

**HOUSE OF REPRESENTATIVES  
COMPILATION OF PUBLIC COMMENTS**

Submitted to the Committee on State Affairs  
For HB 4

Compiled on: Thursday, November 9, 2023 3:08 PM

Note: Comments received by the committee reflect only the view of the individual(s) submitting the comment, who retain sole responsibility for the content of the comment. Neither the committee nor the Texas House of Representatives takes a position on the views expressed in any comment. The committee compiles the comments received for informational purposes only and does not exercise any editorial control over comments.

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Hearing Date: November 9, 2023 10:00 AM

Juan Nunez, Dr.

Self

Austin, TX

I'm writing against HB4. HB4 will do nothing but harm Texas and foment fear chaos across the state. Undocumented Texans have existed for decades and until we reach humane immigration reform will continue to be here. HB4 won't fix our immigration, it won't work as a deterrence, and it won't make things better. HB4 will scare away business and will stop many communities from reaching out to law enforcement when they view or experience crimes. To conclude, conservative lawmakers can forgive and support a current Texas Attorney General and a former U.S. president who allegedly have committed many offenses against our state and country, and yet appear unable to show grace to hardworking well-meaning undocumented Texans whose only offense was coming here. I urge you to vote against HB4. I urge you support all Texans, including finding it in your hearts to show forgiveness and compassion for our undocumented Texans.

Jeremy Flowers

Self

Tyler, TX

Echoing State Representative Victoria Neave Criado, HB 4 harms community-police relations, will separate families, and is unconstitutional. This is another attack on Latinos, our black brothers and sisters, and is inherently discriminatory.

Carrie Baker, Mrs

Self

Lubbock, TX

The border has been out of control for too long! Texas needs to and can lead in fixing the illegal entry of immigrants. I've listened to enough information about what this problem is causing and it's got to stop. I support this bill and ask that it get to the floor for a vote ASAP. Thank you.

Ming Yi  
Asian American Leadership Council  
Austin, TX

I represent AALC and myself against HB 4. TX is the home of over 2 million Asian Americans. The 3rd largest population in the nation. We have about 60 percent of Asians speak other languages than English at home and half of them with limited English. As Asian communities have cultural and language barriers— they can not communicate on the spot if they are asked to prove their citizenship, and they can not explain if they are seeking asylum or renewing their visa status, which means that even if they are still in the process of determining their immigration status, or if they are Vietnamese and Burmese refugees, and will become legal immigrants soon, they could still be deported. This bill will give police officers and peace officers the right to remove people without due process. It would give the officers too much power and open up a higher risk of discrimination against Asians and POC. So please vote no to HB4.

Judith L Neal  
Texas First  
Plano, TX

It is time to stop the invasion at our southern border. Texas needs to remove the overall threat to our safety and sovereignty by closing our borders and removing all who break our laws.

I implore you all to vote in favor of this timely bill. We can no longer turn a blind eye to the evil infiltrating our county.

George Walker  
self - self-employed business owner  
Willis, TX

HB4 is not a solution for immigration reform and it places federal responsibilities on state and local authorities, fails to make provision for those seeking asylum, and would overwhelm county courts and detention facilities.

JULIA LYNNE FORD  
self  
ARLINGTON, TX

I do NOT support this bill, which misdirects our public safety resources to a non-issue, and will overwhelm our under-funded county courts and detention facilities.

Rozanne Veeseer

Rozanne Veeseer Retired

Arlington, TX

HB 4 which creates a state criminal offense of entering Texas anywhere but a lawful port of entry, mimicking the offense in federal code, is problematic for several reasons. First, it does not make any provision for those seeking asylum. Many migrants cross the border without lawful status but then file for asylum or another form of relief as soon as possible through the federal system. This bill could significantly delay the federal process for asylum seekers as the penalty for a Class B misdemeanor is up to six months in jail. The asylum process is already long and arduous and to delay its initiation by detention is unjust. Moreover, the bill also empowers law enforcement to remove an individual in lieu of arrest, potentially denying altogether the opportunity for a migrant to apply for asylum which would also be a grave injustice. Second, the cost to the state to implement this legislation could be enormous considering the tens of thousands of migrants that state and local law enforcement encounter every year. The courts and detention facilities will be overwhelmed. There will also be the cost of litigation if the state is sued over this legislation. Third, the bill is unlikely to deter either migrants fleeing violence and poverty or the criminals engaged in human trafficking and drug trafficking.

Immigration enforcement should be exercised in a way that is targeted, proportional, and humane.

By “targeted” we mean that enforcement resources should be focused so that those who are dangerous are more easily identified and apprehended. Enforcement policies should be tailored and not overly broad, so the basic rights of all immigrants are respected.

By “proportional” we mean that enforcement of immigration laws should not feature unnecessary penalties or force. Immigration control officers and border patrol agents should receive intensive training on appropriate enforcement tactics and use of force.

Finally, by “humane” we mean that in any enforcement action, the human rights and dignity of the person should be preserved and respected to the greatest extent possible. Families should not be divided and should receive special consideration. Undocumented immigrants should not be detained for lengthy periods or intermingled with violent offenders. Asylum seekers should receive appropriate screening by a qualified adjudicator. Children should be accommodated within a child welfare context.

We understand the situation at the border has become untenable, but HB 4 is not the solution.

Faustina Ohakwe

Self

Sunnyvale, TX

I oppose this bill because it put undue burden on local authorities and does not take care of those legitimately seeking asylum

Ala Green, Mrs.

St. Vincent de Paul

Arlington, TX

This bill would put undo pressure on state governments that rightly belongs to the federal government. It would also make legal immigrants liable to search and harassment without allowing redress of abuses. We are a nation of immigrants. Are we now to make immigration a crime? Vote No.

Gil Gomez

Self

Corsicana, TX

This bill is not a solution to the immigration problem.

Eric Mata  
Texas Organizing Project  
Dallas, TX

I am writing to express my strong opposition to House Bill 4 by Representative David Spiller. This bill would create a new criminal offense of "improper entry from a foreign nation" and would authorize or require the removal of persons who violate this offense.

I believe that HB 4 is unconstitutional and that it would violate the Supremacy Clause of the United States Constitution. The Supremacy Clause establishes that federal law is supreme over state law. The federal government has the exclusive power to regulate immigration. HB 4 would attempt to regulate immigration by creating a new criminal offense that is not authorized by federal law. This would be a clear violation of the Supremacy Clause.

In addition, I believe that HB 4 would violate the Equal Protection Clause of the United States Constitution. The Equal Protection Clause requires that states treat all persons within their borders equally. HB 4 would create a new criminal offense that would only apply to noncitizens. This would be a clear violation of the Equal Protection Clause.

Furthermore, I believe that HB 4 would be inhumane and would lead to the unnecessary detention and deportation of innocent people. The bill would allow law enforcement officers to arrest and detain anyone who they believe is "improperly present" in the United States, even if the person has not committed any other crime. This would lead to the unnecessary detention of innocent people, including children and families.

Finally, I believe that HB 4 would be a waste of taxpayer money. The bill would create a new bureaucracy to enforce its provisions, and it would also lead to an increase in the number of people detained in our jails and prisons. This would be a costly and unnecessary burden on taxpayers.

For all of these reasons, I urge you to oppose House Bill 4.

Catherine Brites  
Self - Mother  
Pflugerville, TX

I oppose HB 4 as it places federal responsibilities on state and local authorities. It fails to make provision for those seeking asylum. Plus it would overwhelm county courts and detention facilities. This puts even more unneeded stress on facilities and every one involved. The border problems need to be addressed but this doesn't seem to be a good solid way.

Marianne Reat  
Self, retired attorney  
Austin, TX

I oppose HB4 because it places federal responsibilities on state and local authorities at an enormous cost to Texas taxpayers, fails to make provision for those seeking asylum, and would overwhelm county courts and detention facilities. The bill is unlikely to deter either migrants fleeing violence and poverty or criminals engaged in human trafficking and drug trafficking. This bill does not take into account the horrible circumstances that cause persons to migrate to this country. It is inhumane. State law enforcement has no business usurping federal responsibilities and thereby causing more harm to already vulnerable migrants. Please do not pass HB4. Although the situation at the border is difficult, HB4 is not the answer.

John Campbell  
Self/. Retired.  
Farmers Branch, TX

I strongly support HB4 . The federal government, far from stopping the influx of illegal immigrants, has encouraged it. We in Texas need to put it to a stop.

