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Arizona Immigration Law, Extreme Border Violence Top Issues at 2010 Border Governors Conference in New Mexico

by Carlos Navarro

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The 2010 Border Governors Conference, held in Santa Fe, New Mexico, on Sept. 19-21, stood out more for what occurred away from the annual gathering than what took place in the conference rooms where the chief executives met. The final declarations from the conference were predictable and eerily similar to those made in recent years. The participants urged the US Congress to enact comprehensive immigration reform and control the illegal export of weapons from the US into Mexico. They also pledged to continue working to boost trade, reduce pollution, and coordinate communication and law-enforcement capabilities.

But events and developments outside the conference put a special emphasis on these issues. Chief among them was the absence of the governors of Arizona and Texas, underscoring differences of opinion on immigration policy. And concerns about the explosion of violence and insecurity in Mexican border states were exposed in the plea by one of the region's newspapers for a truce with drug traffickers. There were also reports of new efforts by US authorities to dismantle gun-smuggling operations in northern Texas.

Immigration and insecurity concerns dominated the discussions among the governors, even though the two issues have already been addressed multiple times in other bilateral reunions during the past two years ([SourceMex, April 28, 2010](#)). President Felipe Calderón made these two topics the focus of his address to the US Congress in May of this year ([SourceMex, May 26, 2010](#)).

The conference's final communiqué urged the US Congress to approve comprehensive immigration reform that includes offering an opportunity for immigrants already in the US to attain legal status.

"There has to be a national effort, and it's really up to Democrats and Republicans alike. It's not just a partisan issue," Gov. Bill Richardson of New Mexico told a news conference.

The governors also called on the US to develop a deportation process "based on the fundamental premise of respecting the human dignity and human rights of individuals being repatriated."

Even though immigration issues have come up frequently at past border governors conferences, participants wanted to send a clear message this year.

"The idea is to produce a strong statement that emphasizes that the border between the US and Mexico, a region that is home to 83 million inhabitants, faces common problems and requires agreements and joint solutions," Tamaulipas Gov. Eugenio Hernández Flores said in a newspaper interview at the start of the conference.

Arizona's SB1070 the elephant in the room

Despite the generalities in the statements regarding immigration, the elephant in the room was Arizona's SB1070 legislation, which lawmakers in that state approved in April of this year. The law requires local law-enforcement officers to stop suspected immigrants and ask for identification

([SourceMex, April 28, 2010](#)). Critics contend SB1070 violates individual rights because it encourages racial profiling. In July of this year, a US federal judge struck down some of the more controversial aspects of the legislation on the grounds that SB1070 violates federal jurisdiction on immigration ([SourceMex, July 21, 2010](#)). The government of Arizona has appealed the ruling, but no decision is expected until after the US elections in November.

The disagreement on SB1070 had a far-reaching effect on the gathering of border governors even before the meeting in Santa Fe. The conference was originally scheduled for Phoenix, but the six governors from Mexico, citing SB1070, announced they were boycotting the gathering if it was held in Arizona ([SourceMex, June 26, 2010](#)). The decision of the Mexican governors to boycott the conference prompted Arizona Gov. Jan Brewer to cancel the event altogether.

After Brewer announced her decision, Gov. Richardson and California Gov. Arnold Schwarzenegger agreed to act as co-hosts for a rescheduled gathering this year in Santa Fe. Richardson and his Mexican counterparts said the annual consultations were important despite tensions regarding SB1070. "This meeting is a clear sign of our political maturity," said Sonora Gov. Guillermo Padrés Elías.

Schwarzenegger was unable to participate at the last minute because of illness, but he sent Lt. Gov. Abel Maldonado in his stead. Brewer and Texas Gov. Rick Perry both decided to boycott the conference, saying that the meeting was to be held in Phoenix or nowhere. The conferences alternate between the US and Mexico, with the event having been held in Monterrey in 2009.

The Mexican governors insisted that the absence of Brewer and Perry, while regrettable, would not hinder discussions on issues common to the border states. The governors of Arizona, Texas, and California were unable to attend the gathering in Monterrey last year but sent representatives. There was no official representation from Texas or Arizona this year.

