
[The Higher Stakes of SB1070 Debate - AZ Republic](#)

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When the Supreme Court hears the Department of Justice lawsuit challenging portions of Arizona's Senate Bill 1070 today, what will be debated has much higher stakes than the limited constitutional questions of federal and state powers that will be before the court.

Perhaps those are the narrow arguments that will pass between lawyers, but SB 1070 isn't about a battle between federal and state power. It isn't even about immigration policy, nor is it about Arizona.

SB 1070 is about all of us. How we respond to crisis, how we treat each other and whether we will let the bill's defenders stand in the doorway of history or whether we will refuse to have the hard-fought advances in our rights be turned back.

When the Justice suit was first heard in 2010, I was arrested outside the courthouse. Together with five others, I participated in a collective act of civil disobedience to announce a pledge that we would not comply with SB 1070 if it were to go into effect.

On that day, the bill that Cardinal Roger Mahony of Los Angeles described as "Nazi-like" was being judged within the court, but the verdict had already been reached by those outside. We would not comply. If the law that mandated racial profiling went into effect, its enforcers would have to investigate all of us, because we would not allow anyone to be targeted alone.

My own personal pledge was later tested, not in Arizona but in Atlanta, where I attended a conference to respond to that state's 1070 copycat, House Bill 87. When other attendees and I went to visit the Martin Luther King memorial, I stood in front of its entrance in awe with my hands behind my back, handcuffed, in the rain.

As I sought to pay my respects to one of my heroes, a police officer profiled me, detained me and demanded documentation. In what has become a familiar scenario in my home state, I reminded him of nonconsensual searches, asked for reasons for the baseless stop and was eventually released without complying with his unlawful investigation.

What had started in Arizona is spreading. Arizona-style policies across the country now threaten the wins and protections previous movement leaders fought and died for. And I believe we have come too far to go back now.

Shortly after I returned home, news broke that, in his obsession with immigration, Maricopa County Sheriff Joe Arpaio's office neglected to investigate hundreds of sexual-abuse cases of children in our area. Quickly following that, the Department of

Justice concluded its investigation of the sheriff, citing the "worst case of racial profiling" investigators had ever personally witnessed. Those revelations demonstrate the urgent need to swiftly bring Arpaio to justice and for his persistent collaborators, the Department of Homeland Security, to reverse policies that are causing the "Arizonification" of the country.

Arizona's decision to pass SB 1070 is the result of a failed experiment by the Department of Homeland Security to use people like Arpaio as "force multipliers." Across the country where Homeland Security has entangled local police in immigration affairs, they have set a fire that the Department of Justice has repeatedly been called in to put out.

Today, the Supreme Court may deliberate, but for the people of Arizona, the verdict is already in. We will be marching because we are ready for a new day. Former Senate President Russell Pearce, Arpaio, Gov. Jan Brewer and those behind them will be shamed by history, either through the Supreme Court decision or through our mobilizations. We will bring dignity back to the state.

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