

**HOUSE OF REPRESENTATIVES
COMPILATION OF PUBLIC COMMENTS**

Submitted to the Committee on State Affairs
For HB 4

Compiled on: Thursday, October 19, 2023 4:15 PM

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Hearing Date: October 19, 2023 10:30 AM - or upon final adjourn./recess or bill referral if permission granted

Anna Lee Aitken
Self
Tomball, TX

I am for the above bill. In view of the current situation in the Middle East, it is imperative that we remove all illegals. They have not been vetted and we do not know where they came from and nor do we know their intentions. This wide open border is a national security emergency. The border needs to be closed now. Inaction by the Texas Legislature is encouraging and condoning illegal crossings. When, not if because it will happen, there is a terrorist attack in this country, you will be just as culpable as the Biden administration.

Terri Larson
Self, public relations
The Woodlands, TX

The ability to seek asylum is a human right that is long recognized in both U.S. and international law - a state law cannot nullify a federal law, making this a waste of time that could be spent on real issues faced by Texas families. The proposed policy contradicts this, robbing many asylum seekers of a fair chance to present their case to an immigration judge. Focus instead on providing Texas families with public education and access to essential healthcare.

Rebekah Adams
self
MC KINNEY, TX

As a Texas parent and homeowner, I want to see increasing enforceable criminal penalties to punish those selling or buying human beings. Trafficking in Texas must stop!

Rebekah Adams
self
MC KINNEY, TX

Texas MUST remove persons who illegally enter the United States via Texas. This is a crime. Traffickers and drug dealers are using/aiding these people (as mules, prostitutes, and terrorists). Terrorists are entering our country undetected. REMOVE illegal aliens NOW.

Carrie Leal
self-mother
Dec, TX

I am writing today to ask that you quickly pass SB 7 out of committee to prohibit private employer COVID-19 mandates. A free society MUST have medical freedom.

Thank you, C. Leal

Sharon Tryon
Self
Waxahachie, TX

I am for this bill. We need to stop the illegal entry at the border.

Vicki Adams, Pct chair 1057
Self
Midlothian, TX

Is our Texas government protecting its citizens or more worried about compassion and housing ILLEGAL immigrants! Are we not your first concern and how could anyone argue that the safety of its citizens come first above all else? We need to stop selling away our country to other nations. The land in the US should never be sold to any one person who then turns it around to people who are here ILLEGALLY. Make laws now to stop this and protect Texans!

Lisa Williams
Self - attorney
Austin, TX

The open border has made our country less safe. The people traveling here are horribly mistreated on the way and are vulnerable once they are here. Our system cannot take any more dependents. Please get the border under control.

Ebenezer Zabayer
Sef
Dallas, TX

I believe in this modern world, fixing the root cause of immigration is much more crucial than spending time uprooting those that are already here. Those that are here and are trying to contribute to our economy, is that who we should be really going after. This bill does no good long term, and that is all we should be looking to solve!

Eric Mata, President Emeritus

Texas Organizing Project

Dallas, TX

I am writing to express my strong opposition to HB 4, the bill introduced by Representatives Spiller and Clear. This bill is a dangerous overreach of government power that would violate the rights of immigrants and citizens alike.

HB 4 would give law enforcement the authority to stop and question anyone they believe may be an undocumented immigrant, without any reasonable suspicion. This would effectively create a two-tiered justice system, in which immigrants are subject to different standards of law enforcement than citizens.

The bill would also make it a crime to knowingly transport or harbor an undocumented immigrant. This provision would have a chilling effect on the immigrant community, making it difficult for people to seek help from friends, family, and religious leaders.

HB 4 would also make it easier for the state to deport immigrants who have not committed any serious crimes. This would tear families apart and make it more difficult for immigrants to contribute to our economy.

I urge you to vote against HB 4. This bill is harmful to our state and our values.

In addition to the above, I would like to add the following specific concerns about HB 4:

The bill would disproportionately impact people of color, who are more likely to be stopped and questioned by law enforcement. The bill would create a climate of fear and distrust between immigrants and law enforcement, making it more difficult to solve crimes.

The bill would damage the economy by making it difficult for businesses to attract and retain immigrant workers.

I urge you to stand up for the rights of immigrants and citizens alike by voting against HB 4.

Nathan Harris

Self

Kyle, TX

We need to do something to stop the massive influx of military aged men seeing financial prospects or other non-valid reasons for asylum. It is a national security risk as well as a personal safety risk.

The federal government has abdicated its duty, so Texas must shore up the gaps

Steven Wu
Woori Juntos
Houston, TX

Chairman Hunter and members of the House Committee on State Affairs,

My name is Steven Wu and I am the Organizing and Policy Director of Woori Juntos. We're an immigrant rights organization working with impacted Asian and im/migrant communities to reclaim their power through interconnected and culturally competent service, education, organizing, and advocacy. I ask each of you to vote NO on HB 4.