Jasmine Casanova, Mrs.

St Joseph's church

Killeen, TX

I am for this bill

Bonita Larsen

Self

Plano, TX

I'm not supportive of HB2. I am also concerned about the illegal immigration into Texas. The federal government should address this problem.

Linda Lindberg, Mrs.

self teacher

Temple, TX

I oppose HB 4

Erika Bunt

TCCB

Burleson, TX

HB 4 is not a solution for the immigration problems in Texas. It places federal responsibilities on state and local authorities. The federal government should enact effective and humane border management as part of a framework of comprehensive immigration reforms as the obligation to control the international border lies with federal authorities. The cost to the state to implement this legislation could be enormous considering the tens of thousands of migrants that state and local law enforcement encounter every year.

It also fails to make provision for those seeking asylum. It empowers law enforcement to remove an individual in lieu of arrest, potentially denying altogether the opportunity for a migrant to apply for asylum which would be a grave injustice. In any enforcement action, the human rights and dignity of the person should be preserved and respected to the greatest extent possible. Asylum seekers should receive appropriate screening by a qualified adjudicator.

The crisis at the border needs to be addressed and a solution needs to be found - HB 4 is not that solution as it does not uphold the dignity of the human person and it allows the federal government to continue its lack of attention and care to the international border in Texas.

Ware Wendell, Executive Director

Texas Watch

Austin, TX

I lead Texas Watch, a nonpartisan, nonprofit citizen advocacy organization. For 25 years, we have worked on a range of safety- and justice-related issues. We believe safety results from full accountability under our laws. For more on our organization, please see [www.texaswatch.org](http://www.texaswatch.org).

I write today in regard to H.B. 4, which will be heard in committee shortly. Specifically, I wish to raise concerns with proposed Chapter 117 of the Texas Civil Practice & Remedies Code. The legislation purportedly relates to the rule of law in our state; however, SECTION 3 of the bill unfortunately subverts the regular rule of law by creating civil immunity for local government officials, employees, and contractors. Special provisions for indemnification and a direct appeal to the highest court in our state are also provided in the published draft of the bill.

For the rules to really mean something, they must be applied evenly and consistently across society, without fear or favor. The negligence standard has served our state well for well over a century, requiring citizens to conduct themselves reasonably and safely. In the absence of strong laws and real accountability, unreasonable risks are taken, care is neglected, and needless harm results. The liability loopholes in the legislation deviate from our long-standing negligence standard, distorting incentives and shaping behavior in the wrong direction. We fear the unintended consequence will be a rise in harmful conduct and even the loss of life.

For these reasons, we respectfully oppose the legislation.

Kelly Araujo

Self

Dallas, TX

Dear policymakers,

I do not agree with Texas House Bill 4. There are many flaws with this bill which would greatly affect the Texan community. Firstly, the bill would allow racial profiling and would strain trust and relations between police and the community. Even if a person is a citizen, due to this bill, officers would essentially be allowed to suspect people based on their physical characteristics. I believe the community should trust law enforcement to keep them safe, not be afraid of them or how they may react to their superficial qualities. From my understanding, the bill would even allow officers to detain and order individuals to return to Mexico, even if they are not a Mexican citizen. It could also result in officers mistakenly arresting citizens of the United States if they don't immediately provide proof of citizenship. Second, the bill would utilize taxpayer money and increase property taxes to make mass arrests/deportations which I believe might be better utilized to address immediate life and death situations such as issues on gun control which have unfortunately cost the lives of many. I also believe this bill could constrain other resources such as jail space. Most importantly, the bill has the potential to separate friends and families. Even hard-working individuals/families who pay taxes and are just trying to survive, obtain a better future for themselves or their children, or flee from threats from their home country could be negatively affected. As far as I know, the bill could also affect individuals who are in the process of becoming citizens. This country is made up of people from many places, many of whom take up jobs that keep this country running which might not be taken up otherwise. Lastly, this bill would be unconstitutional because the federal government has sole jurisdiction over immigration law.

I hope you take these considerations into account.

Thank you.

Patrick Heyl

St. Mary's Catholic High School

TAYLOR, TX

Requesting that HB 4 be NOT passed.

Nathan Mena  
Self  
Stephenville, TX

I oppose HB 4 as it places federal responsibilities on state and local authorities, fails to make provision for those seeking asylum, and would overwhelm county courts and detention facilities.

Paula Hanna  
Self- homemaker  
Belton, TX

I oppose this bill. As much as I want to see our southern border controlled, I am not sure making Texas responsible for jobs our Federal government will not do is the way to accomplish it. I do not think we have the resources, sufficient detention facilities, the capability to decide asylum petitions, deal with terrorists or drug cartels. Please oppose this bill as drafted. Thank you.

Tammy Villasenor  
Self—retired  
San Antonio, TX

I oppose HB 4 as it places federal responsibilities on state and local authorities, fails to make provision for those seeking asylum, and would overwhelm county courts and detention facilities.

Allan Goertz  
Self  
Katy, TX

I oppose HB 4 because I believe it places federal responsibilities on state and local authorities, fails to make provision for those seeking asylum, and would overwhelm county courts and detention facilities.

Rodolfo Villarreal, Deacon  
self, director of faith formation  
Pflugerville, TX

I oppose HB 4 as it places federal responsibilities on state and local authorities, fails to make provision for those seeking asylum, and would overwhelm county courts and detention facilities. In any enforcement action, the human rights and dignity of the person should be preserved and respected to the greatest extent possible. Families should not be divided and should receive special consideration. Undocumented immigrants should not be detained for lengthy periods or intermingled with violent offenders. Asylum seekers should receive appropriate screening by a qualified adjudicator. Children should be accommodated within a child welfare context. I understand the situation at the border, but HB 4 is not the solution. It does not address the root causes of migration. Thank you for your attention.

Melody Allen  
self - Logistics Manager  
Waxahachie, TX

I am in support of this bill.

Travis Smith, Hon.  
Waxahachie City Council  
Waxahachie, TX

This is long overdue and paramount to the safety and well-being of our residents. Despite not being located anywhere near the border, Waxahachie has seen the unfortunate and heartbreaking tragedies that come with an open border — most recently, a 4y/o child being dropped off outside of our County jail, dead and beaten for a period of time that allowed broken bones to heal, by her parents who fled back across the border. Move this bill forward for the safety of all Texans.

Sharon Tryon, Mrs.

Self

Waxahachie, TX

I am in support of this bill.

Sharon Tryon

Ann Roberts

self

Irving, TX

I oppose HB4 and strongly urge you to vote against it. HB4 places federal responsibilities on state and local authorities, fails to make provisions for those seeking asylum, and would overwhelm county courts and detention facilities. The obligation to control the international border lies with federal authorities.

Fatima Barahona, Mrs

Self - SAHM

Katy, TX

HB 4 is just going to separate families , families who have been together here for decades after decades here in Texas . Immigrants that have made their entire life here . We are just looking for a better future running away from crime . We are not criminals we just want to live in peace with our loved ones . This bill would just put fear into our community and our families . Immigrant families also pay taxes we help out in the community please dont let us live in fear . If this bill is passed its mainly being racist , just by the color of our skin we will ve chosen to get stopped and checked on . Please dont let history repeat itself ,instead let it be a lesson to be better and create a better community . We all fit in Texas , Texas is my home , a diverse home . People are going to live in fear not wanting to go out which will be bad for business, bad for the economy . We all work hard here in Texas . Construction workers , lawn care workers you name it theres immigrants everywhere that work really hard to put food on their table for their families and we aren't criminals .

Caryn Moore, Mrs.

Citizen

Waxahachie, TX

Please pass this bill. We need border security last year! This is one of governments most important job! Please take this seriously!

Ann Cashiola, Miss

Self, retired

Houston, TX

Against, places responsibility on state and local authorities, fails to make provisions for those seeking asylum and would overwhelm county courts and detention facilities. This is not an answer to the immigration difficulties and will cause more problems than solutions.

Nathan Bicketstaff, Precinct Chair Ellis County.

GOP Precinct Chair

Midlothian, TX

Pass HB 4.

Julia Coronado, Dr.

