



International Institute Rhode Island

November 22, 2011

The Subcommittee on Immigration Policy and Enforcement
House of Representatives
B-353 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Gallegly, Ranking Member Lofgren, and Members of the Subcommittee:

The International Institute of Rhode Island provides high quality educational, legal, and social services to immigrants and refugees throughout Rhode Island and southeastern New England. Fundamental to all of our programs and services is the promotion of self-sufficiency -- giving clients tools to help themselves become active participants in the social, political & economic richness of the American culture and community. We also provide a full range of interpreting and translating services and community education and training programs. As an organization that supports and assists immigrants in their quest for a better life in this country, **we stand in opposition to the Secure Communities program.**

We oppose the Secure Communities Program because it is ineffective, it threatens the safety of our communities, it runs counter to American principles of fairness and justice and it has been deceitfully imposed on our country's local communities. When there is a fear that local law enforcement agencies are involved with ICE, members of immigrant communities become weary to report crimes or even cooperate with the law enforcement agencies, creating an even less secure community.

The Department of Homeland Security (DHS) has misrepresented the Secure Communities program to the American public, law enforcement agencies, state and local governments, and Members of Congress, disguising it as a tool for persecution of immigrants. The program creates an incentive for participating state and local law enforcement agents to engage in racial profiling and pre-textual arrests since the reason for the initial arrest is not taken into account.

There is documented history of racial profiling in the state of Rhode Island. According to a study conducted by Northeastern University in 2003, "statewide, non-white motorists are 2.5 times more likely to be searched than white motorists". More recent research from the University of Rhode Island (2008) states that a "black driver would be 1

½ times as likely to be pulled over as a white driver by troopers from the same state police barracks." Hispanic drivers would be slightly more likely to be stopped as well. The International Institute of Rhode Island is active in passing a comprehensive bill against racial profiling in our state and therefore will not defend a program which allows racial profiling to be a part of the operation.

To safeguard our communities and the protection of our rights we recommend that:

- Congress pass the End Racial Profiling Act which would ban profiling based on race, religion, ethnicity and national origin at the federal, state and local levels.
- Congress eliminate funding for the Secure Communities Initiative and other programs that use state and local law enforcement agencies to conduct immigration enforcement, until and unless meaningful and effective protections are put into place to prevent racial profiling or other civil and human rights violations.
- The Subcommittee should urge DHS to terminate Secure Communities in jurisdictions that have chosen to opt out of the program and suspend Secure Communities in jurisdictions with a documented record of racial profiling or where DOJ is actively investigating a pattern or practice of discriminatory policing.

Thank you for your time and consideration

Sincerely,

Bill Shuey
Executive Director



JEWISH ALLIANCE FOR LAW & SOCIAL ACTION
18 Tremont Street, Suite 320, Boston, MA 02108-2301
tel 617-227-3000 fax 617-227-3453 <http://jewishalliance.org>

November 29, 2011

The Subcommittee on Immigration Policy and Enforcement
House of Representatives
B-353 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Gallegly, Ranking Member Lofgren, and Members of the Subcommittee:

The Jewish Alliance for Law & Social Action (JALSA) is a Boston-based membership group that works to protect our constitutional guarantees for civil rights and civil liberties. We believe that the “Secure Communities” program is a seriously flawed program.

Despite its name, the “Secure Communities” program in fact threatens to undermine the working relationship between law-enforcement and the many immigrant communities in the nation by raising the specter of deportation as a punishment for acts of civic virtue. Under the program, the police are required to submit to federal authorities the fingerprints and other identifying data regarding everyone they stop who might appear to be an undocumented alien. The purpose of the plan is said to be to locate and deport illegal aliens who have committed violent or other serious crimes. Experience with the program, however, has demonstrated that few of those deported under it are guilty of such crimes, and the only crime of many is simply to be undocumented. It is not hard to imagine the chilling effect such a program has on the willingness of immigrants, who are either undocumented themselves or have undocumented friends or family members, to have any truck with law enforcement, even to report crime or to help in identifying or locating the perpetrators.

Many law enforcement personnel throughout the country have expressed their opposition to “Secure Communities” precisely because it undoes community policing relationships built up through patient multi-party efforts. Although press reports suggest that ICE has finally begun to temper its more harmful features, the program is basically wrongheaded in that it uses a dragnet approach that can only promote ethnic profiling and drive a wedge between immigrant communities and law enforcement. It should be abandoned in favor of a program of real reform, including a path to legal status for the millions of hard-working and law-abiding immigrants among us, which would go a long way to remove the fear of arbitrary deportation and to encourage cooperation with the police.

The round-up efforts in recent weeks to implement this program by supposedly targeting only immigrants who have conducted violent crimes already demonstrates the inability of this program to reign in its dragnet approach. Virtually half of the persons rounded up in the Commonwealth of Massachusetts these past weeks under a so-called "improved Secure Communities" plan are reported to have never committed any violent acts.

JALSA urges that Congress eliminate funding for the Secure Communities Initiative and other programs that use state and local law enforcement agencies to conduct immigration enforcement. We seriously question whether meaningful and effective protections can be put into place to prevent racial profiling or other civil and human rights violations.

At a minimum, the Subcommittee should urge DHS to terminate Secure Communities in jurisdictions that have chosen to opt out of the program and suspend Secure Communities in jurisdictions with a documented record of racial profiling or where DOJ is actively investigating a pattern or practice of discriminatory policing.

Thank you for your time and consideration

Sincerely,

A handwritten signature in black ink that reads "Sheila R. Decter". The signature is written in a cursive style with a large initial 'S' and a long, sweeping underline.

Sheila R. Decter
Executive Director

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(631) 316-2086

November 29, 2011

The Subcommittee on Immigration Policy and Enforcement
House of Representatives
B-353 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Galleghy, Ranking Member Lofgren, and Members of the Subcommittee:

The Kino Border Initiative, a bi-national organization in Nogales, Arizona and Nogales, Sonora, Mexico, strives to be a humanizing presence on the U.S./Mexico border and to foster bi-national solidarity through humanitarian assistance, education, and research/advocacy. At our Aid Center for Deported Migrants and our shelter for migrant women and children in Nogales, Sonora, we see firsthand the negative effects of Secure Communities, which causes family separation.

We also oppose the Secure Communities Program because it is ineffective, it threatens the safety of our communities, it runs counter to American principles of fairness and justice and it has been deceitfully imposed on our country's local communities. The Department of Homeland Security (DHS) has misrepresented the Secure Communities program to the American public, law enforcement agencies, state and local governments, and Members of Congress. The Secure Communities Program creates an incentive for participating state and local law enforcement agents to engage in racial profiling and pre-textual arrests.¹

To safeguard our communities and the protection of our rights we recommend that:

- Congress pass the End Racial Profiling Act which would ban profiling based on race, religion, ethnicity and national origin at the federal, state and local levels.
- Congress eliminate funding for the Secure Communities Initiative and other programs that use state and local law enforcement agencies to conduct immigration enforcement, until and unless meaningful and effective protections are put into place to prevent racial profiling or other civil and human rights violations.
- The Subcommittee should urge DHS to terminate Secure Communities in jurisdictions that have chosen to opt out of the program and suspend Secure Communities in jurisdictions with a documented record of racial profiling or where DOJ is actively investigating a pattern or practice of discriminatory policing.

¹ See Aarti Kohli, Peter L. Markowitz and Lisa Chavez, *Secure Communities by the Numbers: An Analysis of Demographics and Due Process*, The Chief Justice Earl Warren Institute on Law and Social Policy, October 2011, available at http://www.law.berkeley.edu/files/Secure_Communities_by_the_Numbers.pdf.

Thank you for your time and consideration.

Sincerely,

Rev. Sean Carroll, S.J.

Rev. Sean Carroll, S.J.
Executive Director

LUPE Statement on Secure Communities Program and Obama Administration's Immigration Enforcement and Deportation Policy

November 29, 2011

The Subcommittee on Immigration Policy and Enforcement
House of Representatives
B-353 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Gallegly, Ranking Member Lofgren, and Members of the Subcommittee:

We write today to give you our recommendations for congressional action on the ICE ACCESS Program Secure Communities Initiative. La Unión del Pueblo Entero (LUPE) is an association of colonia residents committed to building stronger, healthier communities where people have the power to effect social change through community organizing and civic engagement. The farm worker leader, César Chávez, founded LUPE rooted in the belief that members of the low-income community have the responsibility and the obligation to organize themselves, and advocate for solutions to the issues that impact their lives.

It is for this reason that LUPE advocates for comprehensive immigration reform. Our members know that an immigration reform is necessary if the many undocumented Americans that form part of our families, communities and nation continue to be held back from reaching their full potential by fear of being separated from their families and structural impediments to working and providing for their families.

Immigration is a federal policy issue that can no longer wait to be addressed. Any attempts at the local or state level are only piecemeal approaches that will fail to provide comprehensive solutions. We cannot be misled by extreme xenophobic rhetoric pushing more and more enforcement policies. In fact, these radical enforcement policies are exacerbating the problem, funneling more and more individuals into a broken immigration system that separates families, criminalizes workers, divides communities, and profits off of taxpayer money through the jailing of immigrants in private, for-profit detention centers.

Our America is greater. Our values are about embracing innovation and diversity, and recognizing the contributions of every sector of our society. President Obama, however, has not lived up to these true American values. Under his administration, over one million immigrants have been imprisoned. According to numbers recently updated by Immigration and Customs Enforcement, Obama deported 982,548 immigrants from January 2009 to July 2011. It is likely that the total has surpassed one million by now. The majority of immigrants removed continue to be non-criminals.

There has been a higher rate of deportations under President Obama than at any time in American history. Obama's record number of deportations means that a record number of families have been separated. A record number of sisters, brothers, fathers, and mothers have been pushed into the dark maze that is the immigrant detention system, where private companies make record profits from tax dollars, treating immigrants as criminals.

This is because of federal ICE ACCESS Programs like the Secure Communities Initiative (S-Comm) that place federal immigration enforcement responsibilities in the hands of local and state law enforcement. S-Comm is an initiative of the Department of Homeland Security that allows Immigration and Customs Enforcement to run the immigration status of every individual that is arrested by local law enforcement—whether or not they are charged with or convicted of a crime—and transfer into ICE custody those who are found to be in the country illegally.

Collaboration between federal immigration officials and local law enforcement drives a wedge between local law enforcement and immigrant and Latino communities. The duty of law enforcement to serve and protect becomes the duty to serve those who look like they are in the country legally at the expense of those who don't. Undocumented immigrants, as tax payers and members of the community, deserve and depend on the protection of local law enforcement. Yet when local officials participate in ICE ACCESS programs, immigrant communities lose their right to be protected, instead becoming targets of local law enforcement.

What's worse, under the S-Comm program, even the intentions of local police officials to mend the broken relationship between immigrant communities and law enforcement and reinstate community policing are undermined. The program operates electronically and automatically when finger prints are sent for criminal background checks—with or without the consent of local law enforcement officials.

While the recently commissioned Task Force on Secure Communities, responding to the increasing public outcry against the program, did offer recommendations on changes to the program, those changes do not go far enough to maintain the security of the community. As retired Police Chief Arturo Venegas wrote in his resignation letter from the task force,

"If the scheme recommended by the task force is implemented, individuals simply arrested for minor violations, including traffic violations, will still be put through the system. The federal government will decide whether they are candidates for deportation, based on enforcement priorities that include people whose only "crime" is a prior civil immigration violation. I believe that many people with minor infractions, such as driving without a license, will still be put into deportation proceedings based on the scheme recommended by the task force. Immigrants will continue to fear that contact with the police could lead to deportation, crimes will go unreported, and criminals will remain free to prey on others. Civil immigration enforcement will continue to trump crime control in our communities.

"What's more, immigrants charged with more serious offenses, but never convicted, have no protection in the task force report. It seems we are agreeing to turn the long-standing principle of 'innocent until proven guilty' on its head for certain groups of people. If you are an immigrant, and you are charged with a more serious offense, you are 'guilty until proven innocent' and you

will be referred for deportation. As an immigrant myself, and as an American, I cannot support that differing standard.”¹

As Mr. Venegas observes, the program, and indeed many ICE ACCESS programs like it, denies due process to undocumented immigrants. The US Constitution guarantees due process to all people on our soil, yet if they are immigrants, they are deported before having the opportunity to be proven innocent or guilty of the crimes they are charged with.

Many advocates for S-Comm and programs like it argue that it closes a loop hole that allows those who have committed a serious crime to avoid being deported for it. This argument ignores the fact that the United States’ Government already has the power to obtain proper warrants for individual whose circumstances would require further detention. ICE can and should make use of that power instead of charging local and state law enforcement with doing the job of federal officials.

However, over the past decade, federal crime-fighting funds have been diverted from investigating and arresting criminals and shifted to increasing prosecution of laborers. A January 2010 report by the Warren Institute of UC Berkeley demonstrated the impact of Operation Streamline on law enforcement. The report shows how devoting increased resources toward prosecuting non-violent border crossers has actually taken away resources from operations focused on drug and weapons smuggling and human trafficking.²

A 2010 report by Transactional Records Access Clearinghouse shows that immigration prosecution had risen to 67,994 during the first nine months of FY 2009, an approximately 14% increase over 2008, and a 139% increase as compared to prosecutions 7 years ago. The majority of these prosecutions are of first-time border crossers. On the other hand, between 2003 and 2008, weapons prosecutions decreased 19% and drug prosecutions declined by 20%.³ While enforcement of immigration laws burdens local law enforcement, federal immigration and border enforcement is decreasing attention to the crime fighting programs that increase community security. The result: we are all less safe.