As an organization that provides social service navigation, education, and community building with non-citizens in Houston and across Texas, we deeply fear that if this bill passes, many of our people, including our Asian members, will be ensnared by provisions empowering local / state law enforcement to arrest, detain, and even remove people suspected of "illegal" entry or re-entry. Why is this dangerous:

- 1) Law enforcement will have to navigate complicated immigration law to suspect if someone violated this bill and will naturally lead to profiling of certain races or ethnicities to target.
- 2) With how our current port of entries are operating, many people seeking safety from other countries are forced to enter the US through other places. Criminalizing them with state penalties for seeking asylum will not work as a deterrent. It will only hurt those seeking a better life.
- 3) Trust between communities and law enforcement will deteriorate even more. We hear how officials want to build strong relationships between law enforcement and the communities they serve - this will make it that much harder.
- 5) Indemnifying local officials and law enforcement from legal fees for potential lawsuits for executing this policy will only embolden those in law enforcement to act with more brazen to target Black and Brown communities.
- 6) There is currently no cost estimate from LBB for this bill. And with clear intention to challenge precedent in *Arizona v U.S.* - the cost of the bill + the cost of litigation could all have been spent addressing real concerns along the border and with communities across Texas: healthcare, public education, housing.

On top of the dangers of the bill, it is also unclear why certain federal codes 8 U.S.C. Section 1231(a)(4)(B) in section 51.03 (b)(1)(D) were chosen to increase penalties to a 3rd degree felony.

Bottom line is that this bill will increase the very real risk of profiling people in Texas who don't speak English well, who are Latine, Black, and Asian - causing even those who don't violate the bill enormous financial burden to prove their innocence while ripping families for others. Simultaneously, attempting to in-practice end asylum is not only cruel and illegal - it denies their humanity.

There is no sense of public safety with this bill. It will in practice create fear, hiding in the shadows, and distrust of government and law enforcement.

Vote No on HB4.

Billy Williams Williams

My Family

Garland, TX

As a 52-year resident, homeowner and taxpayer of Texas, I strongly oppose HB-4. This draconian proposed legislation is:

1. A partisan political attempt to “white wash” America and mostly people of color equal access the “American Dream”, from which the bill sponsors, their ancestors as well as descendants have reaped immeasurable benefits, wealth and prosperity.

2. HB-4 is “state government overreach” which seek to usurp Article 1, § 8, clause 4, of the United States Constitution which specifically grants Congress the power to establish a "uniform Rule of Naturalization." By expressly allocating this power to Congress, the Constitution prevents the confusion that would result if individual states could bestow citizenship.

3. HB-4 dehumanizes other humans (innocent men, women and children). Even cattle in Texas have the respect of “grazing” privileges.

4. HB-4 places state and local law enforcement in a dangerous and precarious involuntary position as enforcers of Federal law.

5. HB-4 places unprecedented financial burdens on local governments to implement this unfunded mandate.

6. Texas voters should have a voice on issues of immigration coming out of the “Dome”

7. I encourage that the so-called “Bible Belt” bill sponsors and their allies meditate on “Matt. 25:37-46.

8. HB-4: So the Texas legislature dismantles and submerges the Statue of Liberty under water.

“Give me your tired, your poor, your huddled masses.

Yearn to breathe free, the wretched refuse of your teeming shore. Send these, the homeless, tempest tossed to me. I lift my lamp beside the golden door.”

This country’s greatness and true genius lies in its diversity!

Vote “NO” - HB4!

stacie smith

self; stay at home parent

houston, TX

HB4 attempts to create a state misdemeanor (or felony depending on a person's criminal history) for crossing the border anywhere other than a port of entry. It allows all peace officers to collect identifying information, transport them to the border and order them to leave the US or detain them. It also asserts that Texas courts must prosecute for the offense regardless of a pending federal determination of immigration status. According to Texas statutes, "Peace officers" include over 30 categories of occupations including officers commissioned by the State Board of Dental Examiners. No state law enforcement officer, and especially this broad category of peace officer, has the authority or training to make determinations of asylum claims. These determinations are left to the federal government and subject to federal immigration law. This law gives this authority to "peace officers" in the state and doesn't specify a specific geographical area. We do not have the authority to implement this law and I urge the House to stop this bill.

<https://statutes.capitol.texas.gov/Docs/CR/htm/CR.2.htm>

Jennifer Borders, Mrs.

N/A - I am a constituent

WESTWORTH VLG, TX

I’d like to express my concern against HB4. This action would needlessly spend taxpayer dollars to arrest, detain, and deport migrants seeking asylum. This is a waste of funds and is a human rights issue which violates international agreements.