Self

Austin, TX

It is appalling in the thriving, diverse state of Texas that legislators focus on legislation that 1) is likely to be found unconstitutional and 2) will make a significant portion of the population have to look over their shoulders and live in fear. Texas Republicans claim to be pro business but keep taking stands and passing legislation that makes it harder to live and do business here. Stop. I am a mother, grandmother, business owner, home owner and I am sick of these hateful theatrics. Look at the election results from around the country on Tuesday. No one wants these hateful policies. Grow up and show some respect for your neighbors.

Lelon Ginn

self

Denton, TX

I oppose HB 4 as it places federal responsibilities on state and local authorities, fails to make provision for those seeking asylum, and would overwhelm county courts and detention facilities.

Pamela Hagler

self

WASHINGTON, TX

Governor Abbott has the constitutional authority to CLOSE THE BORDER under both the Texas and the US constitutions. KrisAnne Hall, noted Constitutional attorney has been trying to get Abbott to do it for years to protect our citizens and our sovereignty. Pass THIS BILL so we can at least try to stem the INVASION.

Maureen Davis, Mrs

Texas Catholic Conference

Austin, TX

I oppose HB4

Pat LaCour, Mr.

A Catholic self

McKinney, TX

I agree that the federal government is failing its job of immigration control, but this bill attempts to take law into its own hands, and will fail constitutionally. A better approach would be to sue the federal government on multiple fronts. This will unfortunately take time, but at least it would be legal

Donna Cote

self / home manager

College Station, TX

I oppose this bill because it places federal responsibilities on state and local authorities, fails to make provision for those seeking asylum, and would overwhelm county courts and detention facilities.

Kelly Montan

Self

Flower Mound, TX

Oppose 4

Dorothy Moczygamba

Self

San Antonio, TX

I oppose HB 4 because it places federal responsibilities on state and local authorities, fails to make provision for those seeking asylum, and would overwhelm county courts and detention facilities.

Solutions regarding immigration need to come from legislation on the national level with senators and representatives working together to solve the issues.

Marie Adian

Self-Retired

Boerne, TX

I oppose HB 4 as it places federal responsibilities on state and local authorities, fails to make provision for those seeking asylum, and would overwhelm county courts and detention facilities. Thank you.

Janie Adhikari

Self, insurance agent

Grand Prairie, TX

I think this is great!!! And I'm a democrat and you better not let the dems throw this out. People do not realize the strain this puts on our economy. If you would give the middle class a tax break maybe we would support the influx of migrants. But because we are the ones that suffer, help us by passing this bill. Something needs to be done because we have a president that doesn't think before he speaks and Abbott and his fellow Texans are suffering!!! Support the Texans and our border patrol!!! Pass the bill!!!

Kevin Leyden

Self, software engineer

Edgecliff Village, TX

I oppose HB 4 because it does not support a person's right to seek asylum.

Biviana Villarreal

Self

Killeen, TX

I am opposing to the HB 4

Gerry Brundage

self, retired

Pottsboro, TX

Immigration enforcement should be exercised in a way that is targeted, proportional, and humane. HB4 just wastes more of my tax dollar and doesn't solve anything

Marian Sturm

Sisters of the Incarnate Word and Blessed Sacrament

Victoria, TX

I agree with the Texas Catholic Conference of Bishops who oppose HB 4 as it places federal responsibilities on state and local authorities, fails to make provision for those seeking asylum, and would overwhelm county courts and detention facilities. HB 4 overlooks the dignity of these people seeking asylum as human beings and is inhumane.

Dorothy Lickteig  
Self Retirec  
Corpus Christi, TX

I am writing in opposition to HB 4.  
This bill does not recognize the human dignity of the migrants. A bill needs to recognize circumstances when the migrant is entering our country for his self -preservation and needs to be added. Please vote against this bill.

James Finnegan, COL USAF Retired  
Self  
Garland, TX

Vote yes. I am a conscious, practicing Roman Catholic, but I must respectfully dissent from our bishops' position on this bill. We have federal laws on the books to control the flow of people into our country, but the federal government refuses to enforce these laws. In doing so, they have made the US an international "attractive nuisance" - where would-be immigrants are drawn only to drown in the Rio Grand, die of thirst in the Texas scrub lands, or be left to die in locked shipping containers. Texas must continue treating these individuals with human dignity, but we must do something to dissuade them from coming.

John Kummer  
Self  
Corpus Christi, TX

Please oppose HB4

Lisa Glenn  
Self  
Austin, TX

I am against this bill because it is inhumane and usurps the jurisdiction of the federal government. We, the taxpayers, will have to pay once more for extended litigation because it will be contested.

Cynthia Gonzalez  
Self  
San Antonio, TX

Congress needs to consider trauma informed policies that will address the wellbeing of children affected by separation. Please consider the emotional and psychological wellbeing of the children who will have to endure depression, anxiety, and other difficult mental disorders due to family separation. Mass deportations will harm generations to come. There is no more room in shelters and foster families are not easy to locate. Please consider the trauma that this bill will impose upon undocumented communities. Let children thrive with their undocumented relatives and friends. Give undocumented persons, the opportunity learn to speak English, work, and earn a living through humane and fair policy.

Pamela Gray, .rs.  
Self. Office mgr.  
Bridgeport, TX

Places federal regulations on our state. Does not serve our citizens justly. I oppose this. Not the way to go.

Jose Nieto, Mr.  
Self  
El Paso, TX

I oppose HB 4 as it places federal responsibilities on state and local authorities, fails to make provision for those seeking asylum, and would overwhelm county courts and detention facilities.

Debra Manning  
Self  
Waxahachie, TX

I am in support of this bill. We have to stop the flow of illegals into our country. Close Texas' borders and equip law enforcement to enforce the laws.

Jake Wilson  
Self - CPA  
Fort Worth, TX

I'm a Republican Voter and an 8th-generation Texan writing to voice my support for making a very important amendment to HB4 in order to benefit persecuted Christians and other good-faith asylum seekers.

HB4 states the following:

- (c) It is an affirmative defense to prosecution under this section that:
  - (1) the federal government has granted the defendant:
    - (A) lawful presence in the United States; or
    - (B) asylum under 8 U.S.C. Section 1158;

I perceive that the intent of the exemption for those granted asylum is to give persecuted minorities who need asylum in America the opportunity to stay. I greatly appreciate this exemption for those already granted asylum. But I hope the legislature will consider those who have been determined to have a credible fear of persecution, but are still in the years-long process of being granted asylum. Actually being granted asylum can take several years from one's date of application.

A better way to write this bill is that it would be an affirmative defense if the asylum seeker has been determined by a trained asylum officer to have a credible fear of persecution in accordance with 8. U.S.C. Section 1225.

So I propose that we add the following [bracketed] portion to Part B as follows:

- (c) It is an affirmative defense to prosecution under this section that:
  - (1) the federal government has granted the defendant:
    - (A) lawful presence in the United States; or
    - (B) asylum under 8 U.S.C. Section 1158; [or the defendant has been determined by a trained asylum officer to have a credible fear of persecution in accordance with 8 U.S.C. Section 1225.]

Making this very important amendment would allow persecuted minorities and other asylum seekers the ability to remain in the nation and state between the time of passing this reasonable fear screening and eventually being granted asylum, often a few years later.

For more information about reasonable fear screenings, please see the following link at the US Citizenship and Immigration Services website here:

<https://www.uscis.gov/humanitarian/refugees-and-asylum/asylum/reasonable-fear-screenings>

Thank you for efforts to secure the border, and I hope it will be carefully done in the right way.

I hope that the Texas legislature will secure the border to keep drug cartel workers, human traffickers, and terrorists out. We cannot allow the devastating consequences of porous borders to continue for Texas and the United States.

At the same time, in addition to making sure that asylum seekers fleeing persecution are not sent back into harm's way, I hope that the legislature will ensure that whatever law is passed will respect the importance of the nuclear family unit.

Thank You,

Jake Wilson  
Fort Worth, TX  
House District 91  
Senate District 9

Amy Mok  
asian american cultural center  
Austin, TX

The Bill HB4 that would majorly criminalize illegal entry and authorize all peace officers to detain, transport and order detained immigrants to be removed from the State without a due process.

This piece of proposed legislation HB4 is totally against our Constitution which gives the rights of due process to any one who is in our soil, under the value of the United States of America. I oppose it wholehearted as an American citizen who believe in our democracy, our Constitution. Thank you.

Sumit DasGupta  
Self  
AUSTIN, TX

I will repeat what I said the last time this bill came up for debate and citizens were allowed to provide written or oral testimony.

