



DIOCESE OF MANCHESTER
Secretariat for Administration and Community Affairs

February 18, 2011

Honorable Elaine Swinford, Chair
House Criminal Justice & Public Safety Committee
Room 204 - Legislative Office Building
Concord, NH 03301

Re: HB 644 (State Laws Pertaining To Unlawfully Present Aliens)

Dear Representative Swinford and Members of the Committee:

As Chancellor of the Roman Catholic Diocese of Manchester, and on behalf of Bishop John B. McCormack as a representative of the Catholic community of New Hampshire, I write to register our opposition to HB 644, which would make various changes in state laws pertaining to the treatment of people who are unlawfully present in the state. We believe that this bill does not serve the common good of the people of the State of New Hampshire.

There are a number of issues presented by this bill, and many of the provisions are already covered under federal or state law. For instance, persons who are not lawfully present in the country already are not able to receive federally funded benefits such as TANF, Medicaid, and similar programs. Thus, I would like to focus on the first part of this legislation, which would enable state law enforcement officers to enforce federal immigration laws.

The concern that the Roman Catholic Church has for immigrants flows from its profound respect for human rights, families, and the dignity of the human person. In recent years, this legislature has considered and rejected several proposals that would permit or require local law enforcement officials to enforce federal civil immigration laws. There is no reason why the legislature should revisit this subject now.

The federal immigration laws, which are administrative and not criminal in nature, are extremely complex, and significant resources would be required to properly train New Hampshire police to identify valid documentation and screen for fraudulent identification. Without proper training, the risk for mistakes and violations of civil rights increases.

Moreover, local enforcement of immigration laws may jeopardize public safety. Law enforcement in other states have refused to enforce civil immigration laws because they are concerned that migrants, including legal residents and naturalized citizens, will not come forward as victims, witnesses or concerned residents for fear that police will question their immigration status. For example, in a policy brief, the chiefs of police of several major cities with large immigrant populations outlined the consequences associated with the local enforcement of federal immigration laws. Among other concerns raised by the police chiefs, the police chiefs stated that the enforcement of federal immigration law would undermine immigrant communities' trust of local police. As a result, immigrant crime victims and witnesses might be afraid to speak up, making it more difficult for local police to carry out their core function of enforcing local laws. Once segments of the community begin to fear the authorities, the entire community is adversely affected.

We believe that our immigration system requires reform, but we believe that that reform ought to take place at the federal level. A patchwork of incongruent state laws and local ordinances may pit communities and states against each other, and could drive undocumented immigrants into the shadows. We urge our elected officials in Congress to engage in constructive dialogue on the enactment of comprehensive immigration reform.

Accordingly, we urge your Committee to report HB 644 as inexpedient to legislate.

Thank you for your consideration and for your dedicated service to the people of the State of New Hampshire.

Very truly yours,

/s/ Diane Murphy Quinlan

Diane Murphy Quinlan
Chancellor