Sumit DasGupta

Self

Austin, TX

I doubt anyone, legally admitted aliens, permanent residents or citizens, would protest the deportation of a PROVEN illegal alien using established DUE PROCESS. So, what concerns me about this HB4 bill is the sense of haste and the lack of due diligence that is evident in the implied process, OR THE LACK THEREOF, that seems to imply that a peace officer can summarily escort a potential alien across the border. So, what process does he / she use to arrest an individual and feel sanguine in his belief that this particular individual, for example, one stopped for a simple traffic violation or a broken tail light, needs to be deported? Will the policies and procedures of every police department in Texas be modified to provide an adequate DUE PROCESS to ensure the individual is indeed an illegal alien. Will there be a special court to decide that deportation is justified for individuals arrested under this law? Without the above due process, there is so much room for error, ill intent or incompetence whereby a peace officer could arrest and deport on the basis of skin color, facial features, lack of language proficiency or SIMPLY an inability to provide proof of legal residency ON THE SPOT. I for one, who has been in the US for over 56 years, never carry my citizenship papers or my passport when I travel within these United States. So, could I also fall into this trap where I could be deported too because I look different or that I speak English very differently though very fluently, or whatever excuse the peace officer might conjure up? So, where will the checks and balances come from to safeguard innocent and legal immigrants from abuse of this law?

So, in short, this is a proposed law that is ill-conceived and inappropriate where Federal laws in this arena are sufficiently adequate and complete to safeguard Texas and her citizens. Additionally, this law does not solve any problem that Federal laws do not already cover.

Therefore, I STRONGLY RECOMMEND that this law be rejected.

Alexandra Villarreal

Self

San Antonio, TX

As a native Texan, I strongly urge members of the State Affairs Committee not to advance any proposed legislation — like HB 4 — that takes an enforcement-only approach to border security and defies the long-standing precedent of immigration enforcement as a federal responsibility.

Beyond willfully ignoring federal preemption and other basic tenets of the U.S. Constitution, HB 4 would not restore order or humanity at the Texas-Mexico border. If anything, it would plunge Texas into greater chaos. To understand how, we need only look to our federal government. For many decades, Congress and various administrations have relied on a deterrence paradigm, increasingly erecting barriers, imposing restrictions, and otherwise making it more difficult for people to cross our international line. In fact, unauthorized migration has been a federal crime since 1929, and according to the American Immigration Council, both improper entry and re-entry together constituted the most prosecuted federal offenses in recent years. Nevertheless, people continue to cross, many of them out of desperation after fleeing violence and instability that have made their homes unlivable.

In 2018, Americans witnessed the most devastating consequences of criminalizing migration at the U.S.-Mexico border when a “Zero Tolerance” policy separated children from their parents, who were then prosecuted. Our collective outcry was swift and all-but-unanimous, regardless of party or politics. Laura Bush, our former first lady, called the policy “cruel” and “immoral.” Sen. Ted Cruz said that “kids are better off with their moms and dads.” Nevertheless, five years later, hundreds of families remain separated because of the chaos and disorder of a policy predicated on the ability to criminalize and prosecute people migrating.

Notably, HB 4 does not seem to include any exceptions or protections for families, nor does it safeguard people with a bona fide asylum claim who are still in the (often yearslong) adjudication process. In practice, that could mean that HB 4’s “illegal entry” provisions might lead to an outcome as logistically disastrous and morally bankrupt as family separations, while its removal provisions would pose a very real and urgent threat of violating the U.S.’s international commitments to non-refoulement.

By allowing peace officers to force asylum seekers to return to Mexico without any screening or due process, Texas lawmakers also take the risk of renegeing on their outspoken support for the sanctity of life, as their policies would send some of the world’s most vulnerable lives into dangerous border towns where clear and overwhelming evidence demonstrates they are specifically targeted for rape, kidnappings, extortion, and even murder. Likewise, these makeshift deportations raise serious concerns about international diplomacy with Mexico and potential profiling by Texas law enforcement, both at the border and beyond.

Cathy Edminster
Myself as a citizen
Maypearl, TX

Texas is being invaded at the MX border. It's depleting our safety and resources and we are at a breaking point. Developments like Colony Ridge are a threat to our sovereignty. There should be no entitlements including loans made to non citizens. This whole concept is a threat! It should be halted immediately!!

Erin Dempsey
Self / Attorney
Austin, TX

This bill absolutely cannot pass, mainly because of the cruelty involved. When did Texas become such a place of hate and despair? Please put yourselves in the place of the people walking miles and miles, leaving their homes, risking their lives and their childrens' lives, to maybe have the hope of a better life. How do you not see that? Where is your humanity?

I can also put this into words that you will understand. I do not want my tax money used for cruelty. I would never trust any of you to spend my hard earned tax money in a humane way, and the possibility that it could be used towards mass arrests and deportations for people hoping for safety and a better life makes my blood boil. Do not add me and my family to your inhumanity.