Our recommendations for congress regarding the program:

- Call on DHS to immediately end the program—it has done more harm than good and needs to be halted now.
- Eliminate funding for the Secure Communities Initiative and other programs that use state and local law enforcement agencies to conduct immigration enforcement.
- Shift funding toward DHS programs focusing on level one offenders, drug and weapon smuggling and human trafficking.
- Call on DHS to eliminate all ICE ACCESS programs that treat immigrants with the “guilty until proven innocent” standard.

¹ Read Former Chief Venegas’ full letter of resignation here: http://uncoverthetruth.org/wp-content/uploads/Venegas-Final-SCTF-Letter--2_.pdf

² http://www.law.berkeley.edu/files/Operation_Streamline_Policy_Brief.pdf

³ <http://trac.syr.edu/immigration/reports/218/>

- Call on DHS to ensure the constitutional right to due process for individuals detained by each ICE enforcement program.

Unless the program is halted until these reforms in ICE's immigration enforcement policy are implemented, as Former Chief Venegas most powerfully states, "Secure Communities will continue to do great harm to the relationship between local police and immigrants, undermine our efforts to work with all members of the community to fight crime, place our national security at risk and create insecure communities for all of us."

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Torres", written over a horizontal line.

John-Michael Torres
Communications Director
La Union del Pueblo Entero

Central Florida LCLAA Chapter



LCLAA[®]

LABOR COUNCIL FOR LATIN AMERICAN ADVANCEMENT

Central Florida LCLAA Chapter

Email address- cf.lclaa@gmail.com

POBox 4451 Winter Park Florida 32793

November 29, 2011

The Subcommittee on Immigration Policy and Enforcement

House of Representatives

B-353 Rayburn House Office Building

Washington, DC 20515

Dear Chairman Gallegly, Ranking Member Lofgren, and Members of the Subcommittee:

The Labor Council For Latin American Advancement is a National Non-Profit Latino organization representing the interest of over 2.0 million Latino trade unionists throughout the country and the Common Wealth of Puerto Rico.

LCLAA was founded in 1973 and is American's premier national organization for Latino workers and their families. LCLAA advocates for the rights of all workers seeking justice in the workplace and their communities.

LCLAA is not just for union members, but for all people who envision a better quality of life, a just workplace, and who demand respect and dignity for all working people..

We oppose the Secure Communities Program because it is ineffective, it threatens the safety of our communities, it runs counter to American principles of fairness and justice and it has been deceitfully imposed on our country's local communities. The Department of Homeland Security(DHS) has misrepresented the Secure Communities program to the American public, law enforcement agencies,

state and local governments, and Members of Congress. The Secure Communities Program creates an incentive for participating state and local law enforcement agents to engage in racial profiling and pre-textual arrests.

To safeguard our communities and the protection of our rights we recommend that:

- *Congress pass the End Racial Profiling Act which would ban profiling based on race, religion, ethnicity and national origin at the federal, state and local levels.*
- *Congress eliminate funding for the Secure Communities Initiative and other programs that use state and local law enforcement agencies to conduct immigration enforcement, until and unless meaningful and effective protections are put into place to prevent racial profiling or other civil and human rights violations*

Thanks you for your time and consideration

Sincerely,

Victor Sanchez

Central Florida LCLAA

Chapter President

407-924-1802



November 29, 2011

The Subcommittee on Immigration Policy and Enforcement
House of Representatives
B-353 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Gallegly, Ranking Member Lofgren, and Members of the Subcommittee:

LULAC-Syracuse chapter seeks to advance the economic condition, educational attainment, political influence, housing, health, and civil rights of the Hispanic population of the United States. As a civil rights organization, LULAC-Syracuse chapter is concerned about the significant negative impact of Secured Communities.

We oppose the Secure Communities Program because it is ineffective, it threatens the safety of our communities, it runs counter to American principles of fairness and justice and it has been deceitfully imposed on our country's local communities. The Department of Homeland Security (DHS) has misrepresented the Secure Communities program to the American public, law enforcement agencies, state and local governments, and Members of Congress. The Secure Communities Program creates an incentive for participating state and local law enforcement agents to engage in racial profiling and pre-textual arrests.

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- The Subcommittee should urge DHS to terminate Secure Communities in jurisdictions that have chosen to opt out of the program and suspend Secure Communities in jurisdictions with a documented record of racial profiling or where DOJ is actively investigating a pattern or practice of discriminatory policing.

Thank you for your time and consideration

Sincerely,

Jose E. Perez
Vice President of Syracuse chapter

¹ See Aarti Kohli, Peter L. Markowitz and Lisa Chavez, *Secure Communities by the Numbers: An Analysis of Demographics and Due Process*, The Chief Justice Earl Warren Institute on Law and Social Policy, October 2011, available at http://www.law.berkeley.edu/files/Secure_Communities_by_the_Numbers.pdf.

The Subcommittee on Immigration Policy and Enforcement
House of Representatives
B-353 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Gallegly, Ranking Member Lofgren, and Members of the Subcommittee:

The principles of the common good, human dignity and love for one's neighbor are fundamental to all to faith traditions. In many of our sacred texts the value of welcoming the stranger is an explicit mandate and primary tenant of our faith as in the Abrahamic traditions where it reads the below:

“You shall not wrong a stranger or oppress him, for you were strangers in the land of Egypt.” (Exodus 22:21).

However, U.S. immigration enforcement policies have only become harsher and more inhumane in recent years. Immigrant communities are increasingly targeted, profiled, apprehended, detained and deported, creating an environment of increasing fear. Secure Communities allows ICE to identify, process, and remove immigrants incarcerated in federal, state, and local jails. This leads further criminalization of migrants wherein minor violations, often traffic stops, turn into an investigation of citizenship status where many are therein detained. Furthermore, low-priority non-violent offenders or even citizens are being funneled into this program needlessly separating hundreds of thousands of families. This is done in the face of Department of Homeland Security's own task force report that concluded that S-Comm sows mistrust of police and makes communities less safe.

In a speech ICE Director John Morton gave to the International Association of Chiefs of Police on October 25, 2011 he boasted of the total 396,9606 individuals deported, the largest in the agencies history^[1], but what about the 180,208 individuals who had been neither convicted nor arrested for any criminal offense? They are funneled into an unjust deportation system without rights to due process. Tragically, many of those removed in this category were U.S. residents of many years. Many of them are parents, wives and husbands whose families are left broken in the wake of an unmerciful policy.

“They treat you like the worst of criminals when in reality you have done nothing besides drive your car to work in order to survive. You do this without a license because the system does not allow it.” [2] - Fernando, Arizona

Programs such as Secure Communities create an atmosphere of xenophobia that has proven detrimental for the all immigrant and refugee communities, regardless of their documentation status. As people of faith we are called by a moral imperative to take an ethical stance for just policies and speak out against these enforcement practices hurting so many through separations of families, breaking apart whole communities and takes advantage of marginalized communities for political gain.

Our faith now calls us to be part of changing this unjust policy and ask that Secure Communities be permanently halted and recommend the following:

- 1) The Secure Communities program should be ended.
- 2) The Department of Justice Office of Inspector General should begin an investigation into the FBI's role in Secure Communities.
- 3) Criticism of Secure Communities should be applied to inform changes to other ICE ACCESS programs, and the entanglement of local criminal law enforcement and federal civil immigration functions should be stopped and reversed.
- 4) States and localities should not be compelled to participate in immigration enforcement programs, including the forwarding of fingerprints and other biometric information to the Department of Homeland Security

We cannot build strong communities if they're being torn apart. Instead we ask for a more viable solution of working towards a humane comprehensive immigration reform that can provide a pathway to citizenship for so many deserving members of our society.

Sincerely,

*Sister Janet Yurkamin, ITHM
Migration and Refugee Services
Diocese of Trenton
149 N Warren Street
Trenton, NJ 08608-1307
609-394-8299 phone
609-394-0204 fax*

Statement from the Minnesota Immigrant Rights Action Committee Against the Secure Communities program

The Minnesota Immigrant Rights Action Committee (MIRAC) and the No More Deportations Campaign is strongly opposed to plans to deploy the Secure Communities program nationally, despite widespread opposition from communities, counties, and states. We call for the Secure Communities program to be ended.

Secure Communities (S-Comm) is a fingerprint database that is used to check the immigration status of those who are arrested. Immigration Control and Enforcement (ICE) claims that Secure Communities will work to deport “dangerous criminals” and reduce racial profiling, and wants to implement it nationwide by 2013.

However, the statistics paint a very different picture. Since the implementation of Secure Communities in 2008, 79% of those deported through the program had either been convicted of petty offenses (such as traffic violations), or had committed no crime at all. 28% of people deported through S-Comm since its implementation have not been convicted of any crime at all, and that number is on the rise.

When the state of Illinois tried to pull out of the Secure Communities program, Governor Pat Quinn stated in a letter to ICE “that the implementation of the Secure Communities program in Illinois is contrary to the stated purpose of the MOA... By ICE’s own measure, less than 20% of those who have been deported from Illinois under the program have ever been convicted of a serious crime.”

Secure Communities causes many other problems as well, including:

- destroys families and communities by increasing deportations
- increases racial profiling among local law enforcement
- is part of an unjust national immigration system
- does not allow due process
- makes communities more mistrustful of police
- increases financial and resource burdens on local law enforcement
- little transparency surrounding S-Comm, ICE misrepresents program

We urge you and the administration to scrap the Secure Communities program entirely. Immigrants from many nations form a vibrant part of the fabric of our community here in Minnesota, and implementing S-Comm will only serve to harm our community.

Minnesota Immigrant Rights Action Committee
No More Deportations Campaign

MIRA! Mississippi Immigrants Rights Alliance
P.O. Box 1104, Jackson, Mississippi 39215
601-968-5182 – www.yourmira.org

November 29, 2011

The Subcommittee on Immigration Policy and Enforcement
House of Representatives,
B-353 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Gallegly, Ranking Member Lofgren, and Members of the Subcommittee:

The Mississippi Immigrants Rights Alliance (MIRA) is a multi faceted alliance of faith-based, labor, community and civil rights leaders from throughout Mississippi. MIRA is a non-profit membership based organization that engages in organizing, mobilizing and advocacy with full-time organizers. MIRA also has a legal project staffed by two attorneys. MIRA, founded in 2000, has been actively engaged in local, state and national issues affecting immigrant workers.

MIRA strongly opposes the Secure Communities Program because it threatens the safety of our communities, it runs counter to moral principles of fairness and justice and it has been deceitfully imposed on our country's local communities. The Department of Homeland Security (DHS) has misrepresented the Secure Communities program to the general public, law enforcement agencies, state and local governments, and Members of Congress. The Secure Communities Program creates an incentive for participating state and local law enforcement agents to engage in racial profiling and pre-textual arrests.

This has been our experience in many, many cases of overt racial profiling by law enforcement jurisdictions who feel they now have license to harass by engaging in unjustified traffic stops, workplace raids, home invasions, and other tactics of terror to arrest and deport immigrants, especially Latinos, in an effort as several white politicians have stated, to "scare them out of our state." Secure Communities is nothing more than another incentive to engage in overt ethnic cleansing.

To safeguard our communities and the protection of our rights we recommend that:

- Congress pass the End Racial Profiling Act which would ban profiling based on race, religion, ethnicity and national origin at the federal, state and local levels.
- Congress eliminate funding for the Secure Communities Initiative and other programs that use state and local law enforcement agencies to conduct immigration enforcement, until and unless meaningful and effective protections are put into place to prevent racial profiling or other civil and human rights violations.
- The Subcommittee should urge DHS to terminate Secure Communities in jurisdictions that have chosen to opt out of the program and suspend Secure Communities in jurisdictions with a documented record of racial profiling or where DOJ is actively investigating a pattern or practice of discriminatory policing.

Thank you for your time and consideration

Sincerely,

Bill Chandler,
Executive Director, MIRA

CC: Rep. Bennie Thompson, 2nd District, Mississippi



November 29, 2011

The Subcommittee on Immigration Policy and Enforcement
House of Representatives
B-353 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Gallegly, Ranking Member Lofgren, and Members of the Subcommittee:
The National Center for Transgender Equality is a national social justice organization devoted to ending discrimination and violence against transgender people through education and advocacy on national issues of importance to transgender people. We write to urge the committee to address the serious flaws and harmful effects of the current Secure Communities program being employed by the Department of Homeland Security. We strongly believe that this misguided program is actually making our communities less secure.

The Secure Communities program is of deep concern to NCTE because transgender people, and especially transgender immigrants, are at high risk for becoming victims of violent crime. According to the National Transgender Discrimination Survey, more than one in four transgender people in the United States has been the victim of a bias-motivated physical assault on at least one occasion. Among undocumented transgender people the rate of assaults was 2-3 times higher. At the same time, transgender immigrants are frequently afraid to seek assistance from law enforcement. Forty-six percent of all transgender people, and even higher numbers of Latino (51%), Black (48%) and multiracial (55%) transgender people, report that they are somewhat or very uncomfortable seeking police assistance.¹ Given these realities, we are concerned that the Secure Communities program is making an extremely vulnerable population even less likely to report crimes to law enforcement or be willing to testify in criminal cases.