First and foremost, I doubt anyone, legally admitted aliens, permanent residents or citizens, would protest the deportation of a PROVEN illegal alien using established DUE PROCESS. However, what concerns me about this HB4 bill is the sense of haste and the apparent lack of due diligence that is evident in the implied process that seems to suggest that any peace officer can summarily escort a "suspected" alien across the border. So, here are some questions for you to ponder before you vote for this bill:

1. What process does the peace officer utilize to arrest an individual and feel sanguine in his belief that this particular individual, for example, one stopped for a minor traffic violation like a broken tail light, needs to be deported?
2. Will the policies and procedures of every police department in Texas be modified / updated to provide a consistent, adequate and legally sound DUE PROCESS to confirm that a suspected individual is indeed an illegal alien?
3. Will there be a special court to decide that deportation is indeed justified for individuals arrested under this law?

Without a due process that addresses the above questions, 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. The only government-issued ID card I carry is my Texas driving license. 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? In short, where will the checks and balances come from to safeguard innocent and legal immigrants from the abuse of this law?

In conclusion, I firmly believe 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."

Milan Martinez  
Self  
San Antonio, TX

Congress needs to understand the inhumanity of this proposed bill. Congress needs to understand the severity and unconstitutionality and hypocrisy that stems from HB4. You cannot rely on corrupt law enforcement to NOT racially profile and unjustly punish/ prosecute undeserving individuals, much less separating families that will lead to generations of psychological damage and trauma for individuals, CAUSED by the Texan government, unconstitutionally.

Brianna Rios  
self  
San Antonio, TX

this is unconstitutional and racial profiling. It is a waste of resources and it is very invasive in peoples personal life and civil liberties. This is a disgrace. For marginalized communities and individual citizens, this will be one more injustice they will have to worry about on a day to day basis. Leave these people and their families alone. They contribute to our society and help our economy thrive. No one is illegal on stolen land.

Brianna Rios  
self  
San Antonio, TX

I am AGAINST this bill.

Lynn Tinney  
myself, project manager  
Austin, TX

I oppose HB 4 as it places federal responsibilities on state and local authorities, fails to make provision for those seeking asylum, and would overwhelm county courts and detention facilities. Immigration reform is needed but this is not a good solution.

Sumit DasGupta  
Self  
Austin, TX

I am resubmitting my testimony because I did not click off the above statement as true. I will repeat what I said the last time this bill came up for debate and citizens were allowed to provide written or oral testimony.

First and foremost, I doubt anyone, legally admitted aliens, permanent residents or citizens, would protest the deportation of a PROVEN illegal alien using established DUE PROCESS. However, what concerns me about this HB4 bill is the sense of haste and the apparent lack of due diligence that is evident in the implied process that seems to suggest that any peace officer can summarily escort a "suspected" alien across the border. So, here are some questions for you to ponder before you vote for this bill:

1. What process does the peace officer utilize to arrest an individual and feel sanguine in his belief that this particular individual, for example, one stopped for a minor traffic violation like a broken tail light, needs to be deported?
2. Will the policies and procedures of every police department in Texas be modified / updated to provide a consistent, adequate and legally sound DUE PROCESS to confirm that a suspected individual is indeed an illegal alien?
3. Will there be a special court to decide that deportation is indeed justified for individuals arrested under this law?

Without a due process that addresses the above questions, 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. The only government-issued ID card I carry is my Texas driving license. 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? In short, where will the checks and balances come from to safeguard innocent and legal immigrants from the abuse of this law?

In conclusion, I firmly believe 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.

Klaudia Forgacova  
Self - Business Management  
Mansfield, TX

I urge your opposition to HB 4. This bill would enable the harassment of people and waste our tax dollars and resources toward actions that would do harm.

Linda Ricks  
Self  
Midlothian, TX

Dear Representatives, Texans want laws passed to deal with the illegal immigration at our border. Please pass HB 4 and take care of the citizens of Texas.

Ramon Alvarez  
Self  
Killeen, TX

Oppose HB 4 and work towards true immigration reform. As a nation founded on Christian morals and values, this bill fails to live up to said morals and values. In addition, we are facing a labor shortage and crisis and these immigrants are the only ones willing to fill this shortage. Let's work towards true reform, help our labor crisis and live up to our founding principles.

Frank Netscher  
Self  
Austin, TX

I'm tired of my tax dollars going to the same tired issues and being spent on solutions that clearly don't work and expand government overreach and beaurocracy.

Ethel Puno, Sister  
Sisters of Charity of the Incarnate Word, Houston, TX  
Houston, TX

People seeking asylum and safety needs to be received with compassion and given the aid they need. Being an asylum seeker/refugee or immigrant is not a crime.

Peggy Elliott  
Self  
Sweetwater, TX

HB4 is needed to protect our country from illegal entries bringing in drugs, exploiting our children, and using our resources.

Samantha Buford  
Self  
Palmer, TX

Hi, Bill HB4 must be passed. We cannot continue to allow individuals into our great State to make it like the one that they are running out of. We have to protect our borders at all costs. If they want to come to our State, then they should go through the process to become citizens. Thank you.

Frances Carney  
Voter  
Corpus Christi, TX

It causes a cold chill in my heart for God to see how Republicans treat poor refugees who are just longing for a place to live free and raise their family. Doesn't it bother you that those people ARE Jesus? Such a terrible sin for such a prosperous country. God forgive you

Jennifer Kristynik  
TCCB  
Bryan, TX

The TCCB opposes HB 4 as it places federal responsibilities on state and local authorities, fails to make provision for those seeking asylum, and would overwhelm county courts and detention facilities.

Gillian Cruey  
Mother's against Greg abbot  
Houston, TX

We have so many more important things to be spending tas dollars on, vote no!

Sharon Heinsohn  
Self  
NEW ULM, TX

ilwe oppose HB 5 as it places federal responsibilities on state and local authorities, fails to make provision for those seeking asylum, and would overwhelm county courts and detention facilities

Lisa Healy  
None  
Midlothian, TX

This is an important bill that will protect the citizens of Texas. Please vote in favor of this bill.

Vicente Degante, Mr  
Self truck driver  
Katy, TX

I do not want my property taxes to be raised just to pay for these mass deportations and arrests . Immigrants just want to work they are not criminals . Stop separating families and stop letting them live in fear , we all want a better future for our families .

Sandy Schexnailder  
Self  
Ovilla, TX

The TCCB and I opposes HB 4 as it places federal responsibilities on state and local authorities, fails to make provision for those seeking asylum, and would overwhelm county courts and detention facilities.

Juanita Pequeno  
Self  
Edinburg, TX

It will overwhelm our county courts and provides no help for those seeking asylum.

Terrance Romano

self

Houston, TX

HB 4

I, along with the TCCB oppose HB 4 as it places federal responsibilities on state and local authorities, fails to make provision for those seeking asylum, and would overwhelm county courts and detention facilities. It's sad that good people who are persecuted in Mexico have to emigrate to begin with but at the same time should not be allowed to stay in the States illegally. It's a difficult situation, but one that needs to be addressed speedily so that those who do not qualify to enter the US be sent back speedily, while those that do may enter society quickly.

Sister Kathleen Goike

Sister of Incarnate Word & Blessed Sacrament

Victoria, TX

Please oppose HB 4 on immigration reform. It is not a solution to our current immigration situation. This will only enhance our immigration problems. Thank you for your consideration to this situation.

Sister Kathleen

Sister Andrea Hubnik

Sisters of the Incarnate Word and Blessed Sacramen

Victoria, TX

I oppose HB 4 as it places federal responsibilities on state and local authorities, fails to make provision for those seeking asylum, and would overwhelm county courts and detention facilities. Thank you for considering this before taking action.

Joanie Stephens

Self

Plano, TX

HB 4 which creates a state criminal offense of entering Texas anywhere but a lawful port of entry, mimicking the offense in federal code, is problematic for several reasons. First, it does not make any provision for those seeking asylum. Many migrants cross the border without lawful status but then file for asylum or another form of relief as soon as possible through the federal system. This bill could significantly delay the federal process for asylum seekers as the penalty for a Class B misdemeanor is up to six months in jail. The asylum process is already long and arduous and to delay its initiation by detention is unjust. Moreover, the bill also empowers law enforcement to remove an individual in lieu of arrest, potentially denying altogether the opportunity for a migrant to apply for asylum which would also be a grave injustice. Second, the cost to the state to implement this legislation could be enormous considering the tens of thousands of migrants that state and local law enforcement encounter every year. The courts and detention facilities will be overwhelmed. There will also be the cost of litigation if the state is sued over this legislation. Third, the bill is unlikely to deter either migrants fleeing violence and poverty or the criminals engaged in human trafficking and drug trafficking.

