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ECON 4231
SB17-120
Draft #4

If passed bill SB17-120 would require peace officers serving the State of Colorado to be US citizens. Currently immigrants with proper documentation that allows them to live and work in the US (per Department of Homeland Security and US Citizenship and Immigration regulations) are allowed to become peace officers. Under a clause from the Immigration and Nationality Act states are allowed to pass bills that require US citizenship as a condition of employment.

This bill would apply to active peace officers who are not US citizens. Non citizen peace officers would have until July 1, 2020 to become US citizens. If they choose not to become US citizens they will be discharged from their respective law enforcement agency.

Similarly, this bill applies to individuals who have peace officer certification but are not currently active. In their case they would be required to become US citizens in order to remain certified to be peace officers.

Government has the responsibility to enforce the law in a responsible manner. Public safety is a public good enjoyed by all of Colorado citizens. Government also has the responsibility to ensure that those carrying out the enforcement of the law are among the most capable of persons. For these reasons, government should be involved in law enforcement.

Passing this bill creates a new market imperfection for Colorado law enforcement agencies. This bill shrinks the available labor pool from which law enforcement agencies can hire peace officers. This exacerbates existing staffing shortages for Colorado law enforcement

agencies. As a result law enforcement agencies are unable to keep the peace as effectively with fewer peace officers available.

There are an estimated 2.44 million people available for peace officer recruitment in Colorado.^{1,2,3} This number is derived from the total labor pool of 2.9 million people. It excludes those without a high school degree as Colorado law enforcement agencies require at least a high school education or equivalent in order to become a peace officer. Those with professional and doctoral degrees are not included in the labor pool. Due to their specialization it is unlikely they would become peace officers. Of this 2.44 million people, there are an estimated 132,500 immigrants available for recruitment.⁴

These numbers indicate that restricting the hiring of non US citizens would yield a 5.4% drop in the relevant labor pool from which law enforcement agencies may recruit. This results in manpower shortages and forces law enforcement agencies pay higher costs to compensate for the loss of labor.

Certain law enforcement agencies in Colorado already feel the effects from manpower shortages. The Denver Post has reported that smaller mountain communities struggle to fill vacancies.⁵ The Colorado Springs Gazette has reported on the extensive staffing problems experienced by Colorado Springs Police Department (CSPD).⁶

¹ US. Bureau of Labor Statistics: data extract Feb. 3, 2017

² “The Colorado Talent Pipeline Report”. Colorado Workforce Development Council. Oct 15, 2015.

³ U.S. Census Bureau, 2011-2015 American Community Survey 5-Year Estimates

⁴ Migration Policy Institute data from U.S. Census Bureau’s American Community Survey (ACS) and Decennial Census

⁵ Lofholm, Nancy. “Police jobs are tough to fill in some small Colorado towns”. *The Denver Post*. May 18, 2013.

⁶ Durbin, Kaitlin. “Colorado Springs Police Department’s Recruiting Push a Reflection of Low Pay, Turnover Woes.” *Colorado Springs Gazette*. Aug. 26, 2016.

As of August 2016 CSPD only had a staff of 656, below the authorized strength of 683.⁷ One result of this staffing shortage was the elimination of specialized CSPD units such as the Gang Unit and Impact Unit.⁸ The Impact Unit made 1,900 felony and misdemeanor arrests and recovered more the \$1 million dollars worth in stolen vehicles in 2016 alone. The CSPD Gang Unit has made 122 arrests, seized 110 guns and recovered \$3.5 million worth of drugs in 2016.⁹ While some of the arrests made by these units might have been made by other officers, the loss of these specialized units will increase strain CSPD's ability to maintain public safety. Passing this bill will worsen CSPD's staffing issues.

Manpower shortages also put additional pressures on active peace officers. These pressures are known colloquially as job related burnout. According to a survey of CSPD officers 77% said they have felt the effects of job-related burnout. Officers suffering job related burnout use more sick time, experience more accidental injuries on duty, and generate higher levels of citizen complaints,¹⁰ reducing a department's productivity.

Finally, there is no evidence that Colorado law enforcement agencies are concerned about the hiring of non native peace officers. Colorado State Patrol (CSP) recruiter Sgt. Justin Mullins has said hiring immigrants into CSP has helped fill vacancies in remote areas of the state that CSP would normally struggle to fill.¹¹ A CSPD survey found CSPD officers were most concerned about higher pay (65%) and staffing shortages (34%). Colorado law enforcement

⁷ Durbin, Kaitlin. "Colorado Springs Police Department's Recruiting Push a Reflection of Low Pay, Turnover Woes." *Colorado Springs Gazette*. Aug. 26, 2016.

⁸ "Colorado Springs Disbanding Gang Unit Because of Staffing Shortages." *CBS 4 News*. CBS. Sep 17, 2016. TV

⁹ Durbin, Kaitlin. "Loss of 'proactive' police units could affect crime rates in Colorado Springs." *Colorado Springs Gazette*. Oct. 31, 2016.

¹⁰ Basinska, Beata A., and Izabela Wiciak. "Fatigue and professional burnout in police officers and firefighters." *Internal Security* 4.2 (2012): 267.

¹¹ Gomez, Alan. "Police Departments hiring immigrants as officers." *USA Today*, March 21, 2015.

takes no issue with the hiring of non citizen peace officers. Thus this bill addresses a problem that doesn't exist.

Other government entities that accept non citizens for employment are the US Armed Forces and Intelligence services. There are 65,000 foreign born service members, with 20,300 being non citizens.¹² US intelligence agencies recruit foreign born spies to assist in intelligence operations across the globe.¹³ The armed services take no issue with the recruitment of non citizens. The State of Colorado should not take issue with the recruitment of non citizens as well.

The restriction of hiring practices as a result this bill creates a market imperfection where one did not exist before. Colorado law enforcement agencies will have a smaller labor pool to recruit from. This leads to manpower shortages which increases the strain on active peace officers and reduces the effectiveness of law enforcement agencies. No Colorado citizen benefits from either of these results. For these reasons, this bill should not pass.

¹² Batalova, Jeanne. "Immigrants in the US Armed Services". *Migration Policy Institute*. May 15, 2008.

¹³ Stein, Jeff. "Spy Veterans Say Trump's Muslim-Country Visa Ban Will Hurt Recruitment". *Newsweek*. Jan 28, 2017.