



## Other States Modeling Missouri Highway Patrol's Illegal Immigration Policy

The Missouri Highway Patrol recently joined 66 other agencies nationwide in signing a new immigration agreement with the Department of Homeland Security that includes new provisions for participating police agencies, including the Missouri Highway Patrol, empowered to enforce immigration law.

Interestingly, the new rule changes outlined in the new agreement are expected to have no significant impact in Missouri as the Missouri Highway Patrol has already implemented and is practicing the suggested new policies, with many states now working to model Missouri's successful immigration enforcement program.

In Missouri, the state Highway Patrol has been checking the legal status of *anyone* presented for incarceration since 2007. In cooperation with the U.S. Immigration and Customs Enforcement, Missouri Highway Patrol officers are empowered to check the citizenship status of anyone taken in custody. Several officers have also received special training to begin deportation proceedings after determining an arrest suspect is in the country illegally. Since 2007, the Missouri Highway Patrol has detained 457 people under this vital program.

Homeland Security officials made changes and standardized the new public safety agreements with participating police agencies in order to ensure that the focus remains on — and top priority is given to — identifying and removing the most serious criminals, including those arrested for violent crimes such as rape and robbery, major drug offenses, and property crimes, including burglary and fraud. The agreement also includes measures to guard against potential abuse such as racial profiling.

The key change to the new agreement specifies that agencies that sign onto the agreement must agree to pursue criminal charges that prompted an illegal immigrant's detention. In other words, police cannot make an arrest or detain someone for the sole purpose of finding out if that person is residing in the country illegally. In Missouri, Highway Patrol officers already have these controls in place as they check an individual's legal status only when he or she is presented for incarceration on another charge.

The federal law that deputizes designated police officers to turn over suspects or criminals to immigration authorities for possible deportation — known as 287(g) — took effect in 1996. Most of the participating agencies signed up under President George W. Bush, whose administration promoted it as an effective tool against dangerous criminal immigrants. It's important to note that participating law enforcement agencies that have signed this agreement with the Department of Homeland Security are bound by civil rights law and subject to U.S. Immigration and Customs Enforcement, and any agency not following those standards can lose their federal authority.

To date, the "287g" agreements have been very successful in helping law enforcement crack down on illegal immigration. Since 2006, police officers have identified more than 120,000 suspected illegal immigrants nationwide.

You may recall that my provisions to strengthen immigration laws were passed by the General Assembly in 2008 ([House Bill 1549](#)) — making Missouri one of the toughest states on illegal immigration. One of the provisions in the comprehensive immigration reform placed in statute the Missouri Highway Patrol's authority to check the legal status of anyone presented for incarceration.

Building upon last year's successful immigration legislation, the General Assembly also passed a legislative proposal I advanced this year ([House Bill 390](#)) that prohibits public colleges and universities from awarding college financial aid to students who are unlawfully present in the United States.

As always, if you have any questions about this week's column or any other matter involving state government, please do not hesitate to contact me. You can reach my office by phone at (866) 271-2844.

###