In a show of unity against Arizona's restrictive law, all six Mexican governors, along with the governors-elect of Chihuahua and Tamaulipas, ensured that the opening and closing declarations included a strong condemnation of anti-immigrant policies in the US. "Ms. Brewer's name did not come up directly in the opening remarks, but Gov. Humberto Moreira Valdés of Mexico's Coahuila state left no doubt about who he was speaking about when he praised Mr. Richardson and Mr. Maldonado for their friendship with Mexico and noted that not every border leader thought the same way," said *The New York Times*.

Brewer had an opportunity to offer her point of view during an interview with US Spanish-language television network Univision, which was aired during the time of the conference. She told anchor Jorge Ramos that she was disappointed that the Mexican governors had not come to Arizona to discuss their differences on immigration with her and other state officials. She also expressed regret that the controversy over SB1070 had prompted some critics to brand her a racist. "Not only am I concerned, it's really disappointing to me," she told Ramos. "I've lived in the Southwest my whole life. I've got many friends of many cultures and certainly a great deal of them are Hispanics, and I love them from the bottom of my heart."

Still, Brewer defended Arizona's decision to proceed with SB1070. "We cannot afford all this illegal immigration and everything that comes with it, everything from the crime and to the drugs and the kidnappings and the extortion and the beheadings and the fact that people can't feel safe in their community," said the Arizona governor.

Brewer emphasized that SB1070 was not about racial profiling or violations of human rights. "This has to do with a violation of the law, and we are a nation of laws," she said.

The Mexican governors say their states would suffer the repercussions if Arizona should win the appeal of SB1070. Therefore, they have asked the Mexican federal government to create a fund to help cope with increased deportations. This would particularly be relevant to Sonora and Baja California, which share a border with Arizona.

Study shows drop in illegal immigration in last several years

Even as the dispute over SB1070 heats up, a recent report from the Pew Hispanic Center suggests that illegal immigration has slowed down in the past several years. The Pew study found that the annual flow of undocumented immigrants was nearly two-thirds smaller during the period between March 2007 and March 2009 than it was in the period from March 2000 to March 2005. "This sharp decline has contributed to an overall reduction of 8% in the number of unauthorized immigrants currently living in the US, to 11.1 million in March 2009 from a peak of 12 million in March 2007," said the report released by the Pew Hispanic Center on Sept. 1, 2010. "The decrease represents the first significant reversal in the growth of this population over the past two decades."

The authors of the Pew report, Jeffrey Passel and D'Vera Cohn, said an average of 850,000 new undocumented immigrants entered the country each year during the first half of the decade. But that average declined sharply in the second half, reaching 550,000 per year between March 2005 and March 2007 and 300,000 annually between March 2007 and March 2009.

"As a result, the unauthorized population in 2009 returned to the level it had been in 2005," said the report.

The Pew report also mentioned statistics that are sure to be part of the debate on comprehensive immigration reform. As of March 2009, there were 4 million children of undocumented immigrants who had been born in the US. Those children are guaranteed automatic US citizenship by virtue of the 14th Amendment of the US Constitution. Proponents of tougher immigration laws had recently proposed changing that amendment to eliminate automatic citizenship for children of undocumented immigrants.

Insecurity, violence also take center stage

Concerns about the spike in violence along the border states and the unrestricted flow of arms into the country from the US also were major topics of discussion at the gathering.

The concerns about crime touched very close to home for the two governors-elect from the region, Egidio Torre Cantú of Tamaulipas and César Duarte Jáquez of Chihuahua, who attended the gathering as guests of the governors they will soon be succeeding. Torre was asked to step in as a representative of the Partido Revolucionario Institucional (PRI) in the Tamaulipas election after the original candidate, his brother Rodolfo Torre Cantú, was killed in an ambush ([SourceMex, June 30, 2010](#)).

Duarte has also been affected directly by the activities of the drug cartels. Shortly after the election, the governor-elect's nephew Mario Humberto Medina Vela was kidnapped and later found murdered, allegedly by members of the Sinaloa cartel. In addition, Duarte's close friend Olegario Guzmán was kidnapped in August and remains missing.