This Bill must not pass. It is anti-American and it should be anti-Texan. Stop catering to your red meat, white, racist donors and try to lead for most Texans that feel the same way I do. Maybe it will help you sleep better at night.

Luis Varela
Self/ Realtor
Pasadena, TX

I support HB 4 as presented here. This legislation is urgently needed to empower law enforcement to curtail the growing invasion of Texas by illegal immigrants.

Prashant Bose
self
Austin, TX

I Oppose this bill. I am very concerned that a police officer may arrest someone with scant evidence, based on looks, color, or language proficiency and ship him / her out with such alacrity that his / her rights may be abridged without any recourse.

Jennefer Canales-Pelaez
Immigrant Legal Resource Center-Policy Attorney and Strategist and Self
Houston, TX

I firmly oppose HB 4. HB 4 creates an unconstitutional state immigration law and is in clear violation of the supremacy clause as it directly interferes with the federal government's exercise of authority over immigration law.

Ashley Rubli
Self
spring, TX

I support HB 4 as presented here. It is urgently needed to empower law enforcement to curtail the invasion of Texas by illegal immigrants.

Lorraine Rice

Myself

Spring, TX

Please put Texans first ! We are making our whole country like the border! This will lead to increased drugs, human trafficking, crime, and general chaos !

Debasree DasGupta

Self

Austin, TX

My concern about this HB4 bill is that it is hastily constructed without sufficient due diligence. It could mean that a peace officer can summarily escort a potential alien across the border. What process does he / she use to arrest an individual and feel confident that this particular individual, for example, one stopped for a minor traffic violation or a broken tail light, needs to be deported? Will the policies and procedures of every police department in Texas be modified to provide an adequate DUE PROCESS to ensure the individual is indeed an illegal alien. Will there be a special court to decide that deportation is justified for individuals arrested under this law? Without the above due process, there is so much room for error, ill intent or incompetence whereby a peace officer could arrest and deport on the basis of skin color, facial features, lack of language proficiency or SIMPLY an inability to provide proof of legal residency ON THE SPOT. I for one, who has been in the US for almost 50 years, never carry my citizenship papers nor my passport when I travel within these United States. Therefore, could I also be caught in this kind of situation where I could be deported too because I look different or that I speak English very differently though very fluently, or whatever excuse the peace officer might conjure up? Where will the checks and balances come from to safeguard innocent and legal immigrants from abuse of this law?

In short, this is a proposed law that is ill-conceived and inappropriate where Federal laws in this arena are sufficiently adequate and complete to safeguard Texas and her citizens. Additionally, this law does not solve any problem that Federal laws do not already cover.

Therefore, I STRONGLY RECOMMEND that this proposed law be rejected.

Sondra Williamson

Self

Cedar Park, TX

Sounds like this bill fully authorizes any and every Barney Fife in the state to throw any immigrant out at his own discretion and protects him from all resulting liability. I respect law enforcement, but this goes too far. A) Most migrants are human beings, like you and me, simply trying to escape violence or poverty and create a better life for themselves and their families. B) There are a lot of Bubba police officers who get high on power and do not have the judgment to make these choices. That's for the courts to decide. C) These people bolster both our economy and our social fabric. They don't take White people's jobs; they do the jobs White people aren't willing to do. I OPPOSE HB4.

Emily Pinal

Self

Tyler, TX

My name is Emily Pinal,

I am was born and raise in Tyler, TX. As a community member, leader, and advocate of our growing East Texas latine community I raise my concerns on the potential HB4 has for local and nationwide impact on our vulnerable immigrant communities.

Instead of continuing with anti-immigrant crusade that has a potential of damaging every sector of our society, the state could: Petition the Federal government to substantially increase asylum processing at U.S. Ports of Entry. Support Border Texans' aid to migrants by providing needed goods, shelter, and dignified transport. Build welcoming centers and create a new system to help new potential Texans adjust to life here. I urge to to stop this bill from hurting our communities.

Brent Smith, County Attorney
Kinney County Attorney Office
Brackettville, TX

Being an elected prosecutor on the border in Kinney County who has prosecuted over 5,000 cases for criminal trespass under OLS, I fully support this bill. The underlying goal of all criminal laws is the deterrence of unwanted behavior. Accomplishing the deterrence of criminal behavior leads to the safety and security of Texans. This bill would do just that and in the end, protect Texans. I would disagree with any testimony that attempts to exaggerate arrest numbers into something unmanageable. Upon the enforcement of this new law, those individuals contemplating illegal entry would quickly find other routes to follow instead. This messaging concept is proven by past policies enacted by DHS such as remain in Mexico. Under said policy, USBP only had to remove 60,000 individuals back into Mexico before illegal entry dropped by 80%. This demonstrates how messaging and enforcement quickly produces the desired results. Moreover, §51.03(d) of this bill contains an overflow mechanism that allows state law enforcement to remove individuals apprehended instead of placing them under arrest. This would prevent overwhelming our jails and court system if in fact that scenario did occur.