Many communities who have seen reductions in violent crimes have used community policing programs relying on trust between law enforcement agencies and the people who they serve and protect. In some communities, local law enforcement is working hard to rebuild trust eroded by historical patterns of harassment and profiling of gay, lesbian, bisexual and transgender people of color. Under the Secure Communities program, however, every encounter with police is turned into a potential referral to federal authorities, with the risk of deportation. Even innocent victims of crime are not free from the reluctance to report – the majority of those deported in recent years under the Program were either not convicted of any crimes, or were convicted only of minor offenses. Victims have reported being placed into deportation proceedings after calling police for protection in vulnerable and violent situations, including domestic violence. For transgender people, and particularly those transgender people who are undocumented, their increased rate of victimization and preexisting fear of police is exacerbated by this sweeping and unbalanced

¹ Grant JM, Mottet LA & Tanis J et al., *Injustice at Every Turn: A Report of the National Transgender Discrimination Survey* 58-9, 74, 100, 117-18, 162 (Washington, DC: National Center for Transgender Equality & National Gay and Lesbian Task Force, 2011).

program. Trust in local law enforcement is replaced by fear, and effective crime prevention and community safety are compromised in the process.

We oppose the Secure Communities program because it is ineffective, it threatens the safety of our communities, it runs counter to American principles of fairness and justice and it has been deceitfully imposed on our country's local communities. The Department of Homeland Security (DHS) has misrepresented the Secure Communities program to the American public, law enforcement agencies, state and local governments, and Members of Congress. The Secure Communities Program creates an incentive for participating state and local law enforcement agents to engage in racial profiling and pre-textual arrests.²

To safeguard our communities and the protection of our rights we recommend that:

- Congress should eliminate funding for the Secure Communities Initiative and other programs that use state and local law enforcement agencies to conduct immigration enforcement, until and unless meaningful and effective protections are put into place to prevent racial profiling or other civil and human rights violations.
- The Subcommittee should urge DHS to terminate Secure Communities in jurisdictions that have chosen to opt out of the program and suspend Secure Communities in jurisdictions with a documented record of racial profiling or where DOJ is actively investigating a pattern or practice of discriminatory policing. States and localities should not be compelled to participate in immigration enforcement programs, including the forwarding of fingerprints or other biometric information, particularly where abuse of civil rights is the demonstrated result.
- Police misconduct related to Secure Communities must be addressed, if the Program is maintained in some jurisdictions. ICE must stop its immigration enforcement based on information believed to have been unlawfully obtained through abusive policing practices, and what federal enforcement power exists should be used to investigate abusive and unjust practices occurring at the point of arrest by state and local law enforcement agencies.

Thank you for your time and consideration.
Sincerely,



Mara Keisling, Executive Director
National Center for Transgender Equality

² See Aarti Kohli, Peter L. Markowitz and Lisa Chavez, *Secure Communities by the Numbers: An Analysis of Demographics and Due Process*, The Chief Justice Earl Warren Institute on Law and Social Policy, October 2011, available at http://www.law.berkeley.edu/files/Secure_Communities_by_the_Numbers.pdf.



National Immigrant Justice Center

November 28, 2011

The Subcommittee on Immigration Policy and Enforcement
House of Representatives
B-353 Rayburn House Office Building
Washington, DC 20515

Re: Secure Communities Program

Dear Chairman Gallegly, Ranking Member Lofgren, and Members of the Subcommittee:

Heartland Alliance's National Immigrant Justice Center (NIJC) is writing to express its opposition to the Secure Communities program as it destroys immigrant families without any benefit to public safety. In addition, the program encourages racial profiling.

For more than thirty years, NIJC has protected and advanced the rights of immigrants, refugees, and asylum seekers. Each year, NIJC represents hundreds of individuals who have been unnecessarily caught in the immigration system because of the Department of Homeland Security's (DHS's) enforcement initiatives, including the Secure Communities program.

DHS has misrepresented the Secure Communities program to the American public, law enforcement agencies, state and local governments, and Members of Congress. The program does not make our communities safer nor does it target serious criminals. Rather, as illustrated in the stories below, the Secure Communities program encourages racial profiling, undermines relationships between local police and communities, and destroys immigrant families.

Aaron is the father of four U.S. citizen children. In March 2010, Aaron was driving with colleagues in Peoria, Illinois. Police alleged the driver was speaking and stopped the car. The officer asked for identification from the driver and all passengers, including Aaron, who was seated in the backseat. Aaron presented his identification card from the Mexican consulate. The officer asked the passengers if they "had papers" and told everyone to wait in the car. After nearly two hours, an immigration agent appeared and questioned Aaron about his documents. The immigration agent arrested Aaron and drove him more than an hour away to a jail in Springfield, Illinois, where he was detained for five days before his wife could secure his bail. He was not charged by the local police and does not have a criminal record.*

Vincente is a father of four who has lived in the United States for more than ten years. He is the sole provider for his family. Vicente's family spends most of their money on medical costs for their son, who suffers from an incurable seizure disorder. His son is confined to a wheelchair and must be fed through a tube. In February 2011, local police stopped Vicente for a broken taillight and did not press charges, instead turning him over to immigration officials. He remains in removal proceedings. If Vicente is deported, he fears that his son will die because his family cannot cover his medical expenses. Vicente cannot obtain the same medical treatment for his son in Mexico.*

Nelson and his wife came to the United States in 2007. They have two U.S. citizen sons, one with severe developmental delays. Carlos is two-years-old, yet he cannot speak, walk, feed himself, or communicate his needs. The family is working with a team of specialists to better understand their son's disabilities. In September 2011, Nelson and his family were driving to a doctor's appointment when a local police officer stopped Nelson for allegedly driving over the speed limit. The officer then learned that Nelson did not have a driver's license and immediately arrested him.*

The local police did not charge Nelson, but contacted immigration authorities, who detained him. Despite his pleas, the officer left Nelson's wife on the street with two small children and without a way to get home. Nelson was detained for 51 days before he could return to his family.

(*Name has been changed.)

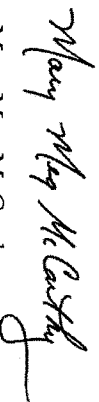
DHS's statistics as of February 2011 show that more than 80 percent of people who were deported from Illinois under the Secure Communities program had *never* been convicted of a serious crime. Many of these men and women may be entitled to legal relief, yet the Secure Communities program thrusts these individuals into removal proceedings before they understand their rights and without access to legal counsel.

To protect immigrant families and restore relationships between local communities and law enforcement, we recommend that Congress:

- Pass the End Racial Profiling Act, which would ban profiling based on race, religion, ethnicity and national origin at the federal, state and local levels;
- Eliminate funding for the Secure Communities program and other initiatives that use state and local law enforcement agencies to conduct immigration enforcement, until and unless meaningful and effective protections are put into place to prevent racial profiling or other civil and human rights violations; and
- Urge DHS to terminate Secure Communities in jurisdictions that have chosen to opt-out of the program and suspend Secure Communities in jurisdictions with a documented record of racial profiling or where DOJ is actively investigating a pattern or practice of discriminatory policing.

Thank you for your consideration. Should you need any additional information, please do not hesitate to contact me.

Sincerely,



Mary Meg McCarthy
Executive Director
mmccarthy@heartlandalliance.org
(312) 660-1351



**Statement for the Record
House Committee on the Judiciary
Subcommittee on Immigration Policy and Enforcement**

Hearing on “Is Secure Communities Keeping our Communities Secure?”

November 30, 2011

The National Immigration Forum upholds America’s tradition as a nation of immigrants. The Forum advocates for the value of immigrants and immigration to the nation, building support for public policies that reunite families, recognize the importance of immigration to our economy and communities, protect refugees, encourage newcomers to become Americans and promote equal protection under the law.

We are submitting our views about the Department of Homeland Security’s “Secure Communities” program and its negative consequences for our nation’s communities.

This summer, the National Immigration Forum participated as a member of the DHS Task Force on Secure Communities. The Task Force was charged with issuing recommendations on ways to improve the program, including mitigating damage to community policing practices. Driven by deep misgivings with the Secure Communities program, we engaged in the Task Force process to produce meaningful and necessary reforms to a program that is speeding towards national deployment despite glaring and fundamental flaws.

Because we felt the recommendations in the Task Force’s final report did not remedy flaws in the program’s operations, we did not endorse it and tendered our resignation from the Task Force.

Paramount among our concerns with Secure Communities is the program’s negative impact on public safety. This negative impact is the result of the practice in some communities of arresting certain individuals who might not ordinarily be arrested so that an immigration check can be made on the individual. There are insufficient mechanisms to hold participating law enforcement agencies accountable. Abuse of the system has led to a decline in trust in participating law enforcement agencies. Communities become less safe, as victims and witnesses of crime retreat from law enforcement out of fear of immigration consequences for cooperating with the police.

More fundamentally, individuals charged with civil immigration violations should not be the target of a program funded and marketed as a way to identify threats to public safety and national security. Additionally, local decisions about how and if to participate in Secure Communities should be honored.

Secure Communities contradicts the National Immigration Forum’s principles for sensible immigration reform. Until the Department of Homeland Security can assure the public that critical problems with Secure Communities have been remedied, the program should be suspended. Continuing to operate and expand a flawed program jeopardizes not only the civil rights and dignity of individuals swept in to Secure Communities, but also the community safety that the program was allegedly designed to safeguard.



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November 29th, 2011

The Subcommittee on Immigration Policy and Enforcement
House of Representatives
B-353 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Gallegly, Ranking Member Lofgren, and Members of the Subcommittee:

The National Network for Arab American Communities is a network of 22 Arab American organizations in 11 states, including the District of Columbia, nationwide. The mission of NNAAC is the development of Arab American community-based nonprofit organizations that understand, meet the needs and represent the concerns of Arab Americans at the local level and collectively address these issues on the national level. NNAAC is housed at the Arab American Community Center for Economic and Social Services (ACCESS) in Dearborn, Michigan, the largest Arab American social service agency in the country. We have seen firsthand the grave effects of the Secure Communities program on our community and we oppose this heavy handed immigration enforcement program that blurs the lines between federal and state law enforcement.

We oppose the Secure Communities Program because it is ineffective, it threatens the safety of our communities, it runs counter to American principles of fairness and justice and it has been deceitfully imposed on our country's local communities. The Department of Homeland Security (DHS) has misrepresented the Secure Communities program to the American public; law enforcement agencies, state and local governments, and Members of Congress. The Secure Communities Program creates an incentive for participating state and local law enforcement agents to engage in racial profiling and pre-textual arrests.¹

Secure Communities is in particular a concern for the Arab and Muslim community in the US. From a new level of aggressive and invasive questioning of our community by federal and local law enforcement entities to the recent hearings held by Congressman Peter King, Muslim Americans, and those who are perceived to be Muslim, are facing greater challenges than we have ever faced since the tragic events of 9/11. Arab and Muslim Americans have been forced to suffer in an incredibly hostile civic environment in which prominent elected officials, religious leaders, and political news commentators have expressed outrageous hateful sentiments towards Muslims and their beliefs. Some prominent influential leaders have launched sustained campaigns to marginalize Muslim Americans and deny them protections guaranteed by the Bill of Rights preserved in our constitution. Local law enforcement officers may take advantage of this hostile environment where it is tolerable and acceptable to vilify Muslims or those perceived Muslims and increase their patrol and arrests in areas where there are large Muslim/Arab communities and an active Secure Communities program under the false guise of "national security".

To safeguard our communities and the protection of our rights we recommend that:

¹ See Aarti Kohli, Peter L. Markowitz and Lisa Chavez, *Secure Communities by the Numbers: An Analysis of Demographics and Due Process*, The Chief Justice Earl Warren Institute on Law and Social Policy, October 2011, available at http://www.law.berkeley.edu/files/Secure_Communities_by_the_Numbers.pdf.

- Congress pass the End Racial Profiling Act which would ban profiling based on race, religion, ethnicity and national origin at the federal, state and local levels.
- Congress eliminate funding for the Secure Communities Initiative and other programs that use state and local law enforcement agencies to conduct immigration enforcement, until and unless meaningful and effective protections are put into place to prevent racial profiling or other civil and human rights violations.
- The Subcommittee should urge DHS to terminate Secure Communities in jurisdictions that have chosen to opt out of the program and suspend Secure Communities in jurisdictions with a documented record of racial profiling or where DOJ is actively investigating a pattern or practice of discriminatory policing.

Thank you for your time and consideration.

Sincerely,



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The Subcommittee on Immigration Policy and Enforcement

House of Representatives

B-353 Rayburn House Office Building

Washington, DC 20515

Dear Chairman Gallegly, Ranking Member Lofgren, and Members of the Subcommittee:

The Secure Communities (S-Com) program should be abolished because the entanglement of local criminal law enforcement and federal civil immigration policy negatively impacts the local citizenry, immigrant population and law enforcement agencies. Its implementation leads to outcomes which are antithetical to the goals espoused within the U Visa and Violence Against Women laws. According to the analytical report, *Secure Communities by the Numbers: An Analysis of Demographics and Due Process*. (See <http://www.law.berkeley.edu/ewi.htm>), the Secure Communities program has led to racial profiling and wrongful arrests of U.S. citizens, while tens of thousands of families are split apart. It is a bad law which derails the boundaries of common decency under the surreptitious title of public safety.

