (Letter to Members of Congress, October 2, 2001, <http://www.cdt.org/security/011002eagleforum.shtml>) "We can have security and civil liberties in a time of crisis. The Fourth Amendment is one of our most precious constitutional rights, and we will not hand it over to the terrorists. Proposals that give the federal government unprecedented police power to snoop and spy on law-abiding citizens must be rejected. We do not want an American society where everyone is treated as a terrorist, money launderer, drug trafficker, or criminal. Only totalitarian regimes monitor the private actions of law-abiding citizens."

David Keene, Chairman of the American Conservative Union ("Ashcroft: Good Intentions on a Bad Road" *The Hill*, 7/31/2002) "The Bush administration argues convincingly that roving wiretaps, reading people's e-mail, putting video cameras on every corner and perusing their library habits will make it easier to catch terrorists before they act...the problem is that once all this is in place, we will no longer be living in the same country we lived in prior to Sept. 11."

Paul Weyrich, President of the Free Congress Foundation ("Ashcroft's Terrorism Policies Dismay Some Conservatives" *The New York Times*, 7/24/2002) "A lot of the social conservatives appreciate the stands he's taken on child pornography and the Second Amendment and a number of social issues. But there is suddenly a great concern that what was passed in the wake of 9-11 were things that had little to do with catching terrorists but a lot to do with increasing the strength of government to infiltrate and spy on conservative organizations." [In an 8/6/2002 op-ed in the *Washington Times*, Weyrich indicated that his concerns primarily related to how a future Attorney General, not Ashcroft, would use new governmental powers.]

Ken Connor, President of the Family Research Council ("Ashcroft's Terrorism Policies Dismay Some Conservatives" *The New York Times*, 7/24/2002) "It's important that we conservatives maintain a high degree of vigilance. We need to ask ourselves the questions, 'How would our groups fare under these new rules?'"

Grover Norquist (Americans for Tax Reform), David Keene (American Conservative Union), and Raymond Flynn (Catholic Alliance, former mayor of Boston) (letter to President George W. Bush, 5/30/2002) "[W]e believe that the policy change contemplated by the Department of Justice represents a dramatic shift which is likely to undercut local law enforcement while raising troubling new questions about the intersection of local law enforcement and Federal law. We support the efforts of this Administration to fight terrorism at home and abroad, but believe such efforts are ill served by sweeping and unnecessary policy changes that would have far broader implications for a free society."

C.L. 'Butch' Otter (R-ID) (Idaho Statesman, July 7/02/03) "You cannot give up freedom, you cannot give up liberty, and be safe...When your freedom is lost, it makes no difference who took it away from you."

Newt Gingrich ("The Policies of War Refocus the Mission", *The San Francisco Chronicle*, 11/11/03) I strongly believe Congress must act now to rein in the Patriot Act, limit its use to national security concerns and prevent it from developing "mission creep" into areas outside of national security.



Patriot Fixes

Special to the Wall Street Journal by Bob Barr

Friday, November 12, 2004 at 9:00 AM

The most common charge levied against critics of the Patriot Act -- one that Alberto Gonzales, the new face of Justice, is likely to repeat in his days ahead -- is that they're "misinformed." Well, as a former U.S. attorney appointed by President Reagan, a former CIA lawyer and analyst, and a former Congressman who sat on the Judiciary Committee, I can go mano a mano with any law-enforcement or intelligence official on the facts. And the facts say that the Patriot Act needs to be reviewed and refined by Congress.

Critics of the Act are not calling for full repeal. Only about a dozen of the 150 provisions need to be reformed; these, however, do pose singular threats to civil liberties. Here's how to bring them back in line with the Constitution.

The two most significant problems are sections 213 and 215. The first authorized the use of delayed-notification search warrants, which allow the police to search and seize property from homes and businesses without contemporaneously telling the occupants. The Justice Department often claims that this new statutory "sneak and peek" power is innocuous, because the use of such warrants was commonplace before. Actually, the Patriot Act's sneak and peek authority is a whole new creature. Before, law enforcement certainly engaged in delayed-notification searches, especially in drug investigations. Importantly, this authority was available in terrorism investigations. Courts, however, put specific checks on these warrants: They could only be authorized when notice would threaten life or safety (including witness intimidation), endanger evidence, or incite flight from prosecution. It was a limited and extraordinary power.