The bill is very well written and avoids conflicting with Federal immigration enforcement and the field preemption doctrine of the courts. Overall, this bill is what Texas needs to secure our border and safeguard Texans.

My only suggestions would include the following:

§51.02 (c)(1) should stipulate that the affirmative defense to prosecution is limited to “at the time of the alien’s arrest, the federal government has granted the defendant.”

§51.02 (e)(2) should be revised to “transporting the person to the border; and”. This would allow people to be returned at other places besides a port of entry. Logistically speaking, this would benefit the enforcement of this bill and avoid a much higher cost to the taxpayer.

§51.03 (c) should be revised to include “voluntary removal”. After prosecuting over 5,000 cases for criminal trespass under OLS, many aliens have an ice detainer placed upon them prior to being released from state charges. The majority of the aliens agree to a voluntary return to avoid deportation proceedings.

Myrriah Gossett
Self - Audio Producer
Austin, TX

This bill will not reduce crime or help with the root causes of migration. We should be welcoming migrants who choose to come here with open arms, first of all. Even more so this will put our border citizens at risk and place specifically Black and Brown Texans at greater risk of harm, harassment, and detainment by police and border patrol. We already have a huge incarceration issue in Texas with over population and over policing and we must not add fuel to that fire. The idea that helping someone in need would become a criminal offense is dehumanizing and disgusting.

Max Horstman
Self, Financial Analyst
Austin, TX

Stop wasting time by making Texas even more unlivable for migrant people and immigrants. Stop punishing people just trying to live safely and access resources. This bill will not stop those of us committed to making Texas safe for migrants and immigrants. And it's very ironic how this body tries to criminalize immigration, but has no problem taking full advantage of immigrant labor and exploiting that for construction and other industries as much as possible. The Texas economy owes its continuation to immigrant labor. You who sit in office and vote for horrible legislation like this will see the consequences of your actions, whether here on earth or in Hell.

Elise Cavazos

Self, small business owner

Edinburg, TX

I am writing today in opposition to HB4. This is just another bill created to harass and dehumanize people. The US has played a huge role in destroying foreign countries governments and ability to provide for their people and when these people need to escape and come to the US in search of help, they get harassed, detained and murdered at the border. All while the US is using our tax payer dollars to do something that we the people of the US would never do to someone if we had them right in front of us. Most Texans have some family, friends, and loved ones who are undocumented immigrants. It's not fair to treat people inhumanely because of this country's long history of xenophobia. It's time the actual citizens of this country and this state speak up against hatred and violence against people all over the world.

Harriet Wessel

Self

Houston, TX

I urge our legislature to vehemently oppose this bill. America and Texas was built on immigration and this barbaric process should not be permitted, this is nor due process, it is persecution.

Anna Katharina Dechert, Houston Policy & Advocacy Manager

Tahirih Justice Center

Houston, TX

Chair Hunter, Vice Chair Hernandez, and Honorable Members of the House Committee on State Affairs:

I write today on behalf of The Tahirih Justice Center, a non-profit legal advocacy organization that, since 1997, has been serving immigrant survivors of domestic violence, sexual assault, human trafficking, and other gender-based violence. Tahirih's Houston Office has worked in Texas since 2009. Tahirih has grave concerns about the impact that HB4 will have on vulnerable survivors of violence and urges the committee to report the bill unfavorably.

Deterrence-based policies at the federal level have not alleviated violence and crime along the U.S. border; instead, these policies have only caused gender-based violence to proliferate, as migrants and others are left vulnerable to abuse and exploitation in increasingly precarious conditions. State-based deterrence policies based on the same flawed frameworks have the same effect. In 2022, Tahirih partnered with Oxfam America to survey providers of social and legal services on both sides of the U.S. southern border, and found that Title 42, the Remain in Mexico policy, and other deterrence-focused border policies actually caused an increase in the rates of gender-based violence against migrants in border communities because of how these policies leave migrants vulnerable to abuse and exploitation.

Codifying unlawful entry as a crime under Texas law will drive safety farther out of reach for vulnerable survivors of violence, who will face additional barriers to accessing relief, such as asylum, U visas for survivors of violent crimes and T visas for survivors of human trafficking. The affirmative defense to prosecution for individuals with lawful presence or who have been granted asylum fails to offer the release-valve it promises due to the years-long wait times that such applications have and raises serious due process concerns.

Finally, HB4 gives Texas Peace Officers authority to remove immigrants to Mexico. U.S. asylum law, enshrined by Congress under 8 U.S.C. § 1158(a), guarantees the right to apply for asylum for anyone in or arriving to the U.S. "whether or not at a designated port of arrival." Vulnerable survivors fleeing violence cannot be removed from the U.S. without having their claims heard by an adjudicator. To instruct law enforcement to do so not only violates the rights asylum seekers have under U.S. law, but it also drives survivors of domestic violence, sexual assault, and human trafficking further from safety when they can no longer turn to law enforcement for assistance due to the risk of illegal deportation.