NETWORK is a National Catholic Social Justice Lobby, whose 10,000 activists, including hundreds of congregations of women and men religious, who evangelize gospel values with their voice, actions and vote. Due to the aforementioned injustices, NETWORK vehemently urges the repeal of this dangerous and shortsighted law.

The implementation of S-Com Programs has oppositional goals with other, more effective, governmental programs. The U Visa and VAWA programs were implemented to promote the identification and prosecution of violent criminals and to minimize exploitation of immigrants. Undocumented persons are encouraged to, and have reported, criminal activity without fear of removal. However, the implementation of the S-Com Program sufficiently obliterates any future law enforcement gains that would have been realized through the U Visa and VAWA protections. Victims/witnesses to crimes and abused women will be silenced once again for fear of deportation in the S-Com program. They simply cannot be certain which governmental principle will be applied in their cases.

The S-Com Program is at its core sanctioned racial profiling. Police officers working in areas that have Secure Communities in their local system have an incentive, or at least the ability, to make arrests based on race or ethnicity. Secure Communities support arrests of persons on the mere suspicion of a violation of immigration laws. Once arrested, the police can run the arrestee's name through immigration databases. A study recently released by the University of California, Berkeley Law School and the Benjamin N. Cardozo School of Law, validates this concern. A random sample was provided by Immigration and Customs Enforcement of 375 deportation cases under the program. The study found

93 percent of those arrested are Latino while Latinos only account for only 77 percent of the entire undocumented population.

Due process rights are violated by the manner in which the S-Com program is implemented. The Berkeley study showed that a mere 24 percent of individuals arrested via Secure Communities had a lawyer present during an immigration hearing. In comparison, about 41 percent of all immigration court respondents have legal representation at this critical juncture. Id.

Thousands of U.S. citizens have been wrongfully detained since the inception of the Secure Communities program. Id. Of the mere 375 cases evaluated, five United States citizens were wrongfully held by immigration agents with no clear reason specified in the records. Id. The presence of any citizens in this small sampling is a serious constitutional violation because ICE has no jurisdiction to direct the detention of any citizens. If this rate is applied to the total of all those who will be detained in a national mandatory S-Com program, hundreds of thousands of citizens are likely to be detained. To compound this injustice, they would be subjected to the same lack of due process that is available to the undocumented population.

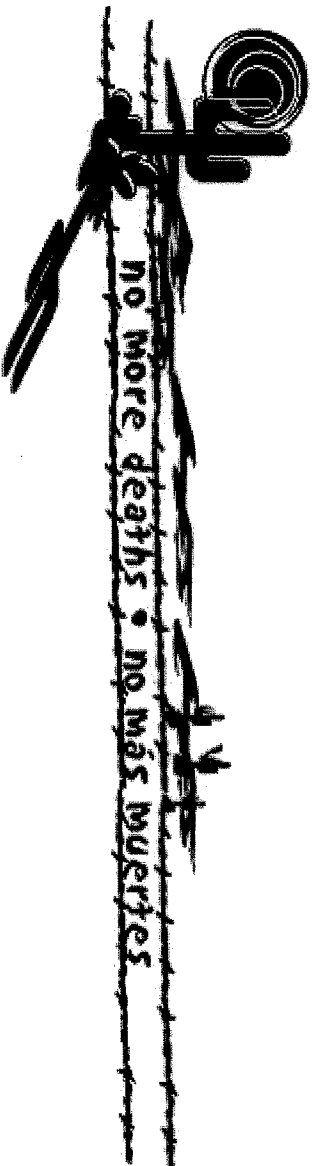
The empirical data demonstrates that the S-Com program leads to violations of the rights of citizens and non-citizens, creates mistrust in communities and does not serve its stated goals. The Department of Homeland Security should cease implementation of the Secured Communities Program until the government addresses the issues that have been identified. This is particularly true for the wrongful U.S. citizen arrests, potential racial profiling, and lack of due process in the immigration legal process. Furthermore, any aspects of the S-Com program which result in outcomes that run counter to the U Visa and VAWA protections and goals should be immediately abolished.

Holding your committee in prayer,

Simone Campbell, SSS

Executive Director,

NETWORK, A National Catholic Social Justice Lobby



November 29, 2011

The Subcommittee on Immigration Policy and Enforcement
House of Representatives
B-353 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Gallegly, Ranking Member Lofgren, and Members of the Subcommittee:

We are writing to express our deep concerns about Secure Communities and to urge the Subcommittee to take immediate action to end the program.

As a humanitarian organization working along the United States-Mexico border, No More Deaths has spent the past eight years responding to the impact of the failed strategy of border militarization. As providers of food, water, and emergency medical care to those we encounter in the Arizona desert, we know that migration has long been driven by a need to support families left behind. However, where those families are left has changed dramatically over the past few years.

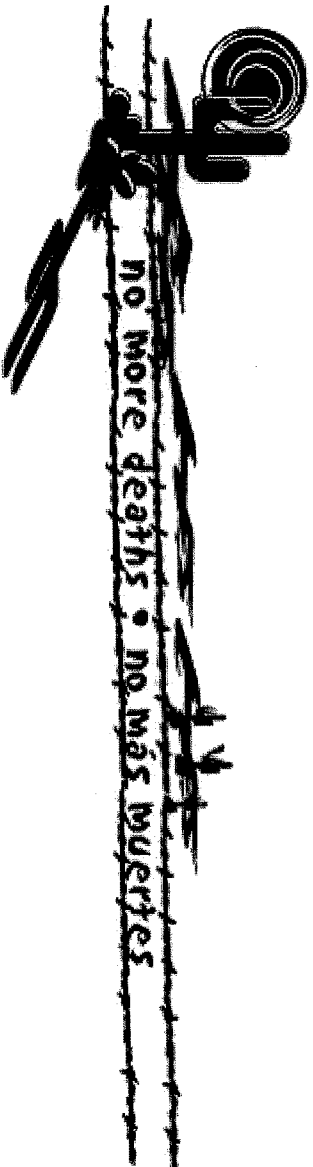
We are now working with an increasing number of people being torn from communities across the United States. Many have lived here for decades and have established families, employment, and strong community ties; for them, the impact of deportation is devastating. We regularly hear about the ways they come to be detained and deported: a broken taillight or a call to local police for help. No matter what the stated priorities of Secure Communities, we have met thousands of people who found their entire lives upended as a result of the way their local police misuse the authority it gives them. We oppose Secure Communities because these deportations do not make our communities secure. On the contrary, this program needlessly and cruelly separates families and has a particularly devastating impact on children.

We are disturbed by the way the Department of Homeland Security has misrepresented the Secure Communities program to the American public, law enforcement agencies, state and local governments, and Members of Congress. We have written two reports detailing abusive practices by Border Patrol and the ineffectiveness of existing oversight mechanisms to address and prevent such misconduct from occurring.¹ We are concerned that lack of accountability pervades all of DHS, making it possible for abuses to occur in all its initiatives—including Secure Communities.

¹ See Crossing the Line (2008) and A Culture of Cruelty (2011)

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action@nomoredeaths.org



Like other programs that promote collaboration between local law enforcement and DHS, Secure Communities also creates an incentive for participating state and local law enforcement agents to engage in racial profiling and pre-textual arrests.² In Arizona, Sheriff Arpaio has long provided an example of what can happen when local law enforcement agents are given opportunity and support to engage in immigration enforcement.

Secure Communities is so inherently flawed that it cannot be improved. Along with border enforcement measures which have undermined the safety of families and communities for the past 20 years, the only real solution is to discontinue the program altogether.

However, we also believe that there are steps Congress can take immediately to address some of the serious concerns that have been raised by directly impacted communities, local law enforcement, and advocates around the country. We echo recommendations that:

- Congress pass the End Racial Profiling Act which would ban profiling based on race, religion, ethnicity and national origin at the federal, state and local levels.
- Congress eliminate funding for the Secure Communities Initiative and other programs that use state and local law enforcement agencies to conduct immigration enforcement, until and unless meaningful and effective protections are put into place to prevent racial profiling or other civil and human rights violations.
- The Subcommittee should urge DHS to terminate Secure Communities in jurisdictions that have chosen to opt out of the program and suspend Secure Communities in jurisdictions with a documented record of racial profiling or where DOJ is actively investigating a pattern or practice of discriminatory policing.

Thank you for your time and consideration.

Sincerely,

No More Deaths

² See Aarti Kohli, Peter L. Markowitz and Lisa Chavez, *Secure Communities by the Numbers: An Analysis of Demographics and Due Process*, The Chief Justice Earl Warren Institute on Law and Social Policy, October 2011, available at http://www.law.berkeley.edu/files/Secure_Communities_by_the_Numbers.pdf.

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November 23, 2011

MISSION

OneAmerica
advances the
fundamental
principles of
democracy and
justice at the
local, state and
national levels
by building
power within
immigrant
communities
in collaboration
with key allies.

The Subcommittee on Immigration Policy and Enforcement
House of Representatives
B-353 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Gallegly, Ranking Member Lofgren, and Members of the Subcommittee:

OneAmerica is the largest immigrant rights organization in Washington State. Our mission is to advance the fundamental principles of democracy and justice at the local, state, and national levels by building power within immigrant communities in collaboration with key allies.

We oppose the Secure Communities Program because it is ineffective, it threatens the safety of our communities, it runs counter to American principles of fairness and justice and it has been deceitfully imposed on our country's local communities. The Secure Communities Program creates an incentive for participating state and local law enforcement agents to engage in racial profiling and pre-textual arrests (Chief Justice Earl Warren Institute, Kohli, Markowitz, & Chavez 2011). The funneling of everyday hardworking members of the immigrant community into detention centers because they have a tail light out or commit other minor offenses has become all too common place. When it comes down to it, Secure Communities makes our communities less secure by undermining community trust and separating families due to low level offenses.

To safeguard our communities and the protection of our rights we recommend that:

- Congress pass the End Racial Profiling Act which would ban profiling based on race, religion, ethnicity and national origin at the federal, state and local levels.
- Congress eliminate funding for the Secure Communities Initiative and other programs that use state and local law enforcement agencies to conduct immigration enforcement, until and unless meaningful and effective protections are put into place to prevent racial profiling or other civil and human rights violations.
- The Subcommittee should urge DHS to terminate Secure Communities in jurisdictions that have chosen to opt out of the program and suspend Secure Communities in jurisdictions with a documented record of racial profiling or where DOJ is actively investigating a pattern or practice of discriminatory policing.

Thank you for your time and consideration

Sincerely,

Pramila Jayapal
Executive Director and Founder

Advancing Immigrant,
Civil & Human
Rights

WWW.WEAREONEAMERICA.ORG | INFO@WEAREONEAMERICA.ORG
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OneAmerica is a nonprofit, 501(c)(3) organization

November 28, 2011

The Subcommittee on Immigration Policy and Enforcement
House of Representatives
B-353 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Gallegly, Ranking Member Lofgren, and Members of the Subcommittee:

Immigration issues are a main concern of the Politics Focus Committee of the Racine Dominicans.

We oppose the Secure Communities Program because it threatens the safety of our communities, it runs counter to our American principles of fairness and justice. We oppose the manner in which the Program has been imposed on our country's local communities. The Department of Homeland Security has misrepresented the Secure Communities Program to the American public, law enforcement agencies, state and local governments, and Members of Congress. This Program creates an incentive for participating state and local law enforcement agents to engage in racial profiling and pre-textual arrests.

To safeguard our communities and for the protection of our rights we recommend that

- Congress pass the End Racial Profiling Act which would ban profiling based on race, religion, ethnicity and national origin at the federal, state, and local levels.
- Congress eliminate funding for the secure Communities Initiative and other programs that use state and local law enforcement agencies to conduct immigration enforcement, until and unless meaningful and effective protections are put into place to prevent racial profiling or other civil and human rights violations.
- The Subcommittee should urge DHS to terminate Secure Communities in jurisdictions that have chosen to opt out of the program and suspend Secure Communities in jurisdictions with a documented record of racial profiling or where DOJ is actively investigating a pattern or practice of discriminatory policing.

Thank you for your time and consideration.

Sincerely,

The Politics Focus Committee of the Racine Dominicans
Joyce Quintana, Chairperson



LAW CENTER

THE PUBLIC INTEREST LAW OFFICE OF THE LOS ANGELES COUNTY AND BEVERLY HILLS BAR ASSOCIATIONS
The Southern California Affiliate of The Lawyers Committee for Civil Rights Under Law

November 29, 2011

The Subcommittee on Immigration Policy and Enforcement
House of Representatives
B-353 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Gallegly, Ranking Member Lofgren, and Members
of the Subcommittee:

Public Counsel is a public interest law firm that provides *pro bono* legal services to low-income immigrants in Southern California, including those detained by the Department of Homeland Security (“DHS”).

