

# ALBUQUERQUE CRIMINAL LAWYER BLOG

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## **Border Stories: Facts and Fictions**

It is amazing how many are so quick to take away the rights of others to protect against the wave of violence along the border. Many on the right are quick to point out that the wave of violence emanates from Mexico and that the threat comes in a neat identifiable package. All that is left is for the well intentioned police officers throughout Arizona to root out these ne'er-do-wells, lock them up, and send them packing.

What is lost in the debate is the fact that the wave of violence is a fiction created by the Right. El Paso is among the safest big cities in the nation. Yet it is separated only by a river from Juarez, which has earned the moniker of "murder capitol of the world." Phoenix' crime rate is also on the decline. San Diego too has seen no spike in violent crime from the marauders pouring across the border as the right would have everyone believe.

For 2006, El Paso ranked 179th, Phoenix 108th, and San Diego 130th in violent crime rates. Anchorage came in at #8 on the list suggesting that those Russians pouring over the border on to Sarah Palin's back porch are up to no good and should be profiled and eradicated.

The FBI reports that the nation as a whole had a decrease in violent crime of 4.4 percent from 2008 to 2009. It decreased 1.9 percent from 2007 to 2008. Violent crime rates in the border cities have seen similar decreases. Clearly, the violent crime statistics do not support the measures in Arizona. Like many issues from the Right, the threat of violent crime by illegal immigrants is a fictitious threat cynically created to scare the hell out of the public in an effort to garner votes.

Unfortunately, the public has until November to learn the truth behind the Arizona measures and the many on the Right that who support them. The numbers are pretty straightforward and easily communicated. What is harder to communicate is the impact that measures such as those in Arizona have on all Americans, even those that support these measures.

The right against illegal search and seizure by law enforcement is among the most protected rights that we have. It was important enough to come in at # 4 in the Bill of Rights. It is easy for many to support a forfeiture of this right when they believe it does not affect them. But the erosion of the right against unlawful search and seizure affects

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everyone. It takes little imagination to envision endless situations where police governed by laws like Arizona's "papers please law" could justify the stop of anyone for any reason.

The infringement on the rights of legal immigrants and Hispanic citizens is an outrage and should cause everyone to pause before embracing it. Sadly, most cannot see past their own narrow circumstances and only when these laws begin to infringe on their own sacred constitutional rights will they understand the dangers of laws like those in Arizona. And for what? A fictional wave of violent crime pouring over the US-Mexico border created in a dangerous and hopefully failed ploy to win votes.

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