HB4 not only misplaces responsibility for rising levels of violence along the border on immigrant survivors, but it also increases their vulnerability to further violence and exploitation.

Ying Jia
self
Keller, TX

I oppose HB4. My husband came to this country as a legal immigrant. In 2018, his renewal for the working visa took for almost one year by USCIS, which led him could not renew his driver license at that time. When we travelled to Big Bend National Park, we were asked to show our visa by the patrol or policeman. Since his driver license was expired and the new visa was not issued, it took 30 mins for us to go thru the check. Eventually, we showed the submission notice of the visa renewal to the officer. I could not imagine if we could not speak fluent English, what would happen then. The only reason which made it happen was the slow work pace of USCIS...

Bethany Carson
Grassroots Leadership and self - Researcher
Austin, TX

This bill is so flagrantly unconstitutional that it will almost certainly prompt expensive litigation on U.S. v Arizona. Further, DPS has not been forced to present a detailed plan to enact these bills that are plagued with logistical impossibilities. People currently arrested under OLS are from places as diverse as Mauritania, China, Moldova, and Venezuela but we expect Mexico to accept state deportations of people who are not their citizens? How would DPS or a local sheriff "instruct" people in so many different languages? These deportations would illegally deny migrants their federal right to asylum. There is no training on immigration law whatsoever included in the bill for the 2,700 law enforcement agencies in the state that would enforce this bill, yet they must make immigration status determinations. The bill does not restrict who can be arrested, detained, or deported, so families could be separated or imprisoned. To address Rep. Raymond's dehumanizing comments about prison conditions during the committee hearing, far from "fattening them up" I've visited men in the Segovia unit who lost 40 pounds in three months.

The bill allows migrants "at any time found in this state" to be apprehended and deported by any peace officer, which would lead to racial profiling and become Texas' very own "show me your papers law," with anyone who cannot prove their citizenship summarily deported with no due process. Under the bill, the prosecutor doesn't even need to be consulted, and counties would be on the hook for the cost of illegal actions. There are many U.S. citizens who do not have the documentation to prove citizenship. What would constitute reasonable suspicion to stop someone without seeing them cross the border between ports of entry? Language? The color of their skin??

Fundamentally, this is failed policy. Entry and reentry charges have been prosecuted aggressively for over a decade at the federal level, and have NOT proven to deter migration?. Judge Felix Recio, a retired magistrate judge in Brownsville, says, "These prosecutions have no deterrent effect whatsoever. We share culture, religion, food, families, music. How many tough policies have been implemented over the last 100 years? People are still coming every single day.?" Terry Goddard, a two-term Attorney General of Arizona goes further. He said, "All the border enforcement has accomplished is to increase the price of transportation and strengthen the stranglehold that the cartels have on their markets.?" Arizona Assistant District Attorney Paul Charleton has also emphasized the strain on the courts that all these low level offenses create, prohibiting emphasizing more serious offenses.?

Please learn from the failure of the decades we've already been doing these prosecutions at at a national level. Only federal implementation of legal pathways for asylum and other types of immigration will reduce crossing between ports of entry. Please reject HB4.

Maira Torres
Self - social worker
Austin, TX

I completely disagree with this bill. I think this would affect our daily life when non-citizens who have been living in the U.S for years and are paying taxes, filling undesirable jobs, and disrupt the economy further. Our safety is important but I think these are the right steps. This bill we mainly be enforced by law enforcement whose bias and perception will be involved in identifying such "illegal person". This will further prove the long history of racism in Texas and the little advancements that have been made in this state. This bill does not make Texas bigger and better, instead it is lousy and stagnant.

Barbara Ferguson

Self, retired

Kerrville, TX

I am in favor of HB 4, we must protect Texas citizens from the invasion on the border. Working at our ranch in Kinney County, that has been in my husband's family since 1874, I am often reminded of the threats his ancestors faced to carve a living from the land. His great great great grandmother was killed by Indians as her son watched in horror. Little Albert was then taken captive into Mexico where he was sold. It took his father two years to locate him. When he did he had to buy him back from the Mexicans he had been sold to. Today, in the United States of America, my husband and I each carry a firearm wherever we go on the ranch, including from the kitchen to the bedroom. It is not safe for us to have them out of reach. We are right back where his ancestors were almost 150 years ago. That was not the case only a few years ago. Our disgust at what has happened due to intentional federal policy knows no bounds. Texas secured freedom for its citizens many years ago, shame on us if we don't do what is necessary to keep it now!