The unfettered violence, mostly related to the drug cartels, has greatly affected the psyche of residents and businesses along the border. On Sept. 21, the governors heard the news that El Diario, one of the principal newspapers in Ciudad Juárez, issued a public appeal to members of organized crime, asking for a truce. The appeal came just days after two of El Diario's photography interns were gunned down on a city street while leaving a shopping mall after lunch. Luis Carlos Santiago died as a result of the attack, while fellow intern Carlos Manuel Sánchez was hospitalized in serious condition. At least 67 journalists have been killed in Mexico since 2003, including at least 10 this year alone ([SourceMex, July 14, 2010](#)).

This is not the first time that employees of El Diario have been targeted. In 2008, police reporter Armando Rodríguez Carreón was gunned down in front of his young daughter, and the murder remains unresolved. The investigation has been hampered by the 2009 murder of the lead investigator José Ibarra Limón.

"We want you to explain to us what you want from us," El Diario asked local organized-crime groups in a front-page editorial. "What are we supposed to publish or not publish, so we know what to abide by. You are at this time the de facto authorities in this city because the legal authorities have not been able to stop our colleagues from falling."

The Calderón administration, which has pledged an all-out war against the country's major criminal organizations, disagreed with El Diario's editorial. "In no way should anyone promote a truce or negotiate with criminals who are precisely the ones causing anxiety for the public, kidnapping, extorting, and killing," said Alejandro Poire, a spokesperson for the Secretaría de Seguridad Pública (SSP). "All sectors of society should fight them and bring them down in a definitive way."

Still, the Mexican governors acknowledged that the cartels at times seem to have gained the upper hand. But they noted that the problem could be mitigated if the US implemented stricter measures to slow the uncontrolled flow of weapons from the US into Mexico, which contributes to the increased firepower of the drug cartels. "For a border state like ours, this is a theme that is especially relevant," said Hernández Flores.

In their final statement, the governors called for agencies on both sides of the border to work together on security matters. They said problems were exacerbated by a "lack of coordination, information exchange, and joint activities" on border security. "We support technologies that would allow us to implement security measures that are more efficient and effective," the governors said in a communiqué.

US President Barack Obama's administration has implemented some steps to address the problem, such as increasing the number of agents from the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) at the border and expanding checkpoints for shipments going south ([SourceMex, April 1, 2009 ID 050879](#)). Mexican governors are lobbying for Mexican law-enforcement agencies to obtain access to the database used by the ATF and other agencies to track weapons sales.

The ATF has also launched a new effort to halt illegal weapons exports by increasing investigations and surveillance in cities and states where the purchases take place. For example, the agency is planning to create 10-member teams in Dallas, Atlanta, Las Vegas, Miami, and several other cities that are important in smuggling operations. "They'll come up and purchase guns here, or have someone purchase them for them," Tom Crowley, a spokesperson for the ATF's Dallas division, told *The Dallas Morning News*.

Crowley said Dallas is a key transshipment point for weapons, many of which are introduced into Mexico through Laredo and Brownsville. The ATF said smugglers also introduce weapons into Mexico through Sierra Vista in south-central Arizona. "We're trying to look at the big picture," Crowley said. "It's not just a border issue."

Four governors completing their terms

The border governors addressed other issues besides immigration and insecurity at their meeting in Santa Fe. They discussed plans to develop regional responses in the case of emergencies and natural disasters. There was also discussion of plans that have already been set in motion through previous border conferences, such as proposals to increase bridges, border crossings, and other infrastructure, along with efforts to reduce air pollution and increase energy sustainability along the border ([SourceMex, Aug. 30, 2006](#)) and ([Aug. 28, 2010](#)).

The gathering was also the last border governors conference for several chief executives who are completing their terms, including Hernández of Tamaulipas, Richardson of New Mexico, Schwarzenegger of California, and José Reyes Baeza of Chihuahua. Two chief executives, Padrés Elías of Sonora and Rodrigo Medina de la Cruz of Nuevo León, participated in their first conference, and Duarte of Chihuahua and Torre of Tamaulipas will be representing their states as full governors in the next conference scheduled for Tijuana in September 2011.

The states of New Mexico and California will also be represented by new governors at the Tijuana gathering next year. The states of Texas and Arizona could have new governors, as governors Perry and Brewer are facing re-election. If they win, it remains to be seen what steps they will take to mend the rift with their Mexican counterparts.

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