

Testimony for Sheriff David Hathaway

(David Hathaway is the elected Sheriff of Santa Cruz County, Arizona)

Both political parties share the blame for the lack of coherent policies when the U.S. interacts with visitors or immigrants from foreign countries. The resultant chaos can then be packaged and described as a crisis for the benefit of political actors. The blame lies with Congress as the branch of government tasked with making laws. This is not an area that should be left to the Executive Branch which then tries to fabricate solutions through ad hoc executive action. The reality is simple. Border areas are safe and we, the residents of border areas, don't want to turn them into a police state or a war zone. My wife and I live near the border and we walk every night along the border. My county has the largest ports-of-entry with Mexico of all Arizona border counties. It is peaceful and safe. The vast majority of people coming to the U.S. are coming to work. It is disingenuous to conflate people coming to work with drug dealers or criminals. They come to improve their lives. Statistically, it has been shown that migrants are less likely to commit crimes than native-born Americans. They are also less likely to go on welfare or to receive public assistance than native-born Americans. They often pay in to systems like Social Security and never take out benefits. They contribute productivity to the economy which reduces price inflation. We have an aging population in the U.S. and we need younger workers. It makes me laugh when people talk about "fighting-age-males" coming to the U.S. as if they are staging an army here. Throughout time, men have gone to where the jobs are and have sent money back to their families. There are "help wanted" signs everywhere. There needs to be an easier way for people to come here to work.

Asylum seekers that are granted entry while awaiting a future hearing are not allowed to work for six months. We need to stop looking to the asylum process as a solution for the lack of workers. And many countries, such as our neighboring Mexico, are largely ineligible for asylum claims since the U.S. does not recognize political persecution as a factor in certain countries, like Mexico. Yet, Mexico is a very important trading partner with 80% of its external GDP involving trade with the U.S. and its geographically-accessible work force. It is ridiculous to make a requirement for a migrant to express "credible fear" before they can come to the U.S. to work. But, that is the system we have created, so migrants learn that they must articulate fear in order to come to the U.S. to work. We need to re-establish a robust guest worker program as existed in the past. My family has lived for five generations on the U.S. / Mexico border in Arizona coming in the 1800's before Arizona became a state. It used to be much easier for my grandfather to hire workers from Mexico if needed. Ranchers and farmers have been clamoring for years for the passage of The Farm Workforce Modernization Act which would allow American employers to hire needed agricultural workers via H-2A visas, but that Act has languished despite pressures on Congress from the business community.

If anyone from Washington ever asks me what we need on the border... First of all, I say we don't need more "photo ops" from politicians who want to get their "street cred" by posing

next to the wall so they can say, "been there, done that." What we really need is something that was in the Border Bill that was killed for obvious political reasons. There was a provision in there for immigration judges and staff to be placed right on the border where decisions need to be made. We need the judges that can make those decisions at the border. Then, people wanting to come into the U.S. can present their documents and if the answer is yes, it's yes. If it's no, it's no. It is not working to avoid these issues and to kick the can down the road forever. Congress needs to make decisions to update Title 8 to allow decisions to be made at the border that benefit our country with workers and foreign trade that we need.

This is not a Democrat versus Republican thing. Southwest border numbers were high under both Democrats and Republicans for a 24-year period in the 80s, 90s, and 2000s including the Administrations of Reagan, Bush Sr., Clinton, and Bush Jr. Then, there was a 14-year lull in Southwest Border encounters under both Democrats and Republicans that included all eight years of Obama, the Trump years, and the last two years of Bush, Jr. with none of those years approaching a million and most of them under half a million.

And certain policies smack of racism. For example, a wall was never suggested for the Canadian / U.S. border. Title 42, a COVID policy, was never implemented aggressively at the Northern border to keep foreigners from making claims. And it is odd to me that it has become fashionable to talk of walls, tariffs, and isolationism. Reagan was not a fan of walls. When the Soviet Union suggested that they were embracing freedom in the late 1980's and early 1990's, Reagan told them to prove it by tearing down the Berlin Wall. Reagan was also not a fan of tariffs. And yet now, we have outbound inspections of Americans by U.S. officials at our borders as Americans leave the country. This is happening in my town now as standard policy. Americans are now being searched and having their money seized as they leave the U.S.! This really smacks of totalitarianism and is reminiscent of East Germany. I don't think Ronald Reagan would have ever anticipated that we would reach a point in time when we would be in a wall-building frenzy and a tariff frenzy and when we would search and interrogate our own citizens at internal checkpoints and as they leave the country. When I grew up, I was told that we don't do that in America. Well, we do now. We might as well tear down the Statue of Liberty and throw it into the ocean.