Niloufar Hafizi

self, nonprofit advocacy

Katy, TX

To the Honorable Members of the State Affairs Committee,

My name is Niloufar Hafizi and I am the policy associate for the Texas chapter of Emgage Action, a 501(c)(4) that advocates for just policies that strengthen our pluralistic democracy and protect human rights at home and abroad. I am the daughter of immigrants and also have volunteered with Houston's immigrant community throughout the past twelve years. I respectfully urge this committee to vote against HB 4. Rather than improve the immigration system, HB 4 would increase the atmosphere of danger for immigrant communities in Texas and lead to pointless arrests and removals. HB 4 gives wide leeway to Texas peace officers (a wide category that includes not just what Texans think of as law enforcement, but school resource officers) to detain, arrest, or expel without real process from the U.S. community members they suspect of having crossed the border outside of a port of entry. The standard for peace officers to stop those suspected of violating this law is merely probable cause. This will result in racial profiling and harassment for immigrant communities. Furthermore, HB 4 does not allow a court to abate a prosecution under HB 4 because of a pending immigration status, which may be decided in the accused's favor.

Local law enforcement should not be put in a position to make immigration status determinations by questioning community members who, from my experience, are hesitant about giving out personal information and may be viewed as suspicious by law enforcement for entirely innocent reasons. For example, just the Afghan community in Texas faces a very complex set of immigration pathways (parole, asylum, TRP, SIV for those who qualify) and should not be subject to having to explain or prove their status due to this law.

The result of HB 4 will be immigrant communities who can be racially targeted, who will fear local law enforcement as much as they fear ICE, and who will not contact or cooperate with law enforcement as a result. This will make our communities less safe. Please vote against HB 4.

Rachel Horton
Self - Commercial Development
Weatherford, TX

I am in full support HB4. It is absolutely crucial we give our law enforcement and courts every tool available to prevent the illegal activities of people who are attempting to flagrantly avoid the law.

Our state is home to 29 international ports of entry, and there are easily thousands who cross in a month through those legal ports. This law would help address placing the full weight of thousands of illegal and improper entries onto shared state and local enforcement.

These are the individuals who are deliberately and proactively avoiding law enforcement, and are not looking to come and work or live legally in the US. These are the people who trespass and damage property, terrify long time residents, and create a third world atmosphere right here in Texas.

Just last Sunday, I personally watched as close to 40 individuals crossed the river in Eagle Pass, near the International Bridge, waving papers with printed flags, carrying back packs with changes of dry clothes.

They were mere minutes from a short hike to the bridge itself which would have made their swim, hike up the muddy bank, and attempts at climbing between the wires (forcing border patrol to cut the wire) entirely unnecessary. Instead of choosing to enter legally, they deliberately chose to make that crossing.

This should never be encouraged for any reason whatsoever.

Over the last two years, across the entirety of the Southern border, it is guesstimated that there have been nearly 1.6 million gottaways. 72,000+ persons of special interest in last 2 years and 169 arrests on the terrorist watch list.

We must give law enforcement the opportunity to manage this influx with the goal of public safety and national security. Thank you.

Beth Ann Smith
self, rancher
Brackettville, TX

I support this bill and applaud the effort to stop illegal immigration. It should be a crime to enter our sovereign state and law enforcement should have the authority to forcibly remove illegal persons. We must do everything possible to save our state and protect our citizens. Please make this bill as strong as possible and give LE complete authority to remove illegal persons.

Richard Smith
self, rancher
Brackettville, TX

I have ranched in this state for 50 years. We have never seen the dangerous invasion of illegals like we are currently experiencing. Our state officials must be given the authority to repel illegal immigration and file criminal charges for any illegal entry. I support this bill and hope you will make it as strong as possible to deter all illegal immigration into our great state.

Emma Lopez
self - graduate student
Austin, TX

I strongly oppose HB 4 by Rep. Spiller. This bill is wholly unnecessary to our state and would empower state and local police to further target Black and Latinx Texans. Immigrants are crucial to Texas communities and do not deserve to be increasingly policed and surveilled. This will not make our state "safer." In fact, this bill would actively make our state less safe for Black and Latinx communities in particular, regardless of whether or not they are citizens. Immigration is already a federal issue and not a state issue as well, so this subject is a responsibility of the federal government and we as a state should not be legislating on this topic. HB 4 would destroy families and communities, and I ask that all members of this committee oppose this legislation.

Margaret Welch
Art Supply Retail
Austin, TX

Hello, my name is Maggie Welch and I am writing to demand that you to vote against HB4. Police brutality is on the rise in America, and this bill would increase the police power to racially profile people at the border. Research as well as the stories of people who have died at the hands of the police shows that time and time again, no matter what training or vetting police officers undergo, more openings for interaction between the police and black, brown, and suspected undocumented communities leads to more lives lost due to abuse and brutality at the hands of the police. This bill is a death wish, it is unnecessary and inhumane, especially considering we already have a highly active deportation system at both the federal level and through pre-existing Operation Lone Star efforts. We deserve a Texas legislature that does more to meet our needs instead of using undocumented immigrants as scapegoats.