Alane Barnfield, Mrs.

Self - wife, homemaker, teacher

Houston, TX

I oppose HB 4 which is not a solution to immigration reform.

Frances Carney

Voter

Corpus Christi, TX

Matthew 25::41-30. Need I say more? You are doing these things to Jesus??

Carrie Holley-Hurt

self

Austin, TX

This bill is cruel and feels less like policy for the sake of the public and more like an attempt to hold power. Aside from how I disagree with the Governor's approach to border security, this bill seeks to disrupt communities through mass profiling. This is state-sanctioned racial profiling, and nothing more. Please do not let this racist and cruel bill pass out of your committee.

Bett Butler

self, self-employed

San Antonio, TX

In 1948, the U.S. adopted the Universal Declaration of Human Rights, where Article 14 states, "Everyone has the right to seek and to enjoy in other countries asylum from persecution."

In violation of this, HB4 criminalizes immigration. It shifts federal responsibility to state and local authorities and makes no provision for seeking asylum. It gives untrained people the power to arrest and deport with impunity, funneling our tax dollars to investors in corporate-run prisons and detention centers. It incentivizes racial profiling and will disproportionately affect people of color.

I strongly urge you to vote against this racist, repressive, and wasteful bill.

RALPH STAN MAREK, CEO

MAREK

Houston, TX

House Committee on State Affairs

November 9, 2023

Written Testimony OPPOSED to House Bill 4

Stan Marek, President and CEO, Marek Companies

My name is Stan Marek and I am the President and CEO of Marek Companies, one of the largest interior contactors in the Southwest with key offices in Houston, Dallas, Ft. Worth, Austin, San Antonio, Harlingen, Atlanta and Oklahoma City. I'm the co-founder of Texans for a Sensible Immigration Policy and a member of the Greater Houston Partnership's task force, Americans for Immigration Reform.

HB 4 is not sensible and will destroy our Texas economies.

Immigrants drive our economy, and we couldn't have built the Texas economy without immigrant workers. That's a fact. The hard stuff, the roofing, the contract work, all the work that takes hard labor to do is not attractive to native born workers, but it is the type of work that is necessary to support our economies and the company my family has built. It's work that could only be done by the power of immigrant labor in our economy.

HB 4 works against Texas businesses. It allows for the unlimited prosecution and expulsion of any undocumented person who has ever entered the state of Texas. The persons subject to this heightened level of prosecution are my workers who do have legal status to work at my company but are waiting for the final decision on their cases by immigration judges or USCIS. My workers are doing the right thing, filing their cases properly with immigration authorities and are working hard for our Texas economy to improve our communities. Their work keeps my business thriving and the Texas Legislature is directly threatening my bottom line.

HB 4 will terrorize our communities and disrupt children's education during a critical time when our economy relies on a healthy school to work pipeline to keep our businesses strong and competitive. The Texas Legislature does not operate in a hateful silo, these policies have a devastating impact on Texas because the Texas Legislature is targeting immigrants, the backbone of our economy, immigrants who are in every which way intertwined with our communities, our schools, and our families.

For years, I have been advocating for sensible immigration reform that opens the pathways for employers to lawfully employ immigrant workers here in Texas. We need to make significant progress to make our economies more competitive and I know we can't get there without empowering immigrant workers in our economy to truly unleash their potential.

The greatest shame is the Texas Legislature just can't get this thing right and is going full speed in the opposite direction to the detriment of all.

Victoria Villa

Self, engineer

Desoto, TX

No to racial profiling and endangering the Latino community in Texas. No to this blatant overreach of local law enforcement. No to more criminalization instead of true solutions to the influx of immigrants who are vital to the Texas workforce and economy. No to more policing and fear.

Stacie Smith  
Self  
Houston, TX

Please oppose HB4 which would allow all peace officers in Texas to detain, arrest and expel any person they believe entered the US in an area other than a port of entry. How will peace officers in Texas determine if someone did not enter through a port of entry? This bill gives authority to all Texas peace officers and does not limit the geographical area where the authority extends. People could be stopped across the state! I fear discrimination and harm coming to minority groups. Peace officers in Texas include over 30 different types of officers without the necessary training to make a determination on asylum claims. This authority must remain with the federal government!

Chris Leito  
TCCB  
Fort Worth, TX

The TCCB opposes HB 4 as it places federal responsibilities on state and local authorities, fails to make provision for those seeking asylum, and would overwhelm county courts and detention facilities

LINDA CORCHADO, DIRECTOR OF THE CHILDREN'S IMMIGRATION NETWORK  
CHILDREN AT RISK  
HOUSTON, TX

I am Linda Corchado, Director of the Children's Immigration Network for CHILDREN AT RISK. For nearly a decade, I have represented immigrants and asylum seekers here on the U.S.-Mexico border in El Paso, Texas, where I was born and raised. CHILDREN AT RISK opposes House Bill 4.

Children are not exempted and therefore subject to expulsion by peace officers. There are no protocols for peace officers to follow should they encounter a child whom they suspect entered the U.S. without inspection. Enforcement can happen at any place in Texas, no matter how far they are from the border or how little knowledge peace officers have of immigration documents presented to them. The day-to-day enforcement of HB 4 would have a devastating impact on children, an undocumented mother, headed to a parent teacher conference would be subject to arrest by a peace officer, leaving a child alone and to the care of the state. Under HB4, a magistrate judge is the puppet of the Texas Legislature and would have zero discretion to determine the best interests of American children. An immigration judge's authority is meaningless under HB 4.

Children would be expelled to Mexico, leaving them vulnerable to sex trafficking and violence. Children who fear persecution, death or torture in their native country would be expelled to Mexico regardless of whether they are a citizen of Mexico and without any safeguards in place like the transfer of a child to foster care centers in Mexico. The US-Mexico border in 2022, is the deadliest land route for migrants worldwide on record.

Good faith, pending immigration claims would be rendered meaningless.

It is unnecessary for magistrate judges to consider whether a child has a pending asylum case or any immigration case. Afghan parolees including women and girls would be sent to the Taliban to face a certain. So would Ukrainian children fleeing war. Parole in place for military personnel would be subject to prosecution. The Biden administration is protecting children who have suffered the trauma of separation from their parents under Zero Tolerance by providing their immediate family members like their grandparents advanced parole (despite their prior entry without inspection) to protect these children from ever suffering traumatic separations ever again – HB 4 would render these efforts meaningless.

Children would be subject to persistent, systematic racial profiling, forever damaging their brain development.

The effects of racial discrimination are associated with long term physical and mental health issues such as depression and chronic illness. These effects are strongest if discrimination occurs early in life or is continuous. HB 4 will create conditions where children will become victims of persistent racial profiling, including U.S. citizen children who are presumed to be without status by peace officers. It is also harm that could happen without abatement, to the demise of a child's well-being and security.

Bev Gavenda, Ms

Self

Austin, TX

I am against criminalizing migrants who are seeking freedom.

Anna Katharina Dechert, Houston Policy & Advocacy Manager

Tahirih Justice Center

Houston, TX

I write 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, a 2022 study by Tahirih and Oxfam found that 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.

Codifying unlawful entry as a crime under Texas law and granting the state of Texas authority to remove immigrants to Mexico 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.

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 do so violates U.S. asylum law and makes survivors of violence vulnerable to further abuse and exploitation.

Furthermore, HB4 allows for the arrest and removal of vulnerable survivors of violence across Texas who are cooperating with the courts to pursue justice against their perpetrators without regard to the humanitarian or law enforcement purposes of U visas, T visas, and other immigration benefits for survivors. This law not only violates the rights to due process immigrants 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.

Finally, 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.

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.

Michele Wallace

Myself

Waxahachie, TX

Fully support this bill to help secure our southern border. In my opinion, this is one of the most important issues of concern for the safety of our state and country!

Cathy Roy

Self

North Richland Hills, TX

I oppose this bill as it places federal responsibilities on state and local authorities, fails to make provision for those seeking asylum, and would overwhelm county courts and detention facilities.

