

## Workshop Summary:

### LIVING WITNESS IN PHOENIX: UNDER THE EYE OF JOE ARPAIO

*This workshop was led by Alfredo Gutierrez, who has played a prominent role in Arizona public policy for several decades. Elected to the state senate at age 25, he has served as both minority and majority leader. A Viet Nam veteran, successful businessman and activist, he hosts a popular radio program on the nonprofit network owned by the United Farm Workers of America. He was an organizer of “freedom summer” in Arizona in the weeks following the Border Event during which this workshop took place.*

Speaking to a Standing Room Only crowd, Gutierrez began his presentation by saying that Arizona has long been a laboratory experiment in the arena of anti-immigration policy. Arizona’s policies are then replicated in other states.

He stated that there are currently 49,000 active arrest warrants for criminals in Maricopa County (sex offenders, suspected murderers, etc.); these are the people who should be pursued, not law-abiding people without papers. Maricopa County sheriff Joe Arpaio has held office for 16 years. There have been sixteen immigration raids in recent months; 30,000 children (without parents) are deported annually. There is no age cutoff for deportation.

Gutierrez has asked to speak to Governor Jan Brewer regarding Arizona Senate Bill 1070, just passed by the legislature. So far he has not been able to receive an audience. Sadly, he believes that she will sign it.<sup>i</sup> Gutierrez said that the next steps would likely be the filing of legal suits to declare the law unconstitutional and a violation of Article II of the Bill of Rights.<sup>ii</sup>

Mr. Gutierrez referred several times to the U.S. pattern of “inviting” Mexican laborers into the country when our own labor supply is depressed, e.g. due to war, soldiers returning from World War II in the 1940s and using the G.I. bill to obtain an education, etc. Then, when our economy tanks, the cry becomes “*They* are taking jobs from us.” The federal government then enacts legislation to “close the border.” In 1996, reforms enacted during the Clinton Administration severed every legal way for people without papers to become American citizens. Only 5,000 visas for unskilled Mexican laborers are granted each year. If undocumented persons are deported, they must wait ten years to reenter the U.S. legally.

Mr. Gutierrez referred to “the banality of evil,” a phrase coined by Hannah Arendt in her 1963 work, *Eichmann in Jerusalem: A Report on the Banality of Evil*. Her thesis was that the great evils in history generally (and the Holocaust in particular) were executed, not by fanatics or sociopaths but by ordinary people who, having accepted the premises put forth by their state, supported the state and participated in its atrocities with the sense that their actions were normal and acceptable behavior.

In a similar way, we in the U.S. – and Arizona in particular – risk becoming desensitized to the inhumane treatment of a people being profiled in our midst.

He advised participants to call and e-mail Governor Brewer, asking her not to sign Senate Bill 1070. He also suggested that we advise friends, neighbors or acquaintances who may be without papers not to draw attention to themselves in the months ahead as doing so could have serious consequences, particularly in Arizona.

Developed from notes by Barbara Tucker Peterson and other sources

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<sup>i</sup> Brewer did sign the bill on April 23, 2010; it was scheduled to go into effect on July 29, ninety days after the end of the legislative session.

<sup>ii</sup> Numerous legal challenges to SB1070 regarding its constitutionality and compliance with civil rights law were filed, including one by the U.S. Department of Justice. In response to the latter, a federal judge issued a preliminary injunction that blocked the law's most controversial provisions. Concerns raised in the suits included: violation of the federal Supremacy Clause by attempting to bypass federal immigration law; violation of the 14th Amendment and Equal Protection Clause (rights of racial and national origin minorities); violation of the 1st Amendment (freedom of speech), 4th Amendment (prohibition of unwarranted searches and seizures), and infringement of the constitutional provisions that protect the right to travel without being stopped, questioned or detained. The injunction against certain provisions of the law is still in force as the court process continues.