The Patriot Act greatly expanded potential justifications for delay. The criminal code now allows secret search warrants whenever notice would "jeopardize" an investigation or "delay" a trial -- extremely broad rationales. The exception has become the rule. Congress should remove that catch-all justification and impose strict monitoring on the use of these secret warrants.

The other primary problem is the "library records" provision, Section 215. This amended a minor section of the 1978 Foreign Intelligence Surveillance Act, which created a specialized court for the review of spy-hunting surveillance and search requests. This "business records" section allowed agents to seize personal records held by certain types of third-parties, including common carriers and vehicle rental companies. The Patriot Act made two changes to this relatively limited power: It allowed the seizure of any "tangible thing" from any third-party record holder (including medical, library, travel and genetic records); and it removed the particularized suspicion required in the original statute.

Pre-2001, investigators had to show "specific and articulable facts" -- a standard much lower than criminal probable cause -- that a target was a spy or terrorist. Now, that already low standard has been lowered further. Agents simply certify to the intelligence court that the records desired are relevant to an investigation -- any investigation -- and the judge has no real authority to question that assertion, rendering judicial review meaningless.

Reformers on the left and right want two fixes to this section. First, reinstall the individualized suspicion requirement. This reflects the Fourth Amendment notion that the government cannot invade privacy and gather evidence unless it has reasonable suspicion that one has done wrong. The proposed "fix" would retain the section's broad "tangible things" scope, but with a safeguard against abuse. The authorities would still be able to go to a criminal grand jury to demand the production of the same records, providing additional flexibility for counterterrorism work. Second, Congress should require additional reporting requirements.

There are other refinements desired by the Act's critics. The new definition of domestic terrorism in Section 802 can be used by prosecutors to turn on an array of invasive new authorities, including broad asset-forfeiture powers, even when the underlying crime does not rise to the level of "terrorism." The preferred legislative reform keeps the definition, but links it to specific crimes like assassination or kidnapping.

Reasonable critics of the expansive provisions of the Patriot Act, on both sides of the aisle and in both Houses, have introduced legislation that would implement these modest changes. Far from gutting the Act, these would secure the important powers of the law, but place modest limits on their use. For most of us who voted for the Act, what sealed the deal was the inclusion of provisions that would require us to take a sober second look at the most contentious provisions in the Act by the end of 2005, before reauthorizing them. That time is coming, and the Justice Department does not want to lose the emergency powers it won in the aftermath of 9/11. But Congress should resist its overtures, move forward on the sunsets, and enact additional Patriot fixes if it believes them needed.

NRA DEFENDING CIVIL LIBERTIES

POST SEPTEMBER 11

CHARLTON HESTON, President of the National Rifle Association (American Rifleman, "President's Column", May 2002):

Our right to privacy, one of our most fundamental rights as free people, is being eroded as we are followed and photographed, scanned and screened, patterned and profiled, cataloged and cross-referenced, compiled in databases, and combed for clues to future behavior in more ways, in more places, for more reasons and more often than ever before. This represents a polar shift in the traditional American relationship between the individual and the state -- a shift that, if allowed to continue to its natural end, cannot be easily undone. Because once we've handed over the immense power that these surveillance regimes demand -- once we've untethered the corrupting influence that such power invariably exerts on its bearers -- how, exactly, do we get our freedoms back? ... The technology may be new, but its misuses are as old as hatred or greed. We all know from the Hitlers, Stalins and Maos of history exactly where this can lead. But where does it all end? When we're all strip-searched, DNA-scanned, followed, filmed, tracked and profiled from the cradle to the grave? What are the consequences for freedom when the state can concentrate such power, and such power can be so easily misused?

WAYNE LaPIERRE, Executive Vice President of the National Rifle Association (Speech at the Conservative Political Action Conference, February 2002, <http://www.nrahq.org/transcripts/cpac0202.asp>):