Joana Ovalle  
Self  
Cedar hill, TX

This bill is unconstitutional and literally legalizes racial profiling. You can already see that community relationships with police officers are not good and this will worsen because of HB 4. Florida is already not doing so great because of a similar law, this bill is gonna be bad for businesses here in Texas. Texas is a state that HIGHLY depends on immigrant workers because they are the only ones who work jobs that others won't. They are the only ones who are willing to stand in extreme weather conditions while they do back breaking work. It might be hard for some people to understand the work ethic required for these jobs because most just sit in offices under a roof not worried about the conditions going on outside. Last but not least you will be separating families, you may think you are sending them "back home" but the reality is that many immigrants have lived here for DECADES this IS their home. You're gonna split kids and future doctors, lawyers, engineers, etc from their families. That is absolutely horrendous.

Rachel Cywinski, Texan  
self  
San Antonio, TX

In 1948, the U.S. adopted the Universal Declaration of Human Rights, where Article 14 states, "Everyone has the right to seek and to enjoy in other countries asylum from persecution.

HB4 criminalizes immigration. It shifts federal responsibility to state and local authorities and makes no provision for seeking asylum. It gives untrained people the power to arrest and deport with impunity, funneling our tax dollars to investors in corporate-run prisons and detention centers, and increasing the potential for murder. I ask you to honor the United States of America as a National that recognized human rights and treat humans with respect.

marcus jones  
Self  
Austin, TX

I am an environmental organizer and while there are some great environmental impacts attached to this bill as it specifically pertains to the transportation of detainees and the energy cost of operating jails and detention centers at a greater capacity - Instead I want to provide a more personable testimony. I grew up in Houston, and have lived there for most of my life before relocating here. I've had the privilege of meeting all types of wonderful people, many of whom have been immigrants struggling to navigate the enduring and stressful process of applying for citizenship here in Texas.

Houston is truly a melting pot of opportunity, where people from all over the world find refuge or move simply to build a new life for themselves and their families. I've been told about the many hardships that come with being an immigrant seeking employment and pursuing an education. I've met people that carry the burden of achieving some sort of success and stability that could support their entire family. This bill only deepens that struggle for people that come here with the intention of gaining that stability while already having to navigate an inconsistent and harsh immigration system.

"The process is so obviously meant to fail anyone trying to obtain legal citizenship. You get interrogated and any small missing piece is emphasized and will be used as a reason against you to not obtain legal documentation."

This bill empowers state law enforcement to essentially act as federal agents and make their own personal judgements on the immigration status of any person that they may consider to be undocumented. Additionally, officers will retain minimal liability pertaining to any civil or criminal cases against officers as they attempt to enforce this law. This is wildly irresponsible.

A law that allows officers to act within their own discretion to pre-determine the immigration status of a person or persons, is explicitly a prejudice law. To enact this law without any real system of accountability in place to ensure the most humane treatment of migrant people is amoral. This is a irresponsible and incalculable use of tax dollars and of the legal system, and you all could otherwise be putting this effort towards improving the immigration system so that it is easier for people to gain citizenship without the threat of having their entire life upended. I strongly urge you all to NOT pass this bill.

Meredith and Felipe Rivera

Self

Round Rock, TX

I oppose HB 4 as it places federal responsibilities on state and local authorities, fails to make provision for those seeking asylum, and would overwhelm county courts and detention facilities.

Susan Hays

Self

Austin, TX

I reiterate my live testimony on HB 4 during the 3d Called Session. The indemnification (and now immunity) provisions are beyond radical. No where in Texas law does the state indemnify contractors. No where in Texas law are the legal bills of criminally charged government employees paid for by the government.

Why should any state actor be indemnified for criminal acts such as assault, rape, and murder and civil rights violations for the same? If the goal is enforcing law and order on the border, why encourage mayhem? Border residents have been murdered before by overzealous border guards. See [https://en.wikipedia.org/wiki/Esequiel\\_Hernández\\_Jr](https://en.wikipedia.org/wiki/Esequiel_Hernández_Jr). Such sweeping protections for bad actors in government service is dangerous, ill-advised, and unfit for a civil democracy.

Meanwhile our border counties do need real help. Funding. Preparation and resources to handle the next surge wherever it may occur.

Presidio County -- with the only Port of Entry between El Paso and Del Rio -- has a budget of only \$4 million (with a \$400,000 deficit). Only 8 sheriff's deputies with 108 miles of river. Housing migrants arrested under this law would break them. Only 114 bed jail, with 12 local prisoners, yet already 50% full with (paying) federal prisoners filling up the difference. Housing 50 migrants to fill the remaining beds for a year is another \$1.3 million (at \$70/day and not counting medical costs). One lawsuit or criminal case, and further into the red the state is pushing the county.

This bill doesn't help the border situation. It only adds to the burden on local government, endangers human beings, and distracts local law enforcement from other public safety concerns.

Yvonne Dilling

selfB

San Antonio, TX

I oppose HB 4 because it would give untrained people the power to arrest and deport at our Texas border. It makes NO provision for asking for asylum. It would overwhelm our county courts and detention facilities. It will take our tax money from other programs and enrich the investors in private prisons. I was many years a lay missionary in Central America. I know why none of these measures will stop people fleeing from desperate situations. The leaders of Texas should instead take the lead in proposing reforms to national immigration law that welcome immigrants in an efficient, just process.

Niloufar Hafizi

Self

Katy, TX

Dear members of the House State Affairs Committee,

My name is Niloufar Hafizi. I am a Texas resident of HD 26. I am proud to be from an immigrant family, and I write to urge you to vote NO on House Bill 4 (HB 4). This proposed legislation is unconstitutional and, if passed, could have far-reaching consequences on the rights, justice, and dignity of individuals within Texas.

While addressing immigration concerns is important, the way to do so is working with the federal government to improve the overall immigration system. Instead, this bill raises several troubling issues for immigrant communities at large:

**Widespread Racial Profiling:** HB 4 has the potential to encourage racial profiling by empowering ALL peace officers, including not just law enforcement but also Park Rangers, public transit officers, investigators from district attorneys' offices, and others not typically thought of as law enforcement, to make arrests. This would not only be unjust but would also increase fear among immigrant community members who would then hesitate to report crimes, including domestic violence; cooperate with investigations; or even interact with METRO security.

**Unconstitutionality and Legal Challenges:** The bill will likely lead to legal challenges as it attempts to infringe upon an area that is primarily the responsibility of the federal government. The U.S. Supreme Court *United States v. Arizona* has already established that state immigration laws such as the ones HB 4 would create are not constitutional. Measures like HB 4 that attempt to expand state control in this area are unnecessary. This conflict would likely result in lengthy and costly court battles, wasting valuable state resources.

**Harsh Penalties and Lack of Due Process:** HB 4's proposed penalties for unauthorized entry are severe, and would even subject to enforcement and prosecution immigrants whose immigration status is pending.

**Vagueness:** HB 4 does not have standards a clear process for punishment. No consolidated database of all U.S. citizens exists. A citizen who, for example, carries around a Texas Driver's License but not other papers could be targeted under this bill, arrested, and taken before a magistrate if the detaining peace officer decides the citizen may be someone who came here illegally. While HB 4's current version adds more process than the version considered in the 3rd Special Session, the process is still inadequate for protecting the rights of Texans.

I strongly believe that we should focus on comprehensive immigration reform that respects the principles of fairness, justice, and human rights. HB 4, in its current form, falls far short of these principles and will not help with border security or immigration reform. Instead, it will create a Texas where Texans who look like they could have entered illegally can be stopped, questioned, and possibly arrested. It will certainly lead to protracted litigation over its unconstitutionality. Please vote "no."

Jeannette LaFontaine Mack

Wildflower Unitarian Universalist Church

Austin, TX

Criminalizing people who are seeking refuge from atrocities in their home countries is inhumane and immoral. I recently went to the border to witness for myself what is happening down there and see what the process or system is for people seeking asylum. It actually makes me angry that legislators are using inflammatory language such as "invasion" and "under siege" to describe what I saw as an antiquated, disorganized (non) system that needs desperately to be overhauled, and blaming the people seeking our help is hypocritical and keeps us from being responsible for making dramatic changes to the current way of doing things. These people, human beings, families, children, women, elderly, infirmed and frightened, now you want to criminalize them as well? And what effect do you think this is going to have on our law enforcement? They are overwhelmed now, they don't need to be performing ICE's job as well. And the cost? This is a political ploy to "look" like our legislators, especially our governor, are doing something, but you are looking for an easy way out, not a solution. VOTE NO

Alexis Bay  
Self  
Edinburg, TX

Hello. I am a border resident from Hidalgo County and I am against this bill. Please vote NO on this bill. It will be costly, it is not the answer to immigration issues, and it is an anti-child bill. This is some of the worst legislation I have seen this session and it will harm families, border communities, and will incarcerate innocent people. NO HB4!!!!