Maria Cordero, Mrs.
self
Brownsville, TX

The Estate must stop attacking its border communities through discriminatory laws, instead should give priority to their real needs, we need a public hospital in the RGV, more educational programs, public infrastructure, drainage, CLEAN water. listen to the communities!

Stacie Smith
Mormon Women For Ethical Government, Texas Chapter
Houston, TX

HB4 was introduced in the House and attempts to create a state misdemeanor (or felony depending on a person's criminal history) for crossing the border anywhere other than a port of entry. It allows all peace officers to collect identifying information, transport them to the border and order them to leave the US or detain them. It also asserts that Texas courts must prosecute for the offense regardless of a pending federal determination of immigration status. According to Texas statutes, "Peace officers" include over 30 categories of occupations including officers commissioned by the State Board of Dental Examiners. No state law enforcement officer, and especially this broad category of peace officer, has the authority or training to make determinations of asylum claims. These determinations are left to the federal government and subject to federal immigration law. This law gives this authority to "peace officers" in the state and doesn't specify a specific geographical area where this authority begins or ends.

Though we agree that our immigration system is in need of updated legislation, we affirm the federal government's jurisdiction over immigration enforcement. The state does not have the expertise, resources, or authority to fairly address complex matters of asylum claims without risk of discrimination and disregard for federal and international law.

Instead of duplicating and reimagining federal border enforcement efforts on their own, we urge our Texas legislators to create policy that supports and collaborates with the federal government on matters at the border.

Priscilla Lugo
Self - Advocate
Laredo, TX

While I could not be with my fellow fronterizos and colleagues on this day, I feel the need to submit this testimony to indicate my clear opposition to Texas infringing on federal jurisdiction, Texas criminalizing migrants, and Texas criminalizing Texans.

I am appalled that the legislature listened to our testimony only 3 days ago where we pleaded with this committee not to criminalize our community, and yet here we are again begging for the same thing. The “adjustments” made in this bill to reduce and minimize the fiscal impacts on the state and local governments do not address the complete illegality of the bill. Having peace officers forcibly remove immigrants is a clear violation of US v. Arizona, and the fact that this legislature is entertaining this bill in the name of “cost savings” is insincere when it does not account the millions the state will spend in litigating this bill. It is abundantly clear that the state is only interested in challenging US v. Arizona and not actually listening to its constituents who have come before this body on numerous occasions this legislative session.

US V. Arizona challenges aside, this bill once again, does not address the prerequisite of requiring peace officers to “visibly observe a crossing” and thereby will allow peace officers all over the state to question Texans and require them to prove their citizenship or lawful presence at a moment’s notice. It does not address the issues of what happens if a peace officer in the interior of the state will have to do, since they clearly cannot go to a port of entry and order a migrant to cross back into Mexico. Will localities in the interior of the country be required to jail migrants in lieu of removal? Will they partner with ICE and begin removal proceedings? What about those non-Mexican immigrants caught on the border? Will they be forced back into a country that is not their own? The bill does not make clear what connection and role Customs and Border Protection will have in aiding in removal, which are necessary if state peace officers are to go to ports and entry and order a person back into Mexico. Has the federal government been made aware of Texas’ intentions? Has there been dialogue with CBP sector chiefs or with the Biden administration?

This bill is clearly a half-baked idea at best, and at worst, a clear violation of the constitution and of US v. Arizona. I am ashamed that this is the route Texas is taking in the wake of migration to our great state. A state that heavily relies on migrant workers, who sometimes are undocumented, to work on our ranches, farms, fishing industries, and construction. I am ashamed that some of our elected officials would so blatantly disregard the concerns of their constituents and subject millions of Texans to racial profiling.

I urge this committee to vote no on HB 6 and all bills that would endanger Texans.

Salmina Tarek
Law Office of Salmina Tarek, PLLC
Pearland, TX

HB 4 will be a civil and human rights disaster.

Gail Hebert
Self
Brackettville, TX

This needs to pass.. we are being overrun.. so much damage done to properties. They need to suffer consequences for breaking US laws!

Lidia Dow
Self, none
La Vernia, TX

We need this to protect US citizens their life, property and our children and grandchildren. The illegal entry by any and all should not be happening, nor should there be any person or persons be able to buy property. Federal government is not providing protection to its citizens so it is up to You to do so!

Kimberly Galland

Self/CPA

Bryan, TX

Allowing illegals to enter our country endangers our citizens and children and uses resources that belong to tax paying citizens. This Bill should be passed so we can prevent illegal aliens from entering our borders and force them to return home. Protecting our borders is of utmost importance.