Since then [September 11th], we've watched social and political marketers jockey for position, seeking advantage on the back of tragedy for more government regulation, intrusion and expansion. We've witnessed a fire sale of American liberties at bargain basement prices, in return for the false promise of more security. Freedom is the first bargaining chip of a scared people. But it's always a losing bet. I'm here to say, don't do it... The federal government is working with the states to develop driver's licenses that can electronically store information, like fingerprints. Plus your retinal scan, voiceprint, hand geometry or DNA. Maybe your credit history, your residential information, your banking history, your medical and mental health records, your marital status, your ATM withdrawals, turnpike use, library checkouts, movie rentals, pharmacy prescriptions, phone call records, and firearms by serial number and address. What's the potential for abuse of a system where all that information gets compiled and is available only to criminal hackers, corporate marketers, corrupt politicians and government hacks? Congress has given the CIA vast new powers and billions of dollars to use them. The CIA can now read secret grand jury testimony without a judge's prior approval. They want to intercept e-mail without a warrant and more powers to eavesdrop on people. And the technology exists to pull it all off. The only people who can stop all of this are you and me. Indeed, the only people who've ever drawn the line, by refusing to toe the line, are the patriots like you who stand up and say, NO MORE. Maybe you think that with President George W. Bush in the White House, everything is safe. You think you can put aside your principles, just this once, to be a loyal conservative ... But if we, as conservatives, don't stand up for these fundamental truths, who will? Never accept the idea that surrendering freedom - any freedom - is the price of feeling safe.

DON YOUNG (R-AK), Board Member of the National Rifle Association

1. (Associated Press, May 14, 2003, published in the Anchorage Daily News, <http://www.adn.com/alaska/story/3117168p-3141727c.html>)

"I think the Patriot Act was not really thought out. I'm very concerned that, in our desire for security and our enthusiasm for pursuing supposedly terrorists, that sometimes we might be on the verge of giving up the freedoms which we're trying to protect...I don't think its anybody's business what I'm reading in the library."

2. (Radio Interview on Talk of Alaska, February 11, 2003)

Everybody voted for it [The USA PATRIOT Act] but it was stupid, it was what you call 'emotional voting'...we didn't follow it through, we didn't study it. I say it's the worst piece of legislation we've ever passed.

3. (Congressional Quarterly Today, "Political Right Meets Left In the Library Checkout Line", May 15, 2003)

"The bill was passed in a moment of passion. The way the bill is written now is unconstitutional."

BOB BARR, Board Member of the National Rifle Association, Former Republican Congressman from Georgia, and now Chair of the Civil Liberties Committee at the American Conservative Union

1. (National Public Radio, Morning Edition, June 9, 2003, 10am)

What they've done since 9/11 is to use the threat, the fear of terrorism to justify all sorts of growth in government power, particularly in the criminal law area, that frankly is undermining the very foundation of our Bill of Rights, which is in large measure the Fourth Amendment. It used to be that the government could not gather evidence on you unless they had a good reason to do so. We've basically thrown the Fourth Amendment out the window and that's what's so particularly disturbing.

2. (The Atlanta Journal Constitution, "ACLU Cites Concerns over Ashcroft for Membership Boost", June 11, 2003)

[The federal government is] reaching too broadly and gaining too much power...Privacy, what little we have left, is at stake with the Patriot Act and other laws being considered.



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Talking Points

S. 1709, the Craig-Durbin Security and Freedom Enhanced (SAFE) Act of 2003

Three years after the passage of the USA PATRIOT Act, the movement to fix this broad and un-American piece of legislation is gaining incredible momentum. When passing the Patriot Act, Congress, in their wisdom, made about 10 percent of the bill temporary, scheduled to expire in 2005 unless reauthorized by Congress. Hearings on the Patriot Act "sunset" provisions begin in Congress on April 5, 2005. While the expiration of these provisions will help to restore our civil liberties, some of the most intrusive provisions in the Patriot Act are not coming up for review; they are permanent changes to the law. That is why, in addition to making sure the "sunset" provisions expire, a true restoration of checks and balances also requires passage of another bill, the SAFE Act.

Sens. Larry Craig (R-ID) and Richard Durbin (D-IL) took the lead in the Senate by introducing the bipartisan Security and Freedom Ensured (SAFE) Act of 2003 (S 1709). This legislation will be reintroduced in 2005 and would represent a significant first step toward restoring checks and balances.

Passage of the SAFE Act would not take away any of the new powers granted to the Department of Justice in the USA PATRIOT Act. Instead, the SAFE Act would simply balance these new powers with sensible safeguards.

Specifically, the SAFE Act would:

- **Require individual suspicion for searches of library, bookstore or other sensitive records.** The USA PATRIOT Act expanded the Foreign Intelligence Surveillance Act (FISA) to allow the government to obtain library, bookstore or other personal records simply by saying to the Foreign Intelligence Surveillance Court or a federal magistrate that they are wanted for an counter-intelligence or counter-terrorism investigation. The SAFE Act protects the freedom to read and the privacy of other personal records maintained by universities, doctors, banks, travel agents and employers by requiring "specific and articulable facts" that the records belong to a spy, terrorist, or other foreign agent. The SAFE Act would also amend the law to clarify that federal agents may not use "national security letters" to get the records of users of a public library's computers without a court order.

