

# WITNESS FOR JUSTICE

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### Silence is Not an Option

#### M. Linda Jaramillo

It is impossible to name all the problems with the hate-filled immigration legislation in Arizona in this short commentary. However, silence is not an option. Silence is certainly not an option for the two million Latinos and Latinas who live in Arizona who will be targeted and detained regardless of their status; 67% of whom were born there. Silence is not an option for Latinos or Latinas driving across Arizona. Silence is not an option for Latino or Latina students who attend Arizona universities.

Considering our nation's history of illegal racial profiling, why should anyone believe that racial profiling will not occur now that it is legal? It is now legal for Arizona's law enforcement to single people out because of the color of their skin, the language of their ancestors, their place of employment, or even the way they dress. Children can even be profiled by the make-up of their neighborhood school. What a tragic turn toward legalized racism after so many years of struggle for human and civil rights.

Police and other officials now have the authority to detain someone for "reasonable cause to suspect that they are not legally in this country." It even includes a provision forbidding automobiles from stopping to pick up workers on city streets or public highways. What a heavy burden to place of law enforcement personnel who are plenty busy responding to serious crimes such as murder, domestic violence, child abuse, robbery, drug trafficking, etc. This authorization is nothing less than modern day imposition of Jim Crow laws of the 19<sup>th</sup> and 20<sup>th</sup> centuries.

Another irony is that almost fifty years ago the United States Supreme Court upheld the protection of our civil rights by signing the Miranda Rights into Law. The Miranda Law is intended to safeguard against undue pressure by police questioning persons suspected of crimes without the benefit of legal

counsel. The Court held that persons should not be "deprived of their freedom in any significant way while in custody." It is ironic that the case originated as Miranda versus the state of Arizona, in which Ernesto Miranda was held without cause or legal council even in his trial.

Arizona lawmakers blame the U.S. Congress for not taking action, claiming that they had no choice. While I agree that that we need national comprehensive immigration reform, Arizona leaders cannot use this excuse for imposing such a mean spirited message upon the people of this entire nation. Governor Brewer signed the bill, but she is not the only person who should be held responsible for it. It was passed by a majority of legislators, even if it was a slim majority. Some of them have a known history of affiliation with neo-Nazi and white supremacist organizations. Some disagreed with the law, but they voted for it anyway. Some legislators indicated that they were afraid to vote against it. Some said nothing but voted in favor nonetheless. Fear of losing an election seems to have replaced their basic respect for human dignity.

When racism rears its ugly head and our nation's core justice values are at stake, fear cannot be an excuse to remain silent. Arizona elected leaders need to hear from us now. (<http://www.azleg.gov>)

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