



Arizona State Senate

Testimony of Arizona State Senator Steve M. Gallardo to the Senate Judiciary Subcommittee on Immigration, Refugees and Border Security

Delivered Tuesday April 24, 2012

"Mr. Chairman, Members, for the record my name is Steve Gallardo. I am a State Senator from Arizona representing District 13. It is a privilege to have the opportunity to give my perspective and experience regarding Arizona's SB 1070.

As a state elected official, I take no pride in the negative image Arizona has earned from its rabid preoccupation with immigrants, immigration enforcement and the negative by products that have followed SB 1070.

Mr. Chairman and members, The concerns that I bring before you today are based on numerous accounts of the mistreatment many of my constituents have been subjected to at the hands of local law enforcement, as well as racial divisiveness in our communities.

Mr. Chairman and members, SB 1070 has perpetuated a climate of fear and division. Without any doubt, Senate Bill 1070 has done Arizona and her people a great disservice and has done nothing to secure our borders.

Arizona's law has unfairly subjected Latino citizens to racial profiling and harassment.

The following situations will illustrate how SB 1070 has negatively affected the lives of many Latinos.

SB1070 has created racial tension and distrust between Latinos and law enforcement, as well as Latinos and their non-Latino neighbors.

The tragic death of Juan Varela a United States citizen who was murdered in front of his home by his neighbor Gary Kelley just 13 days after Governor Brewer signed SB 1070 into law. Gary Kelley yelled racial slurs, "Go back to Mexico. If you don't go back to Mexico you're going to die." Before long, Gary Kelley pointed his .38 revolver at Juan Varela and shot him in the face. Mr. Varela had a wife and 13-year-old daughter.

SB 1070 has made Latinos the target of criminals because Latinos will be less likely to report crimes to local law enforcement for fear of having themselves or a loved one deported.

Many Latina women face a horrific situation if they are the victim of domestic violence because SB 1070 may put these women in the position where they cannot report their abuser. In some cases, these women are held hostage in their own home. No woman regardless of their immigration status should ever be placed in harm's way.

SB 1070 has shifted the priorities of law enforcement. The focus is away from criminal investigations and placed squarely on local immigration enforcement. This comes at the expense of rape, assault and murder victims.

Recently the Maricopa County Sheriffs Office has come under fire for their failure to investigate approximately 400 sexual-assault cases, many of these cases involves children.

SB 1070 and laws like it has fostered and legitimized a vigilante movement responsible for violent, sometimes lethal, attacks on Latinos.

The case of the murder of nine-year-old Brisenia Flores and her father Raul at the hands of, Shawna Forde, Jason Bush, and Albert Gaxiola - all members of Minutemen American Defense – the Flores were murdered in their own home as these three tried to rob them.

If SB 1070 has been successful in anything, it has been in breaking up families by separating hard working immigrant parents from their children and limiting the success of Latino students.

These parents and children, live in fear of being separated from each other. It is a common practice of parents to teach their children a phone number of a trusted family friend in the event that the parents are swept up by Sheriff Joe Arpaio in raids and need a place to live.

For example, nine-year-old Katherine Figueroa, a United States citizen, saw her parents arrested in a raid that was televised at the local car wash where they worked before they were deported.

A ballot initiative that preceded SB 1070 requires undocumented college students to pay out of state tuition. The DREAM Act has become exactly that, a dream necessary for them to fulfill their aspirations and contribute to our society. The Carl Hayden High School Robotics Team a source of pride in my legislative district has beaten teams from all over the world, including the Massachusetts

Institute of Technology. Were it not for their immigration status these students would have unlimited promise.

Unfortunately, laws like SB 1070 pander to the climate of fear and division that runs rampant through Arizona. This fear was created with a purpose.

Mr. Chairman and members, I would submit to you, SB1070's true intention, its primary objective was to make second-class citizens of U.S. Latinos. To discourage them from voting, from going to school, seeking employment and realizing the American Dream.

Immigration enforcement is only a secondary objective and by their own admission, the authors and supporters of SB 1070, intended to harass immigrants, to create a hostile and miserable environment so that immigrants would rather choose to "self-deport", and have shown no regard for the civil rights abuses of Latino citizens.

This by its very nature defines this strategy is reckless and abusive. SB1070 is neither an immigration policy, nor a legal position but rather a campaign of harassment and intimidation directed solely according to the person's complexion.

Finally, the prime sponsor of SB 1070 will attempt to give some rationale for the chaos of this legislation. However, I would submit to you that any efforts that justify the profiling, harassment and or oppression of anyone are un-American, illegal and unconstitutional on their face.

Mr. Chairman and members, I pray you will see the wisdom of passing legislation preempting states from addressing/enforcing immigration enforcement, and especially make a priority of passing the DREAM Act.

Mr. Chairman and members, those are my comments respectfully submitted.