We oppose the Secure Communities Program because it is ineffective, it threatens the safety of our communities, it runs counter to American principles of fairness and justice and it has been deceitfully imposed on our country’s local communities. We visit detention centers in Southern California on a weekly basis and see first hand how Secure Communities is tearing families apart. This week I interviewed a detainee who has spent the last ten years working as a seamstress for one of Los Angeles’s leading garment manufacturers while raising two U.S. citizen children. He appeared in court to request community service in lieu of paying a fine for a driving ticket. When he appeared to perform his community service, he was arrested by police for driving without a license. Subsequently, he was booked into jail and arrested by Immigration Customs and Enforcement (“ICE”). He now sits in ICE detention with little hope of prevailing in immigration court. His wife is also a seamstress and is using her income to support the couple’s young children. The family has no money to pay for an attorney. This detainee has no criminal record so he is eligible under the law for bond. But after weeks in detention, he still has no bond set. His wife fears she will be arrested by ICE so is unable to bring her U.S. citizen children to visit their father at the detention facility.

DHS has misrepresented the Secure Communities program to the American public, law enforcement agencies, state and local governments, and Members of Congress. The Secure Communities Program creates an incentive for participating state and local law enforcement agents to engage in racial profiling and

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Children, Underage, Autistic, Multisystem, Madeline
MAKATINS ZOHAN
Preston
Task Chairperson

pre-textual arrests.¹ Our staff recently interviewed a Latino asylum-seeker who was cited by police and then turned over to ICE in Hollywood, California. The police stopped, cited and arrested him for jaywalking. It is difficult to imagine that he would have been apprehended had he not been Latino. I also interviewed a man in Santa Monica, California arrested by ICE pursuant to a joint operation between local police and ICE. This man had the misfortune to live next door to a man wanted by the police and ICE. Because he could not produce identification or reveal the whereabouts of his neighbor, heavily armed ICE agents arrested him and commenced removal proceedings against him. He has worked the past decade as a cook in Santa Monica, California, supporting his three children and his wife, who cannot work due to illness.

To safeguard our communities and the protection of our rights we recommend that:

- Congress pass the End Racial Profiling Act which would ban profiling based on race, religion, ethnicity and national origin at the federal, state and local levels.
- Congress eliminate funding for the Secure Communities Initiative and other programs that use state and local law enforcement agencies to conduct immigration enforcement, until and unless meaningful and effective protections are put into place to prevent racial profiling or other civil and human rights violations.
- The Subcommittee should urge DHS to terminate Secure Communities in jurisdictions that have chosen to opt out of the program and suspend Secure Communities in jurisdictions with a documented record of racial profiling or where DOJ is actively investigating a pattern or practice of discriminatory policing.

Thank you for your time and consideration

Sincerely,



Judy London, Directing Attorney, Public Counsel's Immigrants' Rights Project

¹ See Aarti Kohli, Peter L. Markowitz and Lisa Chavez, *Secure Communities by the Numbers: An Analysis of Demographics and Due Process*, The Chief Justice Earl Warren Institute on Law and Social Policy, October 2011, available at http://www.law.berkeley.edu/files/Secure_Communities_by_the_Numbers.pdf.



RIGHTS
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November 29, 2011

The Subcommittee on Immigration Policy and Enforcement
House of Representatives
B-353 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Gallegly, Ranking Member Lofgren, and Members of the Subcommittee:

Rights Working Group (RWG) is a national coalition of over 320 civil rights, immigrant rights, national security and human rights organizations formed after September 11th seeking to restore due process, civil liberties and human rights to all people living in the United States. RWG leads the Racial Profiling: Face the Truth Campaign, which works to end all forms of racial profiling in the United States, including racial profiling which results from immigration enforcement.

RWG opposes the Secure Communities Program because it is ineffective, it threatens the safety of our communities, it runs counter to this country's foundational principles of fairness and justice and it has been deceptively imposed on our country's local communities. The Department of Homeland Security (DHS) has misrepresented the Secure Communities program to the public, law enforcement agencies, state and local governments, and Members of Congress. The Secure Communities Program creates an incentive for participating state and local law enforcement agents to engage in racial profiling and pre-textual arrests.¹

The Secure Communities Program allows state and local police to check the fingerprints of those individuals they are booking against not only criminal databases but also the notoriously flawed DHS immigration databases. If a match is found in a DHS database, both the local law enforcement agency and ICE are automatically notified. ICE can then put an immigration hold or "detainer" on that person, initiating deportation proceedings even if the charge that the person was actually brought in on hasn't been adjudicated. Prominent law enforcement leaders oppose the two incompatible duties the Secure Communities Program forces upon them. Police Chief Chris Burbank of the Salt Lake City Police Department, in an independent report contributed to by national and community-based groups around the country who have observed the impact of Secure Communities, including RWG, said:

¹ See Aarti Kohli, Peter L. Markowitz and Lisa Chavez, *Secure Communities by the Numbers: An Analysis of Demographics and Due Process*, The Chief Justice Earl Warren Institute on Law and Social Policy, October 2011, available at http://www.law.berkeley.edu/files/Secure_Communities_by_the_Numbers.pdf

The Secure Communities program combined with misguided state legislation has promoted a shift in local law enforcement's mission across the country and driven a wedge between the police and the public. The resulting priority adjustment places emphasis upon civil immigration action over community policing and all criminal enforcement. Additionally, the program sets an unhealthy priority for much needed jail space. Individuals are being held for civil immigration purposes, causing criminal violators to be released. In Salt Lake County, between 700 and 900 criminal offenders are released monthly due to overcrowding. Civil detainees often supersede criminal charges. We in law enforcement must safeguard community trust. Without the support and participation of the neighborhoods in which we serve, we cannot provide adequate public safety and maintain the well being of our nation. I do not believe Secure Communities has positively contributed to the mission of local law enforcement.²

The Secure Communities Program threatens this country's foundational principles of fairness and justice. A recent report by the Warren Institute at the University of California, Berkeley Law School which analyzed DHS' own data found that Latinos are disproportionately impacted by Secure Communities.³ This data indicates discriminatory policing and racial profiling of Latinos under Secure Communities.⁴

We also oppose the Secure Communities Program because we have learned through FOIA litigation initiated by immigrant rights advocates that DHS has repeatedly misrepresented the program to communities, even misleading members of Congress.⁵ These misrepresentations have led to an ongoing audit of Secure Communities by the DHS Office of the Inspector General as well as a review by the Government Accountability Office.

To safeguard our communities and the protection of our rights we recommend that:

- Congress pass the End Racial Profiling Act which would ban profiling based on race, religion, ethnicity and national origin at the federal, state and local levels.
- Congress eliminate funding for Secure Communities and other programs that use state and local law enforcement agencies to conduct immigration enforcement,

² Restoring Community: A National Community Advisory Report on ICE's Failed 'Secure Communities' Program, August 2011, available at <http://uncoverthetruth.org/media/restoring-community-a-national-community-advisory-report-on-ice%E2%80%99s-failed-%E2%80%9Csecure-communities%E2%80%9D-program/>.

³ See *Secure Communities by the Numbers: An Analysis of Demographics and Due Process*.

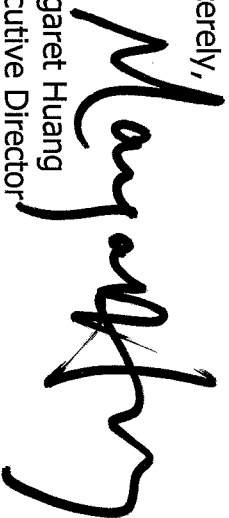
⁴ See *id* at 6.

⁵ Congresswoman calls for investigation of enforcement program that screens for illegal immigrants in jails," *LA Times*, Apr. 22, 2011 available at <http://latimesblogs.latimes.com/lanow/2011/04/congresswoman-calls-for-investigation-of-enforcement-program-that-screens-for-illegal-immigrants-in-jails.html>.

- until and unless meaningful and effective protections are put into place to prevent racial profiling and other civil and human rights violations.
- The Subcommittee should urge DHS to terminate Secure Communities in jurisdictions that have chosen to opt out of the program and suspend Secure Communities in jurisdictions with a documented record of racial profiling or where DOJ is actively investigating a pattern or practice of discriminatory policing.

Thank you for your time and consideration

Sincerely,



Margaret Huang
Executive Director
Rights Working Group



A NETWORK OF
HUMAN DIGNITY

GROUPS

November 29, 2011

The Subcommittee on Immigration Policy and Enforcement
House of Representatives
B-353 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Gallegly, Ranking Member Lofgren, and Members of the Subcommittee:

Thank you for your time and consideration while reading our letter from the rural portions Oregon. The Rural Organizing Project is a statewide, non-partisan, non-profit organization that has devoted nearly twenty years toward promoting social justice, economic justice, and human dignity for all. We have a membership of 50 rural human dignity groups, and over 10,000 households.

We oppose Secure Communities Program because it does the opposite of its stated goal. It has broken up approximately 88,000 families with spouses and children who are US citizens. It makes our communities less secure by creating a climate where people refrain from reporting crimes or helping local law enforcement because of their ties with ICE. Secure Communities claims to focus on "prioritizing the removal of individuals who present the most significant threats to public safety as determined by the severity of their crime, their criminal history, and other factors" but according to a study done by the Chief Justice Warren Institute on Law and Social Policy only 8% of those detained through secure communities were convicted of aggravated felonies. 45% of those detained were solely charged with Present Without Admission (PWA) and did not have a criminal record at all. Those are people who were not a security threat to their communities and roughly 39,600 families of US citizens that did not have to be torn apart. Given the current state of our economy, the estimated \$12,500 per deportation that ICE Director Kumar Kibhle quoted this past January could have been spent somewhere else to create a positive impact in the communities we live in.

The Rural Organizing Project's network of 50 human dignity groups throughout the state is mobilized to oppose ICE Access programs like Secure Communities, and is on the front lines of seeing the fallout: broken families, mistrust, decreasing public safety, and negative economic impacts in a time where we need all hands on deck to pull out of the economic crisis. On behalf of these groups, we recommend that Congress act to end the program in its entirety or discontinue it in jurisdictions that choose to opt out. The times are tough for Americans working hard to make ends meet and those who are seeking jobs to keep from drowning in debt. The money spent through Secure Communities to break up families is money that is better invested in America to keep them together.

Thank you again for your time and consideration.

Cara Shufelt,
Director – Rural Organizing Project

PO Box 1350
Scappoose, OR

97056-1350

(503) 543-8417



moving victims of violence from crisis to confidence

November 28, 2011

Dear Members of the House Judiciary Committee:

Safe Horizon, the nation's leading victim assistance organization, opposes the mandatory implementation of the Secure Communities program because of the chilling effect it will have on immigrant victims of violence who might otherwise seek assistance from law enforcement. We are particularly concerned that the Department of Homeland Security (DHS) is indicating that Secure Communities will go forward despite objections from cities and states across the country, many of which have chosen to either suspend or opt out of this program. We respectfully urge this Committee to re-examine the Secure Communities program and help ensure that victims of crime are not left vulnerable to further violence and abuse.

Safe Horizon assists tens of thousands of survivors of domestic violence, rape, sexual assault, child abuse, human trafficking and other crimes each year throughout the five boroughs of New York City. Among other programs, we offer 24-hour hotlines, emergency shelter, legal services, and specialized care for victims of child abuse. Our clients are young and old, male and female, citizens and undocumented immigrants. We provide services in a city where local law bars the denial of services -- whether it is related to education, health care, or access to law enforcement -- based solely on one's immigration status. This law helps us reassure our undocumented clients that they can work with law enforcement to apprehend and prosecute abusers.

This is a critical tool, given the kinds of scenarios our clients encounter. For example, police who respond to domestic incidents and who are unable to discern who the primary aggressor is may arrest both parties. Tragically, if it is the abuser who has a better command of English, the police may arrest just the victim based solely on the abuser's account of the dispute. Our clients also face "revenge arrests", where the abuser makes a false claim of domestic violence to retaliate against the victim.

In our Immigration Law Project, we help hundreds of victims report crimes to law enforcement and receive critical assistance. Our attorneys advise clients who may be undocumented that they have the option to contact the police and report crimes without fear of immigration-related consequences. With the advent of Secure Communities, we would no longer be able to give this advice. Simply by being arrested, a victim's fingerprints will be forwarded to DHS, and he or she could be detained and even deported regardless of the disposition of the charge that led to the arrest.

While DHS has indicated that it will be sensitive to cases involving domestic violence and other crimes, our experience is that it can take many, many months for cases to be resolved. Very few, if any, non-profit agencies have the personnel or resources to accept more than a handful of cases

of detained immigrants. By virtue of reporting abuse to the police, many thousands of undocumented victims of crime will be snared in an unforgiving system and face almost certain deportation.

It is commonplace for batterers to tell their victims, "If you report me to the police, you will be deported." For years, Safe Horizon has assuaged the fears of victims who have heard such threats by assuring them that the police and immigration are two separate entities, so one should not fear reporting a crime. With the advent of Secure Communities, the government is making the abusers' threats closer to becoming reality. As word spreads in immigrant communities about the police working with DHS, the voices of many immigrant crime victims will be silenced.

We strongly recommend that Secure Communities be suspended and re-examined to protect immigrant victims of crime – and indeed all Americans – from continued violence and abuse. Thank you for this opportunity to present our viewpoint on this important issue.

