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## Anti-sanctuary law sets off diplomatic tiff

By Valerie Richardson  
The Washington Times  
Published May 7, 2006

DENVER -- A newly signed Colorado law prohibiting "sanctuary" cities has ignited a feud between a state lawmaker and the Mexican consul.

State Sen. Tom Wiens, a Republican, fired off a letter Friday accusing Mexican Consul General Juan Marcos Gutierrez of interfering in U.S. policy-making after the consul general criticized the anti-sanctuary measure.

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"He should apologize for meddling in our affairs," said Mr. Wiens, the bill's sponsor.

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Mr. Gutierrez responded with a letter yesterday arguing that the law had raised concerns about the safety of Mexican citizens living in Colorado.

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"First, I respectfully acknowledge that I do not share your opinion about concerns regarding disregard for the rights of a sovereign nation to pass and enforce its own laws," Mr. Gutierrez said in the letter. "[The law] is aimed to have an impact on immigrants and their migration status, which obligates us to fulfill our function of protecting the rights of our nationals while the law is being applied."

Last week, Mr. Gutierrez said he worried that the law would result in racial profiling of Hispanics, regardless of their immigration status. He said the consul had received a number of calls from people worried about the law's effect.

"What this bill does is allow each and every employee of local government to build their own policy based on their own beliefs," Mr. Gutierrez said Thursday. "This is leaving a window open for any employee who has a personal agenda on immigration to make a decision based on racial profiling."

His remarks infuriated Mr. Wiens, who said the consul general had impugned the integrity of Colorado officers by "insinuating that our law enforcement community would put their alleged personal agendas above the rule of law."

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"That might be what they do in Mexico, but that's not how they do it here," Mr. Wiens said.

The anti-sanctuary bill, signed Monday by Colorado Gov. Bill Owens, abolishes the so-called "sanctuary city" policies that prohibit law enforcement officers from asking suspected illegal aliens about their residency status. Under such policies, only those arrested on felony charges may be asked whether they are living in the United States legally.

Many major U.S. cities, and at least three in Colorado -- Denver, Boulder and Durango -- have approved some sort of sanctuary protection for illegal aliens.

Under the new law, state and local police would be required to alert Immigration and Customs Enforcement after arresting a suspected illegal alien on felony or misdemeanor charges. The law would not apply to traffic stops or domestic violence, primarily to encourage women to report physical abuse in the latter case.

The law wasn't considered controversial at the time of its passage: Senate Bill 90 was approved unanimously in the state Senate last month and overwhelmingly in the House. Both chambers are narrowly controlled by Democrats.

Jeff Joseph, a Denver immigration lawyer, said he worried that the law would erode trust between police and the state's ethnic communities. He also predicted an increase in civil rights lawsuits if police mistake Hispanic citizens for illegal aliens.

"If you pull someone over, and they've forgotten their ID, but they have an accent and brown skin, there's going to be racial profiling involved," Mr. Joseph said.



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