- **Reasonable limits on “sneak and peek” searches.** The USA PATRIOT Act allows “sneak and peek” searches whenever the government shows notice might have an “adverse result” and permits delays for an unspecified “reasonable time.” The SAFE Act requires the government to show one of three specific reasons – preserving life or physical safety, preventing flight from prosecution, or preventing destruction of evidence – to delay notice of a search warrant, and delays are limited to renewable seven-day periods.
- **Safeguards for “roving wiretaps” in foreign intelligence investigations.** The USA PATRIOT Act authorized roving wiretaps in foreign intelligence investigations, but did not include a sensible privacy safeguard that is required of roving wiretaps in criminal investigations. For criminal roving wiretaps, when federal agents place a wiretap and do not know what telephone or other device the target may use, they must “ascertain” that the target is using that telephone or device. The SAFE Act extends this safeguard to foreign intelligence investigations, helping to ensure the government does not eavesdrop on the conversations of innocent people. The USA PATRIOT Act also contained an apparent error in that it allows roving wiretaps even if federal agents do not know who is the target or what telephone or device is being used. The SAFE Act clarifies the law to require that federal agents know at least one of these two things to obtain a roving wiretap.
- **An expanded sunset, and additional reporting on USA PATRIOT Act powers.** The SAFE Act would cause four additional USA PATRIOT powers to expire at the end of 2005, allowing them to be reviewed when Congress considers whether to extend the sunset. These are “sneak and peek” delayed-notification searches (sec. 213), monitoring of detailed Internet and website addressing information without probable cause (sec. 216), nationwide search warrants (sec. 219), and expanded “national security letter” authority to obtain personal records without a court order (sec. 505). The SAFE Act also requires additional reporting on “sneak and peek” searches and FISA records searches.

Police Opposition to Local Enforcement of Immigration Law

Police Departments

Chicago (IL) Police Department, Tom Needham, Former General Counsel and Chief of Staff

[Noting that the mission of police is to prevent and solve crimes] "It would be virtually impossible to do that effectively if witnesses and victims, no matter what their residency status, had some reluctance to come forward for fear of being deported."

("U.S. Weighs Local Role on Immigration," *Chicago Tribune*, 4/14/02)

Los Angeles (CA) Police Department, Sgt. John Pasquariello

"Because of our immigrant population here and our diverse communities, we don't want to alienate anybody, or give anybody fear... That's just not our policy. Hasn't been for twenty years."

("Police Want No Part in Enforcing Immigration," *Los Angeles Times*, 4/5/02)

Austin (TX) Police Department, Assistant Chief Rudy Landeros

"Our officers will not, and let me stress this because it is very important, our officers will not stop, detain, or arrest anybody solely based on their immigration status. Period."

("Austin Police Won't Arrest People Only for Immigration Status," KEYE CBS, Austin, 4/5/02)

Denver (CO) Police Department, Chief Gerry Whitman

"Communication is big in inner-city neighborhoods and the underpinning of that is trust. If a victim thinks they're going to be a suspect (in an immigration violation), they're not going to call us, and that's just going to separate us even further."

("Immigration Bill Has Police Uneasy," *Denver Post*, 4/22/02)

San Diego (CA) Police Department, David Cohen, Spokesperson

"Our policy has been and continues to be that we are not federal immigration officers, and our department guidelines for dealing with undocumented persons are very strict and are unlikely to change."

("Police May Gain Power to Enforce Immigration," *San Diego Union-Tribune*, 4/3/02)

Miami (FL) Police Department, Lt. Bill Schwartz, Spokesperson

"We will not function in an INS capacity. It's not our job. Our job is to solve crimes. We have way too much to do to be acting as INS agents."

("Critics Assail Plan to Have Local Police Enforce Immigration Laws," *South Florida Sun-Sentinel*, 4/25/02)

Sacramento (CA) Police Department, Chief Arturo Venegas, Jr

"I don't think it's a good idea. We've made tremendous inroads into a lot of our immigrant communities. To get into the enforcement of immigration laws would build wedges and walls that have taken a long time to break down."

