

Texas Governor Abbott signs bills empowering police to carry out mass arrests, summary deportations of immigrants

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Trump-aligned Texas Republican Governor Greg Abbott signed three anti-immigrant bills on Monday, one of which is a direct challenge to the US Constitution. Abbott carried out this antidemocratic action in front of a giant border wall in Brownsville, flanked by border police, Texas state troopers and military officials.

Senate Bill 4 from Special Session 4 (SB4) creates a new state criminal offense of “illegal entry” into Texas from a “foreign nation.” In violation of the US Constitution, the bill empowers state officials, including police officers, to stop suspected “illegal aliens” and charge them with a misdemeanor crime, punishable by up to six months in jail.

The Naturalization Clause in the US Constitution grants Congress, not state governments, the responsibility to establish “Rules of Naturalization,” which determine how immigrants become citizens. The Constitution explicitly reserves to the federal government the power to set border policy.

SB4 empowers the state police to arrest suspected “illegal” immigrants and haul them before a state or county judge, who can summarily deport the accused back to the country from which he or she “illegally” entered, most likely Mexico, in lieu of a jail sentence. If in the process of being deported, the “illegal alien” resists the police, SB4 empowers the police to charge that person with a felony punishable by up to 20 years in prison.

While signing the bill Monday, Abbott attacked President Joe Biden for failing to continue four of Trump’s anti-immigrant border policies: “ending catch and release,” “Title 42” summary deportation powers, “Remain in Mexico” and the construction of a border

wall.

Appealing to fascists, Abbott bemoaned the “tidal waves” of immigrants “streaming” across the border. His statements and the enactment of unconstitutional police-state laws underscore the fact that Trump’s Hitlerian comments about immigrants “poisoning the blood” of the country were not an anomaly. On the contrary, they articulate the position of dominant sections of the Republican Party.

Abbott thanked Texas National Guard Adjutant General Thomas Suelzer for deploying “thousands of troops” as part of “Operation Lone Star.”

Suelzer thanked the governor and noted that the Texas National Guard under his command had “decisively engaged with thousands of troops from El Paso down to Brownsville.” He added, “In this effort, we have constructed over 72 miles of fence.”

General Suelzer boasted, “We are deploying new surveillance vehicles that will provide ‘overwatch,’ using day/night cameras and radar that can track over 300 contacts in order to get after the ‘got-aways’ that are getting into the country.” He praised Abbott, Lt. Governor Dan Patrick and the Texas legislature for “giving the Texas National Guard all the tools it needs.”

Abbott then saluted the Texas Department of Safety for deploying troopers all over the state and making “thousands upon thousands” of arrests.

In response to a reporter’s question, Abbott said he anticipated that once SB4 takes effect on March 4, 2024, the “consequences will be so extreme” that immigrants will be deterred from trying to cross through Texas.

The fascistic law has already provoked panic in

communities throughout Texas, not just along the border. This is due in part to sweeping provisions that empower state police to stop and detain anyone they suspect of being an “illegal” immigrant. Many have pointed to historical parallels to the Nazi laws of the 1930s that required Jewish people to “show their papers” in order to prove their citizenship.

Following the signing of the bill, the American Civil Liberties Union of Texas and the Texas Civil Rights Project (TCRP) filed a lawsuit challenging SB4 on the grounds that it is unconstitutional because it preempts federal law.

“Governor Abbott’s efforts to circumvent the federal immigration system and deny people the right to due process is not only unconstitutional, but also dangerously prone to error, and will disproportionately harm Black and Brown people regardless of their immigration status,” Anand Balakrishnan, senior staff attorney at the ACLU’s Immigrants’ Rights Project, said in a press release.

In addition to SB4, Abbott signed two other anti-immigrant bills on Monday. All the bills were previously passed in special sessions of the Texas legislature this year. Senate Bill 4 from Special Session 3 creates a mandatory 10-year prison sentence for those convicted of “smuggling” and also creates a mandatory five-year prison sentence for those found guilty of operating a “stash house.”

Senate Bill 3 from Special Session 4 appropriates \$1.54 billion towards the extension of the border wall and the funding of state troopers to patrol the residential community of Colony Ridge, north of Houston. The subdivision, which 40,000 people, including many immigrant families, call home, has for months been the focus of deranged right-wing conspiracy theories promoted by Republican-aligned media outlets. Commentators from Glenn Beck to Steve Bannon have claimed, without evidence, that Colony Ridge is a “no-go zone” for law enforcement, where “illegal alien” cartels run rampant.

The anti-immigrant bills are the latest salvo in a bipartisan assault on immigrants involving the Biden administration and both the Republican and Democratic parties.

Biden and the Democratic Party, desperate to reach

an agreement with their Republican “colleagues” to funnel an additional \$60 billion in military aid to Ukraine, have already agreed to Republican demands to imprison refugees who come across the Southern border, resume mass deportations without due process and virtually abolish the right to asylum.

As of this writing, more than 24 hours after Abbott signed SB4, the official Twitter/X accounts of Biden, Senator Bernie Sanders, Rep. Alexandria Ocasio-Cortez and Department of Homeland Security Secretary Alejandro Majorkas have no posts responding to Abbott’s actions.



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