Sincerely,



Lynn Neugebauer

Director

Safe Horizon Immigration Law Project

lnaugebauer@safehorizon.org

t. 1-718-943-8634

San Francisco Gray Panthers

1182 Market Street, Room 203
San Francisco CA, 94102
415-552-8800
graypanther-sf@sbcglobal.net

November 29, 2011

The Subcommittee on Immigration Policy and Enforcement
House of Representatives
B-353 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Gallegly, Ranking Member Lofgren, and Members of the Subcommittee:

San Francisco Gray Panthers stands for equality, justice, and security for all, regardless of race, age, income, gender, or nationality. As such, we stand solidly with immigrant rights groups demanding an end to raids, detentions, deportations, separation of families, exclusion from public services, and laws discriminating against people based on their immigration status. Attached is a statement of our principles, which was also adapted by the California Alliance for Retired Americans, of which SF Gray Panthers is an organizational member.

We are particularly opposed to Secure Communities. By demanding that fingerprints of all arrestees be shared with DHS, regardless of whether the original charge is dropped, local police become de-facto immigration police with no accountability, and with an incentive for selective enforcement, pre-textual arrests, and racial profiling.

States and Cities were told that Secure Communities was a voluntary program, and that local jurisdictions could negotiate terms of the program. But now that that Cities like San Francisco, and States, like Illinois, Massachusetts, New York, and hopefully California are exercising the right to not participate, DHS has changed the rules mid-stream and said participation is mandatory. Furthermore, DHS memoranda obtained through Freedom of Information Act actions suggest DHS was willfully deceitful in its original descriptions of Secure Communities as being voluntary. We who are trying to working to opt California out of Secure Communities find this outrageous.

The hearing process and recommendations of the Secure Communities Task Force were completely inadequate, and a transparent attempt to keep the program alive. Of the nineteen DHS S-COMM Task Force members, five resigned, saying its report was not critical enough and its recommendation to restructure the program could not ensure that immigrants detained for minor offenses would not be deported. Those who resigned included a former police chief of Sacramento CA and two unions of immigration officers.

There is no way to rehabilitate Secure Communities. It must be completely dismantled. The conduct of DHS and ICE in promulgating Secure Communities must be investigated. Congress must pass the End Racial Profiling Act.

Thank you for your consideration.

Michael Lyon
Co-Convenor, San Francisco Gray Panthers

**Solidarity with Immigrant Workers and Families:
Submitted to CARA 2010 Convention, by SF Gray Panthers**

WHEREAS during periods of high unemployment and assaults on all working families' rights and living standards, there are frequently attacks on undocumented immigrants, accusing them of stealing jobs, overburdening social programs, and threatening national security, and

WHEREAS, anti-immigrant rhetoric is being used to hide the real cause of unemployment, namely free trade and the inevitable collapse of bubble economies based on speculation; and the real cause of shortages of social programs, namely 40 years of tax cuts and loopholes for corporations and the rich, and 20 years of wars for US control of oil and pipelines for oil and gas, all of which hurts citizen and immigrant workers alike, and

WHEREAS the Obama Administration, which had promised more humane immigration policy, has actually (1) increased raids, detentions, and deportations far beyond the Bush administration, and (2) initiated Secure Communities, a program where all arrestees' fingerprints are shared with immigration police, regardless of how trivial the charges are, or whether they are later dropped, and

WHEREAS the Obama Administration actively promotes immigration reform that (1) makes legalization of undocumented immigrants extremely difficult because of wait times, fees, fines, and language requirements, (2) requires all US residents, citizen and immigrant alike, to carry biometric national identity cards or face arrest, (3) keeps undocumented immigrant workers and their families in constant fear from increasing raids, detentions, deportations, and border security, while (4) allowing employers increased freedom to hire contract immigrant Guest Workers who labor in a state of virtual bondage because they are "legal" only while working for the employer they were contracted to, making it harder for them to organize unions, raise wages, and defend their rights, reminiscent of the hated "bracero" program of the 1950s, and

WHEREAS, free trade agreements such as NAFTA and CAFTA cause the extreme overseas poverty that drives immigrants into the US, as well as allowing companies to ship US jobs overseas,

BE IT THEREFORE RESOLVED, that CARA re-affirms the age-old truth that wages, working conditions, and living standards of ALL workers and their families are dragged down by increased exploitation and intimidation of the most vulnerable sector of workers, and

FURTHER RESOLVED, that CARA affirms the rights of all persons, whether citizen or immigrant, to protections of the Bill of Rights, due process, access to public resources, as well as living wages, dignified and safe working conditions, and the right to organize unions, and

FURTHER RESOLVED, that CARA opposes NAFTA, CAFTA, and immigration reform based on border militarization; delayed and burdensome legalization of undocumented immigrants; increased raids, detention, and deportation of undocumented immigrants; and importation of contract Guest Workers, as proposed by the President, and

FURTHER RESOLVED that CARA apprise national ARA of this resolution and the reasons for it.

Passed: October 2010

November 29, 2011

The Subcommittee on Immigration Policy and Enforcement
House of Representatives
B-353 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Gallegly, Ranking Member Lofgren, and Members of the Subcommittee:

Seeing as the Subcommittee on Immigration Policy and Enforcement will discuss the program Secure Communities or S-Comm this week, Services, Immigrant Rights, and Education Network (SIREN) writes to express our strong opposition to this program. SIREN is a leading non-profit organization dedicated to empower diverse immigrant communities in Santa Clara County through policy advocacy, organizing and legal services.

As Such, SIREN opposes S-Comm because it is ineffective, threatens the safety of our communities, runs counter to American principles of fairness and justice and has been deceitfully imposed on our county of Santa Clara. The Department of Homeland Security (DHS) and Immigration and Customs Enforcement (ICE), together with the FBI, have misrepresented the Secure Communities program as both voluntary and targeted at the “worst of the worst” to the American public, law enforcement agencies, state and local governments, and Members of Congress who have appropriated funding for its breakneck implementation and rollout.

S-Comm is yet another dangerous program that increases collaboration between local law enforcement and Immigration. In essence, this program has a detrimental effect on the most vulnerable members in the community, including survivors of domestic violence. They should not have to remain victims out of fear of detection and deportation

To safeguard our communities and the protection of our rights we recommend that:

- Congress pass the End Racial Profiling Act which would ban profiling based on race, religion, ethnicity and national origin at the federal, state and local levels.
- Congress eliminate funding for the Secure Communities Initiative and other programs that use state and local law enforcement agencies to conduct immigration enforcement, until and unless meaningful and effective protections are put into place to prevent racial profiling or other civil and human rights violations.
- The Subcommittee should urge DHS to terminate Secure Communities in jurisdictions that have chosen to opt out of the program and suspend Secure Communities in jurisdictions with a documented record of racial profiling or where DOJ is actively investigating a pattern or practice of discriminatory policing.

Thank you for your time and consideration

Sincerely,

Jazmin Segura
Federal Policy Advocate
Services, Immigrant Rights and Education Network (SIREN)



1012 14th STREET NW, Suite 450, WASHINGTON DC 20005
TELEPHONE: (202) 393-2700 | FACSIMILE (202) 318-4433
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November 29, 2011

The Subcommittee on Immigration Policy and Enforcement
House of Representatives
B-353 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Gallegly, Ranking Member Lofgren, and Members of the Subcommittee:

The Sikh American Legal Defense and Education Fund (SALDEF) is the oldest Sikh American civil rights and educational organization. We empower Sikh Americans through advocacy, education and media relations. SALDEF's mission is to protect the civil rights of Sikh Americans and ensure a fostering environment in the United States for future generations.

Following the attacks of 9/11, Sikh Americans have become all too familiar with incidences of racial profiling. SALDEF objects to the Secure Communities Program, as currently implemented, because it is ineffective, it threatens the safety of our communities, and it runs counter to American principles of fairness and justice. The Secure Communities Program creates an incentive for participating state and local law enforcement agents to engage in racial profiling and pre-textual arrests.¹ As an organization working closely with federal, state, and local law enforcement agencies across the country, SALDEF recognizes the importance of community policing – something that the Secure Communities Program places in great jeopardy.

To safeguard our communities and the protection of our rights we recommend that:

- Congress pass the End Racial Profiling Act which would ban profiling based on race, religion, ethnicity and national origin at the federal, state and local levels.
- Congress eliminate funding for the Secure Communities Initiative and other programs that use state and local law enforcement agencies to conduct immigration enforcement, until and unless meaningful and effective protections are put into place to prevent racial profiling or other civil and human rights violations.
- The Subcommittee should urge DHS to terminate Secure Communities in jurisdictions that have chosen to opt out of the program and suspend Secure Communities in jurisdictions with a documented record of racial profiling or where DOJ is actively investigating a pattern or practice of discriminatory policing.

Thank you for your time and consideration.

Sincerely,

Jasjit Singh
Associate Executive Director

¹ See Aarti Kohli, Peter L. Markowitz and Lisa Chavez, *Secure Communities by the Numbers: An Analysis of Demographics and Due Process*, The Chief Justice Earl Warren Institute on Law and Social Policy, October 2011, available at http://www.law.berkeley.edu/files/Secure_Communities_by_the_Numbers.pdf.



SISTERS OF ST. FRANCIS

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PRESIDENT**

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November 29, 2011

The Subcommittee on Immigration Policy and Enforcement
House of Representatives
B-353 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Gallegly, Ranking Member Lofgren, and Members of the Subcommittee:

We, the Sisters of St. Francis, Clinton, Iowa, have taken a public stand in solidarity with our immigrant brothers and sisters and affirm our commitment to vulnerable persons who migrate in search of protection or for a better life for themselves and their families. Furthermore, we oppose any proposed federal or state legislation that does not uphold basic human and civil rights.

We oppose the Secure Communities Program because it is ineffective, it threatens the safety of our communities, it runs counter to American principles of fairness and justice and it has been deceitfully imposed on our country's local communities. The Department of Homeland Security (DHS) has misrepresented the Secure Communities program to the American public, law enforcement agencies, state and local governments, and Members of Congress. The Secure Communities Program creates an incentive for participating state and local law enforcement agents to engage in racial profiling and pre-textual arrests.

Local police departments are decrying the Secure Communities program because it causes a lack of trust amongst people in their jurisdiction. Many people are reluctant to call the police when they are in danger or to serve as witnesses to criminal activity. Furthermore, many detainees are housed in private, for-profit prisons at a cost of \$65 per day. These detention centers are often located in remote areas which are inaccessible to families and difficult for access to legal aid.

To safeguard our communities and the protection of our rights we recommend that:
Congress pass the End Racial Profiling Act which would ban profiling based on race, religion, ethnicity and national origin at the federal, state and local levels.

Congress eliminate funding for the Secure Communities Initiative and other programs that use state and local law enforcement agencies to conduct immigration enforcement, until and unless meaningful and effective protections are put into place to prevent racial profiling or other civil and human rights violations.

The Subcommittee should urge DHS to terminate Secure Communities in jurisdictions that have chosen to opt out of the program and suspend Secure Communities in jurisdictions with a documented record of racial profiling or where DOJ is actively investigating a pattern or practice of discriminatory policing.

Thank you for your time and consideration.

Sincerely,

Janice I. Cebula, OSF
President

Social Justice Alliance of Josephine County
P.O. Box 2565
Cave Junction, Oregon 97523

112th Congress Subcommittee on Immigration Policy and Enforcement
Rayburn House Office Building
45 Independence Ave SW
Washington, District of Columbia 20515

Dear Mr. Gallegly, Mr. King, and fellow members of the United States Congress,

The Social Justice Alliance of Josephine County addresses issues that erode individual liberties, negatively affect minorities, and endanger public health and well being. The Alliance has been active for several decades and provides a local newsletter to the residents of Josephine County.

We thank you for your service on behalf of the American people.

In your discussion of Immigration and Customs Enforcement's Secure Communities Program, please add our concerns on this important issue to the record and take them into consideration as you form future legislation.

It is important to enforce the laws of the United States; without proper enforcement life would be unpredictable and insecure, making planning for the future and growth more difficult. On the other hand, overly draconian law enforcement is counter productive to the growth and prosperity of the American economy. Unfortunately the Secure Communities Program is a case of negative law enforcement as evidenced by the points below.

Deportations of individuals identified via Secure Communities often occur as a result of minor crimes or non-crimes such as driving without a license, trespassing, vandalism, shoplifting, or petty juvenile mischief. About a fourth of those deported have been non-criminals. Yet the program was intended to address high-threat criminal immigrants such as drug manufacturers and violent gang members. Obviously the intention of the program and it's implementation on the ground are in gross juxtaposition, making the law untenable.

Secure Communities increases risk for illegal immigrants who contact law enforcement for legitimate reasons. One does not wish to make a police report when one risks exile for trying to help make his or her community safer. Eroding the relationship between the people and law enforcement is dangerous: at best criminal activity will go unreported; at worst it will inspire instances of vigilante justice.

While non-citizens may not be entitled to protections under the United States Constitution, the gross denial of due process inherent in Secure Communities is an affront to the spirit of America.

Individuals are targeted for deportation after arrest, not after conviction, and this is fundamentally wrong. In the United States, anyone, no matter who, is innocent until proven guilty.

Finally, Secure Communities is a drain on already scarce public resources. In Josephine County we face ever decreasing revenues for basic public services such as law enforcement. There are significant costs associated with administrative delays in booking and processing arrestees, communicating with Immigration and Customs Enforcement, and processing and enforcing immigration holds. This is a burden that the Sheriff's Office cannot afford and which makes the residents of Josephine County less safe.