Angelica Gonez-Salinas  
Self  
Cleburne, TX

Against this completely! This is complete racial profiling!! Your telling me if my mother was an immigrant government would have the right to pull me over, a legal citizen to search/violate my constitutional rights and seize my mother. Talk about racial discrimination at its worst. Shame on you Texas- Gov. ABBOTT

Christopher Russo  
Texans for Strong Borders  
El Lago, TX

Texans for Strong Borders has consistently supported legislation authorizing state law enforcement and military personnel to repel illegal crossings and return apprehended illegal aliens to Mexico. H.B. 4 largely accomplishes the latter goal, with significant deterrence to disregarding an order to return or re-entering after removal.

We have some concerns about the safe harbor provisions and how they will almost certainly be exploited by the cartels who have made human smuggling into a \$20 billion economy, but ultimately this bill still represents an important step towards securing our border.

The federal government has refused to enforce our laws, and indeed under President Biden has instituted illegal executive programs meant to circumvent the law. In the face of this unprecedented crisis, Texas must step into the gap. We urge you to swiftly pass H.B. 4.

Stacey Merkt  
self  
San Antonio, TX

I strongly oppose HB4. It allows untrained people to arrest and remove (deport) anyone SUSPECTED of illegal entry. What about those who are arriving to petition for political asylum? They would not have any access to present their case. How will the county courts and detention facilities handle the arrests? County courts are already overwhelmed. The financial cost to Texas (me as a taxpayer) will continue to skyrocket. I am extremely concerned about the high probability of injustice that so easily can arise from untrained people looking to arrest and deport people from our borders. It is not the answer. The focus needs to be on comprehensive immigration reform.

Mary Ketner, Ms.  
self  
San Antonio, TX

I am opposed to HB4 because it shifts federal responsibility to state and local authorities and makes no provision for seeking asylum. It gives untrained people the power to arrest and deport anyone whom they SUSPECT is an immigrant, which puts every Hispanic-looking person at risk. It funnels our tax dollars to private prisons and detention centre. I urge you to vote against this bill.

Willard Snead, Rev.  
San Gabriel UU Fellowship  
Georgetown, TX

Entry into the U.S.A. is a federal issue and not a state issue. Current criminal laws allow for prosecution of aliens. Providing law enforcement with immunity from liability runs the risk of police brutality and weakens accountability in the criminal justice system.

Mary Andrews  
Texas UU Justice Ministry  
Tyler, TX

Entry into the U.S.A. is a federal issue and not a state issue. Current criminal laws allow for prosecution of aliens. Providing law enforcement with immunity from liability runs the risk of police brutality and weakens accountability in the criminal justice system

Michelle Augustine  
self  
Georgetown, TX

Entry into the U.S.A. is a federal issue and not a state issue. Current criminal laws allow for prosecution of aliens. Providing law enforcement with immunity from liability runs the risk of police brutality and weakens accountability in the criminal justice system. I have just returned from a trip at the Rio Grande Valley, meeting with both border patrol and legal professionals and have noted that there are already many systems at work. There is no need for the state of Texas to criminalize refugees and asylum seekers.

Jim Crosby  
Nonviolent Austin  
Manor, TX

It has long been acknowledged that immigration reform is sorely needed. Please work toward just, comprehensive, and compassionate immigration reform. These short-term stop-gap measures seem consistently inhumane and frequently mere political posturing.

Mary DEWalt  
Self  
Waco, TX

I do NOT want Texas to be saddled with federal responsibilities on state and local authorities regarding illegal immigration. Federal oversight would overwhelm Texas' county courts and detention facilities.

stacie smith

Mormon Women For Ethical Government, Texas Chapter  
houston, TX

We believe governments are obligated to protect and not violate inalienable human rights, including life, liberty, due process, and equal protection under the law. Special care should be taken to protect the rights of the minority from undue infringement by the majority and to protect the well-being of the vulnerable, particularly women and children. We respect and support the rule of law. As such, government officials and institutions have a duty to respect that rule of law, including accepted processes for how the law is to be established, executed, and interpreted. They also have an ethical obligation to abide by international agreements and honor signed treaties, including the 1951 Refugee Convention and its 1967 Protocol, which grants specific rights to refugees and asylum seekers.

We consider ourselves mutually accountable to all human beings in our communities, country, and world. We therefore feel we have a moral responsibility to provide succor and relief to those fleeing war, violence, persecution, and natural disasters, regardless of race, nationality, or religion.

We ask the committee to oppose HB4. Though we agree that our federal immigration system is in need of reform, 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. HB4 would create a state misdemeanor (or felony, depending on a person's criminal history) for crossing the border anywhere other than a port of entry. HB4 also asserts that Texas courts must prosecute for the offense, regardless of a pending federal determination of immigration status. These determinations ought to be left to the federal government because they are subject to federal and international immigration law.

HB4 would also empower all peace officers to collect identifying information from a person they suspect to have entered the US at a place other than a port of entry, transport them to the border and order them to leave the US or detain them. According to Texas statutes, "peace officers" include over 30 categories of occupations including many not directly trained to handle immigration cases. No state law enforcement officer, and especially this broad category of peace officer, has the authority or training to make determinations of asylum claims.

In addition, this law would give authority to state "peace officers" without specifying the geographical area where this authority begins or ends. This could lead to unwarranted stops and detainments based on the assumption of illegal entry. This bill would wrongly place state authority above federal authority.

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

Mark Skrabacz, Rev.

Texas Unitarian Universalist Justice Ministry/First Unitarian Universalist Church of San Antonio  
San Antonio, TX

Entry into the U.S.A. is a federal issue and not a state issue. Current criminal laws allow for prosecution of aliens. Providing law enforcement with immunity from liability runs the risk of police brutality and weakens accountability in the criminal justice system.

Denise LaRock

self

San Antonio, TX

I oppose HB 4. It will place will cost the state vast amounts of money to arrest suspected illegal border crossers and detain them. This will be done by those not trained in border issues and will likely sweep up local people who do not have their legal documents on them. A simple example, so sitting or fishing by the river and heading home could be swept up by being arrested. It has happened previously! This person would be brown (as many border residents are) and someone not carrying proof of being in the US legally. I am also familiar with this happening in Macon, Georgia where there had been raids when I was living there and Latinos needed to start carrying a passport or other documentation to prove they are legally in the US. This encourages racial profiling and "accidental" arrests. This also makes no path to seeking asylum which REQUIRES being on the territory of the country of asylum.

Jennifer Anthony

self

San Antonio, TX

"I unequivocally oppose HB 4. It shifts federal responsibility to state and local authorities and makes no provision for seeking asylum. It gives untrained people the power to arrest and deport with impunity, funneling our tax dollars to investors in corporate-run prisons and detention centers. It incentivizes racial profiling and will disproportionately affect people of color. Please vote against HB 4.

Mary Nagy, Sister/Dr.

Self/Catholic Sister and University Educator

San Antonio, TX

While I appreciate the intent of proposed SB4 to safeguard the wellbeing of the residents of Texas, I object to the specific means proposed to achieve that end. 1. Though a loyal Texas citizen, who votes regularly, I, nevertheless, acknowledge that the federal government, not the state, rightfully legislates and enforces border regulations. 2. I affirm that the right to request asylum is a basic human right and, therefore, should not be penalized.

Thank you in advance for considering my perspectives on HB 4.

Rebecca Hughes

Self

Fort Worth, TX

I am opposed to HB4 "Show Me Your Papers" Bill for the following reasons:

- \*It is bad for business
- \*Expense which taxpayers will have to cover
- \*Harms police-community relations
- \*Will separate families
- \*Will create additional violence and hate
- \*Unconstitutional

This Bill will only create additional problems for the State.

michael williams

self

SAN ANTONIO, TX

I agree with this bill in order to help with the border crisis.