("Administration Split on Local Role in Terror Fight," *The New York Times*, 4/29/02)

Metropolitan Washington (DC) Police Department, Chief Charles H. Ramsey

"To begin in earnest checking immigration status, I can see where that could cause some tremendous strain. Unless there's some reasonable suspicion of a crime occurring, we need to be careful about the role we play."

("INS Role for Police Considered," *The Washington Post*, 4/4/02)

Putnam County (TN) Police Department, Sheriff Jerry Abston

"I wouldn't have the resources to do that...Money's tight in the state in the counties, too. It's [the INS] job to take care of the borders, and I just think they need to do it."

("Midstate Authorities Balk at Possibly Enforcing Immigration Laws," *The Tennessean*, 4/15/02)

Hillsboro (OR) Police Department, Chief Ron Louie

"We're trying to build bridges with people living in fear. If police officers become agents of the Immigration and Naturalization Service, their ability to deal with issues such as domestic violence and crime prevention will be severely curtailed."

("Helping People Without Papers," *Portland Oregonian*, 4/5/02)

Lake County (FL) Sheriff's Office, Mike Brewer, Legal Advisor

"It's an unfunded mandate. Now law-enforcement officers who should be looking for burglars and robbers are going to be looking for illegal aliens, with no additional monies for deputies coming down."

("Some Police Eager to Help INS Agents," *Orlando Sentinel*, 4/5/02)

San Antonio (TX) Police Department, Chief Albert Ortiz

"Any time we get mandates and more work without a commensurate amount of resources, something has to suffer. One of the beauties of living in San Antonio is we have a lot of diversity and we seem to pull together. If that [mandate] happens, we'd really have to think very hard about where it would be on our priority list, and if it would even be a priority...We've tried so very hard for years to build bridges to all segments of our community. This would be a setback in that regard."

("Sheriff, Top Cop Blast INS Proposal," *San Antonio Express News*, 4/5/02)

Ventura County (CA) Sheriff's Department, Eric Nishimoto, Spokesperson

"We're not in favor of having our department being responsible for that function. The number one risk is the potential for civil rights violations. Right now we're involved in preventing any kind of racial profiling and this type of function could open us to that kind of risk...We feel our officers are not equipped to make that kind of determination of who is legal. In the 70's, one of our tasks was to round up illegals and it was very difficult to make that kind of determination. From a practical standpoint, we're not staffed to do that, especially in this time of budget reductions."

("Proposal for Police to Act as INS Agents Denounced," *Ventura County Star*, 4/6/02)

San Joaquin County (CA) Sheriff's Office, Lt. Armando Mayoya

"If police officers start reporting to the INS, more undocumented workers could wind up as victims. Criminals soon would realize that undocumented workers would be unlikely to call police for fear of being deported and target them for attacks. Racial profiling also could intensify if police are tasked with upholding immigration laws, and it wouldn't just be Latinos targeted by police."

("U.S. May Let State, Local Authorities Enforce Federal Immigration Laws," *Dallas Morning News*, 4/3/02)

Whatcom County (WA) Sheriff Dale Brandland

"My current policy is that if we run into an illegal alien, we detain them for the Border Patrol. We don't actively pursue illegal aliens. . . . We are underfunded as it is and to try to take on that responsibility is just unacceptable. . . . [The federal government has been trying to get us to do this] for years and quite frankly it just doesn't work. . . . It's really a sore subject for me. If there is a legitimate interest here, if there is a risk to our communities, we want to be a part of the team. What I would not do is go out and start hunting for illegal aliens just because John Ashcroft says I'm allowed to."

("Police balk at watching for illegal immigrants," *Seattle Post-Intelligencer*, 5/2/2002)

Metropolitan Nashville (TN) Police Department, Don Aron, Spokesperson

"We don't have any desire for all 1,300 members of the Police Department to be quasi-INS agents."
("Midstate Authorities Balk at Possibly Enforcing Immigration Laws," *The Tennessean*, 4/15/02)

Stockton (CA) Police Department, Chief Edward Chavez

"To be quite honest, if people are law-abiding and are here to earn a productive life and be a contributing member of society...they should be allowed to live their lives."
("S.J. Officials Blast INS Role for Police," *Stockton Record*, 4/4/02)

Waco (TX) Police Department, Chief Alberto Melis

"I worry that there are people who don't ask for help because they have fear of the police."
("Waco Police Chief Asks Immigrants Not to be Afraid to Report Crimes," *Waco Tribune-Herald*, 4/15/02)