In conclusion, while Secure Communities was intended to make the American people safer, it's implementation has in fact reduced security and drained public resources unnecessarily. The reasonable course is to honestly admit error and take steps to create legislation that produces real improvements in security so that we may, in the end, achieve a more perfect union with increased freedom and prosperity for the American people.

Thank you for adding our comments to the record of your discussion on this important issue. We hope you've found this information useful and that future legislation reflects these observations.

With our sincere appreciation,

Daniel Dalegowski
Judy Hoyle
Barry Smitkin

The Social Justice Alliance of Josephine County



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www.saalt.org

November 29, 2011

The Subcommittee on Immigration Policy and Enforcement
House of Representatives
B-353 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Gallegly, Ranking Member Lofgren, and Members of the Subcommittee:

I write you on behalf of South Asian Americans Leading Together (SAALT), a national nonpartisan non-profit organization whose mission is to elevate the voices and perspectives of South Asian individuals and organizations to build a more just and inclusive society in the United States. As an immigrant and civil rights organization and as a member of the National Council Asian Pacific Americans, we write to express our concerns regarding the Department of Homeland Security's (DHS) Secure Communities Program.

We oppose the Secure Communities Program because it is ineffective, it threatens the safety of our communities, it runs counter to American principles of fairness and justice and it has been deceitfully imposed on our country's local communities. DHS has misrepresented the Secure Communities program to the American public, law enforcement agencies, state and local governments, and Members of Congress. The Secure Communities Program creates an incentive for participating state and local law enforcement agents to engage in racial profiling and pre-textual arrests.¹

To safeguard our communities and the protection of our rights we recommend that:

- Congress pass the *End Racial Profiling Act* which would ban profiling based on race, religion, ethnicity and national origin at the federal, state and local levels.
- Congress eliminate funding for the Secure Communities Initiative and other programs that use state and local law enforcement agencies to conduct immigration enforcement, until and unless meaningful and effective protections are put into place to prevent racial profiling or other civil and human rights violations.
- The Subcommittee should urge DHS to terminate Secure Communities in jurisdictions that have chosen to opt out of the program and suspend Secure Communities in jurisdictions with a documented record of racial profiling or where DOJ is actively investigating a pattern or practice of discriminatory policing.

Thank you for your time and consideration

Sincerely,

Priya Murthy
Policy Director

¹ See Aarti Kohli, Peter L. Markowitz and Lisa Chavez, *Secure Communities by the Numbers: An Analysis of Demographics and Due Process*, The Chief Justice Earl Warren Institute on Law and Social Policy, October 2011, available at http://www.law.berkeley.edu/files/Secure_Communities_by_the_Numbers.pdf



November 29, 2011

The Subcommittee on Immigration Policy and Enforcement
House of Representatives
B-353 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Gallegly, Ranking Member Lofgren, and Members of the Subcommittee:

The Southern Coalition for Social Justice promotes justice by empowering minority and low-income communities to defend and advance their political, social and economic rights. We use the combined skills of lawyers, social scientists, community organizers and media experts to help underrepresented people develop strategies to achieve their visions for themselves and their communities, incorporating an international human rights perspective and linking their efforts to broader processes of political, legal, social and economic change in the South. One important area of our work is immigrant's rights advocacy, in which we work with families and communities directly impacted by Secure Communities.

We oppose the Secure Communities Program because it runs counter to American principles of fairness and justice. Secure Communities creates an incentive for participating local and state law enforcement agents to engage in racial profiling and pre-textual arrests. Currently, all 100 counties in North Carolina are participating in this program. We have seen participation result in increased racial profiling by local law enforcement agencies against Latinos and other communities of color, both those with and those without legal immigration status in North Carolina.

We also oppose the Secure Communities Program because it threatens the safety of our communities. The racial profiling and unnecessary detentions associated with Secure Communities have driven a wedge between immigrant communities and community policing efforts in North Carolina. Many immigrants without legal immigration status are afraid to call the police when there is a domestic violence altercation and afraid to speak to officials when they are crime victims. Yet Secure Communities enforcement efforts do not effectively target serious crimes. People who have had immigration contact via Secure Communities are often charged with misdemeanors, if they are charged at all. In short, Secure Communities results in the targeting of petty offenders while discouraging the reporting of more significant crimes.

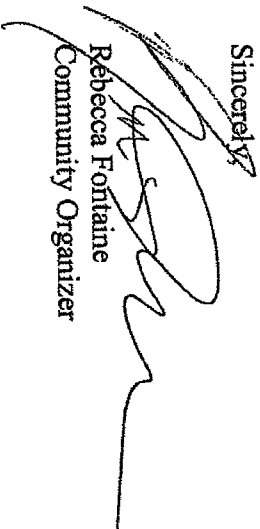
To safeguard our communities and the protection of our rights we recommend that:

- Congress pass the End Racial Profiling Act which would ban profiling based on race, religion, ethnicity and national origin at the federal, state and local levels.
- Congress eliminate funding for the Secure Communities Initiative and other programs that use state and local law enforcement agencies to conduct immigration enforcement,
- The Subcommittee should urge DHS to immediately terminate Secure Communities in jurisdictions that have chosen to opt out of the program and suspend Secure Communities

in jurisdictions with a documented record of racial profiling or where DOJ is actively investigating a pattern or practice of discriminatory policing.

Thank you for your time and consideration of our concerns. Please do not hesitate to be in touch if you have any questions or I can provide further information.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rebecca Fontaine', written over a horizontal line.

Rebecca Fontaine
Community Organizer



November 29, 2011

The Subcommittee on Immigration Policy and Enforcement
House of Representatives
B-353 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Galleghy, Ranking Member Lofgren, and Members of the Subcommittee:

The St Louis Inter-Faith Committee on Latin America has accompanied the people of Latin America in their struggles for human rights and social justice for thirty years. We have worked with immigrants and refugees over the years and have understood the sacrifices they have made to make new lives in their new home. The United States has been a place of safety and security for generations. The Secure Communities program has made life miserable for hard working immigrants.

We oppose the Secure Communities Program because it is ineffective, it threatens the safety of our communities, it runs counter to American principles of fairness and justice and it has been deceitfully imposed on our country's local communities. The Department of Homeland Security (DHS) has misrepresented the Secure Communities program to the American public, law enforcement agencies, state and local governments, and Members of Congress. The Secure Communities Program creates an incentive for participating state and local law enforcement agents to engage in racial profiling and pre-textual arrests.¹ We currently are documenting examples of police bias and abuse in local municipalities.

To safeguard our communities and the protection of our rights we recommend that:

- Congress pass the End Racial Profiling Act which would ban profiling based on race, religion, ethnicity and national origin at the federal, state and local levels.
- Congress eliminate funding for the Secure Communities Initiative and other programs that use state and local law enforcement agencies to conduct immigration enforcement, until and unless meaningful and effective protections are put into place to prevent racial profiling or other civil and human rights violations.
- The Subcommittee should urge DHS to terminate Secure Communities in jurisdictions that have chosen to opt out of the program and suspend Secure Communities in jurisdictions with a documented record of racial profiling or where DOJ is actively investigating a pattern or practice of discriminatory policing.

Thank you for your time and consideration
Sincerely,

Marilyn Lorenz
Program Coordinator

438 North Skinker Boulevard St. Louis, Missouri 63130-4834 Phone 314.721.2977 Fax 314.726.6427 ifcla@ifcla.net
www.ifcla.net

¹ See Artt Kohli, Peter L. Markowitz and Lisa Chavez, *Secure Communities by the Numbers: An Analysis of Demographics and Due Process*, The Chief Justice Earl Warren Institute on Law and Social Policy, October 2011, available at http://www.law.berkeley.edu/files/Secure_Communities_by_the_Numbers.pdf.



TENNESSEE JUSTICE FOR OUR NEIGHBORS

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November 29, 2011

The Subcommittee on Immigration Policy and Enforcement
House of Representatives
B-353 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Gallegly, Ranking Member Lofgren, and Members of the Subcommittee:

Tennessee Justice for Our Neighbors (TN-JFON) is part of a national network of immigration legal clinics created in 1999 by the United Methodist Committee on Relief (UMCOR). TN-JFON is a faith-driven ministry, welcoming immigrants into our churches and communities by providing free, high-quality immigration legal services, education, and advocacy. At present, TN-JFON is one of about 20 JFON clinics throughout the country. TN-JFON provided high-quality legal services to over 350 individuals in 2010 and 2011.

TN-JFON opposes the Secure Communities Program because it is ineffective, it threatens the safety of our communities by undermining trust in law enforcement, and it runs counter to American principles of fairness and justice. ICE's implementation of Secure Communities has negatively impacted immigrant women, children, and crime victims across Tennessee. Secure Communities creates powerful incentives for state and local law enforcement agents to engage in racial profiling and pretextual arrests. Secure Communities has transformed the local law enforcement landscape in Middle Tennessee by emboldening bad actors to inquire about alienage and immigration status during routine interactions with law enforcement. While ICE uses local police to expand its enforcement dragnet, the agency has made only minimal attempts to monitor local officers and ensure accountability when racial profiling and other immigration-related abuses occur. In the absence of meaningful federal resources to monitor the collateral damage of Secure Communities local communities where TN-JFON provides education and advocacy report unmistakable instances of racial profiling and prohibited immigration enforcement by untrained local police and sheriffs. These reports have grown steadily as Secure Communities expands.

The result of Secure Communities in Tennessee has been an increased reluctance among immigrant communities to report crimes such as domestic and sexual violence, child abuse, and official misconduct. For women struggling to free themselves and their children from dangerous, abusive relationships, Secure Communities has left them feeling there is nowhere to turn for protection in their greatest hours of need. No law enforcement agency can effectively police a community when it forces the community's most vulnerable members to choose between the Scylla of the federal immigration detention system and the Charybdis of continuing victimization at the hands of their abusers.

Therefore, in order to safeguard our communities and the protection of our rights, TN-JFON recommends that:

- The Subcommittee order an expedited GAO review of Secure Communities' impact on immigrant victims of domestic and sexual violence.
- Congress suspend funding for the Secure Communities Initiative and other programs that use state and local law enforcement agencies to conduct immigration enforcement, until and unless meaningful and effective protections are put into place to prevent racial profiling or other civil and human rights violations.
- The Subcommittee should urge DHS to terminate Secure Communities in jurisdictions that have chosen to opt out of the program and suspend Secure Communities in jurisdictions with a documented record of racial profiling or where DOJ is actively investigating a pattern or practice of discriminatory policing.

Sincerely,

The Board of Directors, Tennessee Justice for Our Neighbors



November 23, 2011
The Subcommittee on Immigration Policy and Enforcement
House of Representatives
B-353 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Gallegly, Ranking Member Lofgren, and Members of the Subcommittee:

The Unitarian Universalist Association of Congregations opposes the Secure Communities program as it has detained and deported thousands of migrants who have not committed or been convicted of any serious or violent crimes. This mass detention and arrests of non-criminal immigrants has continued despite the stated purpose of Secure Communities, ⁱ

“the removal of individuals who present the most significant threats to public safety as determined by the severity of their crime, their criminal history, and other factors – as well as those who have repeatedly violated immigration laws.”

In a speech ICE Director John Morton gave to the International Association of Chiefs of Police on October 25, 2011 he said,

“In Fiscal Year 2011, we removed at total 396,906 individuals — the largest number in the agency’s history. Of that number 216,698 were criminal aliens—also more than any other year in history. Nearly 55 percent of the aliens we removed had been convicted of criminal offenses...”ⁱⁱ

But what about the 180,208 individuals who had been neither convicted or arrested for any criminal offense? The only offense for many, if not most of them, was re-entering the country after being previously deported. Tragically, many of those removed in this category were U.S. residents of many years. Many of them are parents, forcibly removed from their children and their spouses, many of whom are citizens. Think of the effect this removal has had on those families.

The climate of fear the so called “Secure Communities” program has created in immigrant communities, a fear that is justified, has made our country less rather than more secure. Domestic security requires the cooperation of citizens and residents, regardless of their status, with local law enforcement. This result has led many police chiefs, sheriffs, and elected officials responsible for keeping the peace to opt-out of the Secure Communities program. However, ICE, despite its earlier statements suggesting that participation was voluntary, has reversed its position and made participation mandatory.

In response, at least two large urban counties, Cook County, IL, and Santa Clara County, CA, have decided to refuse “detainer requests” from ICE if the individual in question has not committed a serious criminal offense. In addition, both counties are not allowing ICE agents unfettered access to its jails. If their response, a deliberate policy of non-cooperation with the federal government, is not an indictment of the federal government’s Secure Communities program, it’s hard to imagine what is.

In addition to the above tragic consequences, Secure Communities has created a pattern of de facto racial profiling by law enforcement and a pattern of de jure discrimination and abuse similar to what existed in the American South during the era of “Jim Crow.”

The North American Free Trade Agreement, which benefitted U.S. agribusiness and farmers at the expense of millions of small farmers in Mexico, is one of the principal causes of the record number of Mexicans who have entered our country without documentation since its passage. Many unscrupulous U.S. employers exploit undocumented workers by paying them less than documented workers and some even steal their wages. The resulting lack of a level competitive playing field has hurt ethical employers who refuse to exploit workers, and lowered the wages of citizen and documented non-citizen workers.

