



Written by [Warren Mass](#) on March 23, 2015

## Police Departments Hiring Non-citizen Immigrants

While most police departments in the country require their police officers to be U.S. citizens, some do not, with the Metropolitan Nashville Police Department in Tennessee being the latest large department to consider such a policy.

A spokesman for the department, Don Aaron, said it seeks to hire immigrants who have been honorably discharged from the U.S. military to be eligible for police service, *USA Today* reported. "Persons who have given of themselves in the service to this country potentially have much to offer Tennesseans," Aaron said. "We feel that ... would benefit both the country and this city."



Presently, only U.S. citizens can become law enforcement officers in Tennessee. However, about 5,000 permanent residents who aren't citizens join the U.S. military each year. More than 92,000 people who joined the military before becoming citizens achieved their citizenship during their service since 2011.

That prohibition could change if a bill currently in the Tennessee state legislature passes.

HB 0765, introduced in the House by Rep. Jason Powell (D-Nashville) and a companion bill, SB 1012, introduced by Sen. Steven Dickerson (R-Nashville), would permit any permanent legal resident of the United States who is an honorably discharged veteran of the U.S. armed forces to be employed as a police officer.

"My assertion is that if you are willing to risk your life on the streets of Baghdad, then you should be allowed to serve your city and risk your life helping to protect Lower Broadway," Powell told the *Tennessean* newspaper on March 11.

The *Tennessean* reported that Metropolitan Nashville Police Chief Steve Anderson asked Powell to file the legislation needed to make the change in policy. Anderson told state legislators that the increasing diversity in Nashville also increases the need for a diverse police force. "Here in Nashville, we can't keep all of Nashville safe unless we can keep all of Nashville safe," Anderson said. "Having communities or pockets of Nashville where there's not confidence in us, or where we don't have the relationship or the communication, affects all of Nashville."

Anderson did not explain why members of the ethnically diverse communities he mentioned could not become citizens first and then join the police force.

The *Tennessean* cited Powell's statement that though he has not heard any statements in opposition to the bill, he did have to answer some questions about whether illegal immigrants would be eligible to apply for jobs as police officers if the bill passes. Though the U.S. military has a pilot program allowing a small number of illegal immigrants to join, Powell said his bill applies only to permanent residents who are here legally.



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Powell explained that when non-citizen permanent residents join the military, they start on a track to earn their citizenship, a process that can take as long as five years.

Two of the three largest police departments in the nation currently allow non-citizens to apply for positions as police officers. The Chicago Police Department (which, with about 12,244 officers is the nation's second-largest) currently hires non-citizens. The answer to an FAQ on the department's website inquiring about whether a non-citizen may apply states: "Yes, as long as you have an Employment Authorization Document (EAD) from U.S. Citizenship and Immigration Services. Proof, such as an Alien Registration Card (Green Card) will be required if you are called for further processing."

The third-largest department in the nation, the Los Angeles Police Department (with 9,843 officers), requires that a police officer candidate who is not a citizen be a permanent resident alien who meets the citizenship requirements of the U.S. Citizenship and Immigration Services (USCIS) and has applied for citizenship. Each non-citizen is required to prove that USCIS has accepted his/her application for citizenship prior to the date the police officer applicant's written test is taken.

California state law requires that citizenship be granted within three years after the employment application date.

That nation's largest city police department, in New York City (with about 35,000 officers), lists as a requirement that a police officer must "be a citizen of the United States at [the] time of appointment."

A distinction should be made between police departments hiring immigrants as officers and requiring applicants to be citizens. The NYPD and other departments with a long history of hiring immigrant police officers, such as Boston, may still require those immigrants to be U.S. citizens. The Boston Police Department's website states: "Applicants must be between the ages of 18-32, a U.S. Citizen and live in the city of Boston."

Both Boston and New York have become legendary for the large numbers of Irish immigrant police officers on their forces. The descendants of many of those immigrants continued their family's traditions of law enforcement and became so numerous that they formed the Emerald Society — an organization of American police officers or fire fighters of Irish heritage. The fictional Reagan family on the popular *Blue Bloods* TV series is an example of such a multigenerational Irish-American family in law enforcement. Author Richard Zacks has estimated that by the end of the 19th century, nearly 70 percent of the New York police force was Irish-born or first generation Irish-American.

The first Irish immigrant on record who was hired as a policeman in a U.S. city was Bernard "Barney" McGinniskin, whose became a Boston policeman in 1851. McGinniskin's appointment was not without controversy, however, and City Marshal Francis Tukey criticized the decision, asserting it had been done at "the expense of an American."

Nashville police spokesman Aaron has made a case that immigrants who have been honorably discharged from the U.S. military should be eligible for police service, but in some respects, that puts the cart before the horse. Many have doubted the wisdom of having non-citizens serve in our military as well, since the national loyalty of someone who has not yet achieved citizenship can be questionable.

Looking at our history, about the same time that large number of Irish immigrants began joining our nation's police forces in the mid-1800s, many Irish immigrants served on both sides in the Civil War, with 170,000 in the Union Army and 40,000 fighting for the Confederacy. A major difference, however (especially in the North) was that these Irish immigrants had first achieved citizenship, a status that



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made them eligible for the military draft. The draft became so unpopular that anti-draft riots erupted in New York, especially in Irish neighborhoods. This created an ironic paradox: while many of those engaged in the 1863 New York City Draft Riots were Irish, so were many of the police putting down the riots!

New York, Boston, and other large American cities have always welcomed immigrants on their police forces, but asking that these immigrants first achieve citizenship seems like a sensible requirement. Our police are tasked with protecting and serving their local communities. This requires not only a knowledge of individual laws, but a deeper understanding of the proper purpose for making law in the first place (protecting our rights) and of our entire system of law — which is the bedrock of a constitutional Republic. Serving in the military does not necessarily impart this kind of deeper understanding. Meeting the requirements for citizenship is more likely to do so.



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