Anaheim (CA) Police Department, Mike Hildalgo, Spokesperson

"We have enough problems just doing our routine calls and investigating the everyday things. This would put additional burden on us that we probably wouldn't be able to handle."
("Immigrants Worried, Coe Pleased," *Orange County Register*, 4/4/02)

Glenwood Springs (CO) Police Department, Chief Terry Wilson

"That's a whole different area of law that we have to come up to speed on. We have enough on our plates right now. It's not as if we're out looking for extra things to do."
("Immigration Bill Has Police Uneasy," *Denver Post*, 4/22/02)

Newark (CA) Police Department, Chief John R. Robertson

"This is a democracy, based on freedom, and people have a right to basic human dignity. That means they're not going to be questioned just because of their appearance."
("Administration Split on Local Role in Terror Fight," *The New York Times*, 4/29/02)

Arlington (TX) Police Department, Chief Theron Bowman

"We can't and won't throw our scarce resources at quasi-political, vaguely criminal, constitutionally questionable, not any other evolving issues or unfunded mandates that aren't high priorities with our citizenry."
(*Dallas Morning News*, 4/5/02)

Hillsdale (NJ) Police Department, Sgt. Robert Francaviglia

"We've been trying to get the immigrants in our town to believe that we're not like many of the governments in their old countries, governments that were corrupt and wanted to railroad them, not serve them."
("Policing Immigration," *Bergen Record*, 4/22/02)

Palisades Park (NJ) Police Department, Chief Michael Vietri

"If the Justice Department deputizes us and we make an arrest, then what do we do? Send them to the county jail? Now I'd be paying my officers to go to the county courthouse or jail, or worse, farther away to Newark? Who's going to reimburse us? There are so many people who could get arrested in Palisades Park alone, you're talking maybe having to deal with county and federal courts. They could take days, or more...the point about doing this to fight terrorism sounds like a decent idea, but when you go deeper, you see the possible effects."
("Policing Immigration," *Bergen Record*, 4/22/02)

Fairview (NJ) Police Department, Officer Ronald Bononno

"They're trying to make a living, that's what they're doing here. Ninety percent of the times, these guys are victims of crime. Should they have come legally? Sure, they should have. But they're working here, standing right on the same corner where my grandfather Carmine did when he came from Italy, to wait for people to pick him up for work."

("Policing Immigration," *Bergen Record*, 4/22/02)

New York Police Department, Chief Michael Collins

[A New York City executive order forbids the police department from checking the immigration status of crime victims, persons seeking assistance, or coming forward as witnesses] "This will not change. The most important thing is that people should not be afraid to come to us for help."

("INS Work Improper for NYPD," *New York Daily News*, 5/6/02)

Police Associations

California Police Chiefs Association, Chief Bob McConnell, President

"[I]t is the strong opinion of the California Police Chiefs Association leadership that in order for local and state law enforcement organizations to continue to be effective partners with their communities, it is imperative that they not be placed in the role of detaining and arresting individuals based solely on a change in their immigration status."

(Letter to Attorney General John Ashcroft, 4/10/02)

Police Foundation, Hubert Williams, President

"The nature of the police role is to establish the trust and confidence of people living in a community. That is a vital link for police for information on criminal activity...Where does this fit in the context of priorities? Would it go ahead of robbery, homicide, drug offenses, any of those things?"

("U.S. Weighs Local Role on Immigration," *Chicago Tribune*, 4/14/02)

National Latino Peace Officers Association, José Carlos Marmots, President

"If this means that we have to stop Mexicans and ask them for their documents, we certainly won't support this. That's called racial profiling, and we don't condone that type of action. We have other more pressing priorities that are more important to ensuring the safety of our community."

("U.S. May Let State, Local Authorities Enforce Federal Immigration Laws," *Dallas Morning News*, 4/3/02)

Dallas Police Association, Senior Cpl. Glenn White, President

"The strain on local police already is enormous, and to ask us to arrest and detain immigrants is something the federal government needs to address by funding the INS some more and hiring additional personnel."

("U.S. May Let State, Local Authorities Enforce Federal Immigration Laws," *Dallas Morning News*, 4/3/02)

Washington Association of Sheriffs and Police Chiefs, Larry Erickson, Executive Director

"We don't have enough people to do what we are supposed to do -- without taking on jobs that the federal government is supposed to do."

("Police balk at watching for illegal immigrants," *Seattle Post-Intelligencer*, 5/2/2002)