Catherine Lopez

Self, Editor

San Antonio, TX

I oppose HB 4. It usurps federal authority and makes no provision for seeking asylum. It incentivizes racial profiling while providing a revenue stream of our tax dollars to corporate-run prisons and detention centers. It also undermines the authority of the Border Patrol by giving untrained people the power to arrest and deport with impunity. Please vote against HB 4.

Tricia Kim

Self

Austin, TX

I oppose HB4 and any bills that increase criminalization, incarceration, and policing, particularly of our immigrant neighbors and border communities.

Lisa Graybill, Vice President, Law and Policy  
National Immigration Law Center  
Austin, TX

My name is Lisa Graybill, and I am the Vice President of Law and Policy at the National Immigration Law Center, where we are dedicated to defending the rights of low-income immigrants. We strongly oppose HB 4 due to the following:

First, HB 4 is clearly preempted by federal immigration law. Under the U.S. Constitution, the federal government has the sole authority to regulate immigration policy to ensure a comprehensive and unified immigration system. See U.S. Const. art. I, § 8; *Arizona v. U.S.*, 567 U.S. 387 (2012). As such, states may not enact state criminal laws that purport to deter immigration or supplement federal immigration policies, as such laws could upend federal goals and objectives. HB 4 would create state level crimes of illegal entry and illegal reentry in clear conflict of federal laws and policies.

Federal immigration law prohibits similar activities, setting forth criminal offenses for individuals who enter or re-enter the U.S. in violation of federal law. See 8 U.S.C. §§ 1325, 1326. Courts repeatedly strike down state laws that create state immigration crimes for encroaching on the federal government’s authority to regulate immigration. In 2013, the Fifth Circuit, in *Villas at Parkside Partners v. City of Farmers Branch*, 726 F.3d 524, 528-29 (5th Cir. 2013), struck down an ordinance for this very reason, holding that laws that “set[] forth criminal offenses that discourage illegal immigration or otherwise reinforce federal immigration law, and . . . provid[e] for state judicial review of a non-citizen's lawful or unlawful presence” are preempted. HB 4 violates the Fifth Circuit’s own precedent and sets the state up for costly litigation.

Second, HB 4 impermissibly makes a person’s immigration status an issue to be prosecuted before state criminal courts. Federal immigration law provides precise criteria to determine whether a person is removable and on what grounds, see, e.g., 8 U.S.C. §§ 1182; 1227. Under federal law, only federal officials can make immigration status determinations and decide whether a person is removable. See 8 U.S.C. §§ 1229a(a)(1); 1225(b)(1); 1357(a)(1). But HB 4 would create state level crimes that put state authorities in charge of determining a person’s immigration status and would authorize state judges to issue an “order to return”—essentially a removal order—in clear defiance of federal law. HB 4, thus, puts immigration status and removability in the hands of local and state actors, who have no independent authority or legal training on how to determine whether a person is removable from the country or eligible for relief like asylum. HB 4 would allow state officials to prosecute an individual for state immigration crimes even if that person’s application for immigration relief is pending before federal authorities. This could lead to the removal of many individuals who have a legal right to remain in the United States, thereby obstructing the proper functioning of the federal immigration

Becky Bullard  
Self - Communications  
Austin, TX

HB 4 encourages racial profiling and already has people of color in Texas afraid of being unjustly targeted by law enforcement simply because of the color of their skin. Please do not pass this harmful bill. Not to mention bills such as this have already been ruled unconstitutional, which means passage of HB 4 would just set Texas up for expensive litigation when our tax dollars are much better spent elsewhere.

Russell Hinds  
Self  
Rollingwood, TX

I vehemently OPPOSE HB 4 and any bills that increase criminalization, incarceration, and policing, particularly of our immigrant neighbors and border communities

Digna Vela  
self Director of Amor Meus Spirituality Center, spiritual director  
Victoria, TX

The TCCB opposes HB 4 as it places federal responsibilities on state and local authorities, fails to make provisions for those seeking asylum, and overwhelms county courts and detention facilities.

Myrriah Gossett  
Self - Audio Producer  
Austin, TX

I am writing to encourage you to vote against HB4. This bill will only increase harassment of some of our most vulnerable populations and waste taxpayer dollars on unnecessary arrests and deportations. We should be working to provide safe passage to migrants and working to reunite families. This bill is bad for business, bad for families and unconstitutional.

Sonia Montero Poyo  
Self  
San Antonio, TX

I unequivocally oppose HB 4. It shifts federal responsibility to state and local authorities and makes no provision for immigrants and refugees seeking asylum. Untrained people should not have the power to arrest and deport with impunity, nor should our tax dollars be funneled to investors in corporate-run prisons and detention centers. I fear this would incentivize racial profiling and disproportionately affect people of color. Please vote against HB 4.

Katy Jackson, Ms  
Self  
Rockport, TX

A person enters the Country illegally if they are not "examined" by an immigration officer, elude an immigration officer or misrepresent themselves to an immigration officer. Period.

Since the current Administration cannot figure out what this means, Texas must enforce this.

A State official cannot grant asylum by law but they can determine immigration status and act accordingly. The correct action would be to hand them over to Border Patrol but this Administration will not kick them out so the State must do the work

I wholeheartedly support this bill. While I expect the Admin to file suit if this bill passes into law, I know AG Paxton will be able to defend it.

As a final thought, I listened to today's testimony live, it seems the NGOs receiving money to help illegals should be ignored

Karen Sacre  
self  
San Antonio, TX

This bill usurps federal authority for immigration control and puts it in the hands of untrained state and local personnel to make decisions about an individual's legal status and right to seek asylum IAW the 1948 Universal Declaration of Human Rights signed onto by the United States. Article 14 states, "Everyone has the right to seek and to enjoy in other countries asylum from persecution." Asylum can only be requested from inside the country. In violation of this, HB4 criminalizes immigration. In addition, this cycle of apprehension, detention, and deportation funnels our tax dollars to investors in corporations which benefit from desperate, vulnerable people's circumstances to fill private prisons and detention centers and pay exorbitant fees for charter buses and flights. It incentivizes racial profiling and will disproportionately affect people of color. I strongly urge you to vote against this racist, repressive, and wasteful bill, which undermines humane democratic principles.

Kara Brown  
Self, stay at home parent  
Conroe, TX

Federal law already exists for immigration enforcement. Our law enforcement officers should not be required to further stereotype and harass people based on skin color, traumatizing an already vulnerable population. Our country relies on migrant labor. Focus your energy on lobbying to allow more migrants in legally.

Catherine Parsley

self

Dallas, TX

I am against HB 4.

First, immigration matters are a federal issue, not a state issue. Passing this bill only invites lengthy and costly litigation on a topic that SCOTUS has already addressed. I do not want my tax dollars going toward this (much as I don't want my tax dollars going toward four special sessions to try to force this through).

Second, this bill would allow officers anywhere in the state to detain, arrest, or deport anyone without due process. Due process is an integral part of our democracy and we cannot abandon it. Neither can we let officers act as judge and jury on whomever they come across and deem "suspicious".

Third, this could lead to mass deportations and incarcerations, which will not help solve issues at the border and will only (again) cost money. If the goal is to reduce crime or slow the flow of people coming in at our borders, this is not the way.

Fourth, this is bad for business. When Arizona passed a similar law years ago, it was ruled unconstitutional (see item 1 above) and made tourists and businesses decide not to go to Arizona. We do not need another reason for visitors to choose somewhere else to spend their time and money.

HB 4 is a dangerous bill that is unconstitutional and would target immigrant and Hispanic communities while doing little to address the real issues at the border. I am urging the committee to vote no on HB 4. Thank you.

Sr. Kara Davis

Daughters of Charity

San Antonio, TX

I oppose HB 4 because it would give untrained people the power to arrest and deport at our Texas border. It makes NO provision for asking for asylum. It would overwhelm our county courts and detention facilities. It will take our tax money from other programs and enrich the investors in private prisons.

Abraham Diaz Alonso, Mr.

Self - Regional Immigration Program Coordinator

Edcouch, TX

I am against this proposed Bill. The state legislature has shown over the past year that they are not intin promoting and passing this bill, otherwise it would have passed in regular session. The anti-immigrant agenda being promoted by the author Spiller and Governor Abbott will have negative consequences in our workforce, economy, and families across the State of Texas. Our state is very diverse and need to focus on the expansion of that.

Immigration laws are for and left to the United States federal government and our state should focus on state-focused issues such as funding for healthcare, increasing funding for schools and avoiding school vouchers, child care for working families, rather than promoting anti-immigrant policies.