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Arizona actually is one of the freer U.S. states

By WILLIAM RUGER
and JASON SORENS

Story Highlights
States from sea to shining sea enforce dozens of Draconian laws.

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ARTICLE

A veteran had just returned from a long deployment in [Afghanistan](#). Eagerly driving to his home in [Texas](#), he was forced to stop at an internal checkpoint so the government could make sure he belonged here.

Is this a fictional account of America's future? No. It actually happened to one of us.



In a May 5, 2010 file photo, a group of protesters against Arizona's controversial immigration bill march on the State Capitol in Phoenix . A new telephone poll by the [Pew Research Center](#) shows that 59 percent of Americans approve of Arizona's new law cracking down on illegal immigrants while only 32 percent disapprove. The poll was conducted on May 6-9 and released Wednesday, May 12, 2010.

AP file photo

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Was this unseemly treatment committed in Arizona, because of that state's new immigration law, a law that has sparked widespread controversy, protest and talk of boycotts? No, this was not in Arizona, and such checkpoints are not new but longstanding U.S. policy.

The Supreme Court, as one recent GAO study notes, has "ruled that government officials may stop vehicles at permanent interior checkpoints for brief questioning of the driver and passengers without reasonable suspicion." And so the Border Patrol has set up permanent checkpoints to go well and beyond what the Arizona law asks of its law enforcement officials while otherwise engaged in an official contact.

Given this personal story, you can guess that we join the legions of citizens who worry that the perfectly understandable desire of Arizonans to secure our borders threatens to violate some of our most basic rights and liberties.

Reactions to the new Arizona law have been strong. Democratic U.S. Rep. [Jared Polis](#) said that Arizona was becoming a "police state" and that its law was "reminiscent of the second-class status of Jews in Germany prior to [World War II](#)." The mayor of [San Francisco](#) has imposed a moratorium on official travel to Arizona, and a state assemblyman in New York has introduced a resolution calling on that state's citizens to avoid travel, tourism, and other business dealings with Arizona.

But Arizona is just one of many places where the law has overreached and become as much of a threat to our liberty as a protector of it.

New York is one of the few states that still permits the use of [eminent domain](#) for property transfers from one private owner to another without a public use. In ordinary parlance, we call this procedure "theft." So why not boycott New York?

States enforce dozens of Draconian laws. In [Alabama](#), [Mississippi](#), [Missouri](#), [Montana](#), [Nevada](#), [Oklahoma](#), [Rhode Island](#), and [Texas](#), you could be sentenced to life in prison for a single conviction for selling marijuana. Twenty-one states allow police to seize property they suspect was used in a crime, and force owners to prove their innocence before getting their

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property back. Forty states already authorize road checkpoints where police stop, question, and have the right to test every driver for sobriety. These policies are surely just as invasive as what Arizona has put in place.

Government at all levels is engaged in egregious behavior that strikes at the heart of our free society. From no-knock drug raids that have killed and terrorized hundreds of innocent people to a broken immigration policy that criminalizes peaceful people looking for work, the federal government stands out as the most egregious institutionalized threat to our freedom today.

According to a recent study we wrote for the Mercatus Center at [George Mason University](#), entitled "Freedom in the 50 States," Arizona is actually one of the 10 freest states in the country. And many of the states where officials seem so upset by the Arizona law are among the lowest-ranked states on both economic and personal liberty. Our ranking is not a partisan scorecard.

The problem is that no part of this country is immune to gross violations of our personal liberties, and our outrage should not be selective.

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bushmills wrote:

gonefishin

Please tell me the law that requires me to show an I.D. if I am at the park in California. I don't think I have to. I don't think I have to carry I.D. as long as I am not on driving on the public highway. If that's way it is in California why not in Arizona.

5/23/2010 9:37 PM PDT

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gonefishin wrote:

Bushmills- It has been stated time and time again that if you are a native born american all you need to show is some form of ID such as your drivers license or if you are legally visiting from another country then you need to show your Green Card or Passport , not a birth certificate.This is stated in the Federal as well as the Arizona law.Its funny how you have blind faith in Obama but when it comes to our federal or state laws concerning illegal immigration then you have to question every written word.

5/23/2010 3:18 PM PDT

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scafi53 wrote:

California code? Let me remind these people just what it states

Section 834b in the California Penal Code:

(a) Every law enforcement agency in California shall fully cooperate with the United States Immigration and Naturalization Service regarding any person who is arrested if he or she is suspected of being present in the United States in violation of federal immigration laws. (b) With respect to any such person who is arrested, and suspected of being present in the United States in violation of federal immigration laws, every law enforcement agency shall do the following: (1) Attempt to verify the legal status of such person as a citizen of the United States, an alien lawfully admitted as a permanent resident, an alien lawfully admitted for a temporary period of time or as an alien who is present in the United States in violation of immigration laws. The verification process may include, but shall not be limited to, questioning the person regarding his or her date and place of birth, and entry into the United States, and demanding documentation to indicate his or her legal status. (2) Notify the person of his or her apparent status as an alien who is present in the United States in violation of federal immigration laws and inform him or her that, apart from any criminal justice proceedings, he or she must either obtain legal status or leave the United States. (3) Notify the Attorney General of California and the United States Immigration and Naturalization Service of the apparent illegal status and provide any additional information that may be requested by any other public entity. (c) Any legislative, administrative, or other action by a city, county, or other legally authorized local governmental entity with jurisdictional boundaries, or by a law enforcement agency, to prevent or limit the cooperation required by subdivision (a) is expressly prohibited.

Its about time these Hippocrates wake up and realize we are being taken over and I for one will not stand for it. We need to VOTE these liberal politicians out of office and get someone with the guts and fortitude like the governor of AZ. I support legal immigration completely since our country was founded on the principle.

5/23/2010 2:51 PM PDT

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scafi53 wrote:

USA should simply adopt the Mexican Law with regard to illegal immigrants.

Open border advocates, special interest groups in the United States do not appreciate this information made public although the facts have been readily available and widely distributed. Condemning U.S. Laws as cruel and inhumane lacks any measure of common sense when the majority of nations in the world including Mexico have very strict immigration policies.

Mexico has very strict immigration laws which are enforced by every police agency in the country. The Bureau of Immigration can call upon any law enforcement officer to assist in their mission. Citizens from the United States traveling in Mexico without proper documents, work permits or non immigrant visas are subject to arrest as illegal aliens.

The laws regarding foreign national visitors, immigrants, non-citizens are as clear and concise in Mexico as are our own U.S. laws which are considered unenforceable by many politicians in Washington, D.C.

Mexico welcomes only foreigners who will be useful to Mexican society:

Foreigners are admitted into Mexico "according to their possibilities of contributing to national progress."

The Secretary of Governance may "suspend or prohibit the admission of foreigners when he determines it to be in the national interest."

Immigration officials must "ensure" that "immigrants will be useful elements for the country and that they have the

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