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CITY OF GARDEN CITY
POLICE DEPARTMENT

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Senate Federal and State Affairs Committee

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Mr. Chairman and members of the Senate Federal State Affairs Committee, I am James Hawkins, Chief of Police of the Garden City Police Department, Garden City, Kansas. I have been with the Garden City Police Department for 28 years and served as the Chief of Police for 16 years. I want to thank you for allowing me to talk to you today about policing in a community with a large population of undocumented aliens.

As the Chief of Police of Garden City, a community with a population comprised of more than 50% Hispanic persons, many of whom are undocumented, I can attest to the value of allowing undocumented persons the opportunity to obtain work permits (visas) and therefore the opportunity to obtain legal drivers' licenses.

The community of Garden City relies heavily on a productive workforce in agriculture and construction and many belonging to this workforce are undocumented residents. In spite of their undocumented status they are skilled tradesmen and experienced agricultural workers who are already productive members of Western Kansas Society and contribute to the economic development and the culture of our area. Many have been here for years and have an investment in the community.

A problem that arises as a result of their undocumented status is the lack of legal driving privileges afforded this productive element of the community. They do, however still drive, out of obligation to get to work. The Garden City Police Department has issued an average of 425 citations per year for no driver's license over the last three years. That translates to over one citation per day for no driver's license. The GCPD is on a course to exceed that average in 2012. The lack of driver's license usually translates to no insurance as well. Most of these unlicensed drivers are undocumented residents.

Both of these issues can cause a great deal of work for both the Garden City Police Department and Garden City Municipal Court, not to mention the financial burden placed on anyone involved in accidents with unlicensed and uninsured drivers. City prosecutors have told me that when they ask whether a person charged with driving without a driver's license is trying to obtain one, the majority of responses is that they are unable to obtain a legal driving license. The reason is obvious.

One of my monthly activities is to co-host a call-in radio program on the Spanish-speaking station in Garden City. Many of the callers' concerns involve how to obtain driver's licenses so that they can continue to get to work and continue to be productive members of the community.

The Garden City Police Department adopted a Community Oriented approach to policing long before I became Chief of Police in 1996 and that approach relies heavily on the cooperation of

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all residents to provide information regarding drugs, violence, gang-related activity and general crime-solving information. The lack of legal status creates a strong barrier to public safety when residents lack the confidence to cooperate with law enforcement for fear that their undocumented status would trigger punitive action for being responsible residents. Many of our undocumented residents come from cultures where distrust of government is the norm and legislation that would ease some of that distrust would only develop a stronger investment in the community and help build a stronger relationship with law enforcement.

When reviewing SB 399 I find it addresses concerns that I as law enforcement executive have. It will allow greater compliance with driving laws, especially if you allow a deferred status to individuals who are already living in our community. It will also allow my agency the ability to track individuals who are driving and allow officers to focus on more serious crimes by reducing the need to concentrate on misdemeanor traffic violations.

Again, thank you for this opportunity and I will be happy to answer any questions you might have.