As people of faith, Unitarian Universalists cannot turn our backs and pretend not to see, let alone refuse to respond, to the tragic injustices being suffered by people whose labor is often invisible, whose suffering is mostly hidden, and who are criminalized by simply attempting to provide for their families. One of the primary values of Unitarian Universalism is that everyone, regardless of their legal status, be treated with dignity and respect. The Secure Communities program has resulted in a system of mass arrest, mass incarceration, and mass deportation. Immigrants are languishing in poorly supervised private detention centers and suffering violence, abuse, and rape in the process. It is a program that results in systematic disrespect of their basic human rights.

The Secure Communities program cannot be reformed. Too often, the priorities that ICE Director John Morton and President Obama have stated in Washington are ignored outside the confines of the Washington, DC Beltway. It’s time, past time, to bring this program to a complete and full stop. It’s also time, past time, for Congress to pass comprehensive immigration reform.

Until Congress enacts comprehensive immigration reform, our communities will be less secure, legitimate employers will find it impossible to compete with unscrupulous ones, and the human and civil rights of millions of people will continue to be systematically violated.

In the words of the prophet,

He has shown you, O mortal, what is good.

And what does the LORD require of you?

To act justly and to love mercy

and to walk humbly with your God.

-Micah 6:8 (NIV)

By any measure, our current system of immigration, particularly the Secure Communities program is failing on at least two of the prophet's injunctions.

In order to insure the safety of our communities and the rights of all people, until a fair and just program of Comprehensive Immigration Reform is enacted we recommend that:

- Congress eliminate funding for the Secure Communities Initiative and other programs that use state and local law enforcement agencies to conduct immigration enforcement, until and unless meaningful and effective protections are put into place to prevent racial profiling or other civil and human rights violations.
- The Subcommittee should urge DHS to terminate Secure Communities in jurisdictions that have chosen to opt out of the program and suspend Secure Communities in jurisdictions with a documented record of racial profiling or where DOJ is actively investigating a pattern or practice of discriminatory policing.
- Congress pass the End Racial Profiling Act which would ban profiling based on race, religion, ethnicity and national origin at the federal, state and local levels.

Thank you for your time and consideration

Sincerely,

Rev. Craig C. Roshaven
Witness Ministries Director
Unitarian Universalist Association

ⁱ http://www.ice.gov/secure_communities/

ⁱⁱ <https://www.ice.gov/doclib/news/ibrav/speeches/11102&morton.pdf>

The Subcommittee on Immigration Policy and Enforcement
House of Representatives
B-353 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Gallegly, Ranking Member Lofgren, and Members of the Subcommittee:

My name is Nancy Flores and I am the point person for immigration/deportation cases at Voces de la Frontera, Wisconsin's largest Latino membership organization and leading immigrant rights group.

On a daily basis, I see the harsh effects of a policy that is in theory supposed to keep our communities safe, but in reality has had the opposite effect- creating greater insecurity in both the immigrant community and other minority groups that are also unjustly targeted. The Secure Communities Program creates an incentive for participating state and local law enforcement agents to engage in racial profiling and pre-textual arrests.

Secure Communities also undermines public safety because there are many individuals who are now afraid to call law enforcement during child, sexual or domestic disputes for fear that they will be deported for being in the country without legal status. This allows for our middle and working class immigrant communities (both documented and undocumented) to fear police and teach their U.S. born children by example that police are not here to help, but to separate families.

Some cases I would like to share with you that have come to our office, include:

Miranda, who came to the Voces office in late August crying, because she was left with her four children and no job. Her husband, Agustin was apprehended after a Milwaukee police officer discovered in a traffic stop that he was here undocumented. Agustin, a person with no prior record of any kind who has been in the U.S. for 15 years, was incarcerated for nearly a month, let out on bond and now waits to be seen in front of an immigration judge. Agustin claims that he was targeted for being of a minority group driving in a predominantly white neighborhood, as he felt many people were going just as fast as he was yet he was the only one who got pulled over.

Ricardo is a 50 year old has man that has a wife and three children was pulled over for going through a red light and detained and turned over to ICE. I accompanied him to his master hearing in front of an immigration judge since he could not afford a lawyer. He was given voluntary deportation and this is a devastating situation for the family who has lived in the US for over 10 years.

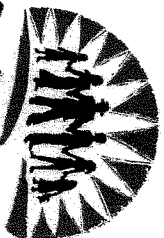
Juan, a 35 year-old man is now in deportation proceedings because he was arguing with his partner when his sister in law interceded and hit him over the head causing severe bleeding. He then called 911 and an ambulance rushed him to the hospital and the police waited for him upon his release from the hospital and took him into custody on domestic violence allegations. He was never officially charged with domestic violence and had no previous record or taken part in domestic violence. He was turned over to ICE when the police found him to be undocumented. He got a lawyer who advised him to apply for a U-Visa since he was the victim of abuse. Juan declined the offer in fear that this would turn around on his partner and sister and feared that his child would be taken by the state. He has been deported and separated from his little girl.

To really safeguard our communities and the protection of our rights as people we recommend that:

- Congress pass the End Racial Profiling Act which would ban profiling based on race, religion, ethnicity and national origin at the federal, state and local levels
- Congress eliminate funding for the Secure Communities
- The Subcommittee should urge DHS to terminate Secure Communities in jurisdictions that have chosen to opt out of the program.

Thank you for your time and consideration. Sincerely,

Nancy Flores



WeCount!

November 29, 2011

The Subcommittee on Immigration Policy and Enforcement
House of Representatives
B-353 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Gallegly, Ranking Member Lofgren, and Members of the Subcommittee:

WeCount! is a multiethnic organization in the area of Homestead, Florida, that works to achieve social and economic justice by bringing immigrants, students and working people together to inform themselves about their rights, support each other, develop their leadership, and take action to improve their lives. WeCount!'s leaders have campaigned for just and humane immigration reform, an end to immigration raids and family separation, against wage theft and for alternatives to zero tolerance policies in the schools. WeCount! is a dues-paying member of the Florida Immigrant Coalition (FLIC) and of the National Day Laborer Organizing Network (NDLON), and participates in the Florida Wage Theft Task Force.

We oppose the so-called Secure Communities program because it undermines the presumption of innocence; because it targets mostly persons who have been convicted of no crimes or of minor crimes; because it creates an incentive for state and local law enforcement to engage in racial profiling; because it increases the separation of families; because it undermines community policing by turning local law enforcement into immigration agents; because it appears to be a part of a massive data gathering experiment by the federal government; because of its costs to local government, and because it was imposed undemocratically on local, and now state government.

Contrary to the Obama Administration's claims, it is not targeting "the most dangerous criminal aliens." In our county – Miami-Dade County – over half of the persons deported under S-Comm have no criminal record at all. S-Comm is part of a nefarious complex of laws and practices that criminalize immigrant communities and increases the pain and suffering felt by families in our community and in communities throughout the country.

We recommend that Congress eliminate all funding for the "Secure Communities" initiative. We also urge Congress to pass the End Racial Profiling Act which would ban profiling base on race, Congress pass the End Racial Profiling Act which would ban profiling based on race, religion, ethnicity and national origin at the federal, state and local levels.

Mail: P.O. Box 344116, Florida City, FL 33034
Office: 201-207 N. Krome Ave., Suites 240-260
Homestead, FL 33030

Website: www.we-count.org

Phone: (305) 247-2202 • Fax: (305) 247-1640

Sincerely,

A handwritten signature in black ink, appearing to read 'Jonathan Fried', written in a cursive style.

Jonathan Fried
Executive Director

Sara F. Anderson
3507 North Nottingham Street, Arlington, VA 22207

November 29, 2011

The Subcommittee on Immigration Policy and Enforcement
House of Representatives
B-353 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Gallegly, Ranking Member Lofgren, and Members of the Subcommittee:

I am a Unitarian Universalist as we;; as a citizen of Arlington County, VA. Our UU principles support the ‘inherent worth and dignity of every person.’” This is a basis of my opposition to the Secure Communities Program; it is inconsistent with both UU and American principles of fairness and justice. Furthermore, it has been deceitfully imposed on our country’s local communities, and Arlington County has opted out of participation in it. The Department of Homeland Security (DHS) has misrepresented the Secure Communities program to the American public, law enforcement agencies, state and local governments, and Members of Congress. The Secure Communities Program creates an incentive for participating state and local law enforcement agents to engage in racial profiling and pre-textual arrests.

To safeguard our communities and the protection of our rights I recommend that:

- Congress pass the End Racial Profiling Act which would ban profiling based on race, religion, ethnicity and national origin at the federal, state and local levels.
- Congress eliminate funding for the Secure Communities Initiative and other programs that use state and local law enforcement agencies to conduct immigration enforcement, until and unless meaningful and effective protections are put into place to prevent racial profiling or other civil and human rights violations.
- The Subcommittee should urge DHS to terminate Secure Communities in jurisdictions that have chosen to opt out of the program and suspend Secure Communities in jurisdictions with a documented record of racial profiling or where DOJ is actively investigating a pattern or practice of discriminatory policing.

Thank you for your time and consideration
Sincerely,

Sara F. Anderson

November 29, 2011

The Subcommittee on Immigration Policy and Enforcement
House of Representatives
B-353 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Gallegly, Ranking Member Lofgren, and Members of the Subcommittee:

I teach classes at the University of Minnesota on Latino immigration. These are classes in which student are engaged in civic engagement as they do service in the Latino community. I have personally seen the horrendous effects of how the Secure Communities affect people who are here economically benefiting this state and country. I've seen families split up, many who have U.S. citizen children.

I oppose the Secure Communities Program because it is ineffective, it threatens the safety of our communities, it runs counter to American principles of fairness and justice and it has been deceitfully imposed on our country's local communities. The Department of Homeland Security (DHS) has misrepresented the Secure Communities program to the American public, law enforcement agencies, state and local governments, and Members of Congress. The Secure Communities Program creates an incentive for participating state and local law enforcement agents to engage in racial profiling and pre-textual arrests.¹

To safeguard our communities and the protection of our rights we recommend that:

- Congress pass the End Racial Profiling Act which would ban profiling based on race, religion, ethnicity and national origin at the federal, state and local levels.
- Congress eliminate funding for the Secure Communities Initiative and other programs that use state and local law enforcement agencies to conduct immigration enforcement, until and unless meaningful and effective protections are put into place to prevent racial profiling or other civil and human rights violations.
- The Subcommittee should urge DHS to terminate Secure Communities in jurisdictions that have chosen to opt out of the program and suspend Secure Communities in jurisdictions with a documented record of racial profiling or where DOJ is actively investigating a pattern or practice of discriminatory policing.

Thank you for your time and consideration
Sincerely,

Kathleen M. Ganley
Instructor, Department of Spanish & Portuguese
University of Minnesota

¹ See Aarti Kohli, Peter L. Markowitz and Lisa Chavez, *Secure Communities by the Numbers: An Analysis of Demographics and Due Process*, The Chief Justice Earl Warren Institute on Law and Social Policy, October 2011, available at http://www.law.berkeley.edu/files/Secure_Communities_by_the_Numbers.pdf.

November 28, 2011

The Subcommittee on Immigration Policy and Enforcement
House of Representatives
B-353 Rayburn House Office Building

To Whom It May Concern:

As a representative of Campus Peace Action CPA at the University of Central Florida UCF, I am writing to request that the government end S-COMM. This type of law only produces fear and distrust among neighbors. Additionally, it ties law enforcement resources away from serious crime investigations. We ask for safe and free communities based on generosity and support, not a "Big Brother" atmosphere based on suspicion and intimidation.

Thank you for your attention to this letter.

Sincerely,

Miguel Rodriguez
Graduate Student - History Program at UCF
Campus Peace Action at UCF

California State University at Fullerton

November 29, 2011

The Subcommittee on Immigration Policy and Enforcement
House of Representatives
B-353 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Gallegly, Ranking Member Lofgren, and Members of the Subcommittee:

I am a Sociology major at California State University at Fullerton and "Secure Communities" has been deporting immigrants at alarming rates despite the fact that the majority do not have a criminal history.

We oppose the Secure Communities Program because it is ineffective, it threatens the safety of our communities, it runs counter to American principles of fairness and justice and it has been deceitfully imposed on our country's local communities. The Department of Homeland Security (DHS) has misrepresented the Secure Communities program to the American public, law enforcement agencies, state and local governments, and Members of Congress. The Secure Communities Program creates an incentive for participating state and local law enforcement agents to engage in racial profiling and pre-textual arrests.

To safeguard our communities and the protection of our rights we recommend that:

- Congress pass the End Racial Profiling Act which would ban profiling based on race, religion, ethnicity and national origin at the federal, state and local levels.
- Congress eliminate funding for the Secure Communities Initiative and other programs that use state and local law enforcement agencies to conduct immigration enforcement, until and unless meaningful and effective protections are put into place to prevent racial profiling or other civil and human rights violations.
- The Subcommittee should urge DHS to terminate Secure Communities in jurisdictions that have chosen to opt out of the program and suspend Secure Communities in jurisdictions with a documented record of racial profiling or where DOJ is actively investigating a pattern or practice of discriminatory policing.

Thank you for your time and consideration

Sincerely,

Charles Sandoval
California State University at Fullerton
Sociology