The Safe Communities Act ("An Act to protect the civil rights and safety of all Massachusetts residents"), was filed on January 20, 2017 by Sen. James B. Eldridge (HD.3052) and Juana Matias (SD.1596) as a response to Trump’s travel ban on visitors from seven Muslim-majority countries. The policies implemented by this bill would protect civil rights of all Massachusetts residents, including but not limited to the right to keep private personal information (e.g., race or religion) withheld by such departments as the Registry of Motor Vehicles (RMV) from law enforcement agencies, which directly responds to Trump’s plans to create Muslim registry, as well as the right to decline an interview with Immigration and Customs Enforcement (ICE) agencies for immigrants held in local or state facilities, etc. The policies proposed by The Safe Communities Act are sanctuary in their nature.

- The Bill
  S.1305/H.3269: An Act to protect the civil rights and safety of all Massachusetts residents

- Elevator Speech
  Hello, we are José Castellanos and Sara Bezrukavnikov, and we’re students at Brandeis University. We came to this country looking for new opportunities. The philosophy of acceptance, which has always been a cornerstone of our democracy, facilitated our success. The present administration has repeatedly threatened hardline action against Muslims and undocumented immigrants who are well-established as vital members of our communities. Immigrants do not threaten public safety. Rather, the threat comes from allowing local and state law enforcement agencies to cooperate with DHS and ICE to act against undocumented immigrants. Several studies, such as Robert Adelman et al. in Journal of Ethnicity in Criminal Justice, have actually shown that immigrants are significantly less likely to commit crime than people born in the United States. The Safe Communities Act protects the rights of Muslims and undocumented immigrants by preventing the creation of registries on the basis of race and religious affiliation, and prohibiting
law enforcement agencies from disclosing immigration and citizenship status to DHS and ICE, as well as from participating in raids. As proponents of the bill SD.1503 and residents of Massachusetts, we strongly encourage the Joint Committee on Public Safety and Homeland Security to vote the Safe Communities Act out of committee favorably.

Excerpt from the Storybook

Alexander’s Story

To people like Alexander Perez, a college student in Massachusetts, the impact of ICE and DHS raids on largely immigrant communities is all too real. Alexander points out that the possibility or threat of raids causes a sense of unease and insecurity in these communities, especially among people who are otherwise law-abiding citizens and would have nothing to fear. “To support raids on local immigrant families is to support attacks on innocent civilians who have no intention of bringing harm to the community in which they live.”

Op-Ed

Jose

It’s a cruel irony that a country founded by immigrants has taken the word “immigrant” and given it a deeply negative connotation. Immigrants are no longer seen by many as part of the greater American society, but rather are seen as “others”. For a long time, these sentiments were often considered to be part of a fringe ideology, but the November election has brought anti-immigrant sentiments into power, and it’s crucial to now consider any opportunities that can protect the immigrant communities of the Commonwealth from unjust persecution. In the face of injustice, these opportunities are oftentimes rare, however, the Safe Communities Act is one such opportunity with the potential to create an immense positive impact in the Commonwealth.

In short, the Safe Communities Act is a set of protections for undocumented immigrants, ensuring due process rights for people detained by DHS and ICE, and ensuring that local and state officials cannot act in immigration enforcement acts, as well as prohibiting the creation of a registry on a number of categories, such as race, religion, ethnicity, and gender identity. Massachusetts would in essence become a Sanctuary State. The Trump administration has continuously threatened hardline action, such as deportation and prosecution, against already disenfranchised peoples so it’s absolutely critical that these protections get passed into law to make sure that these people, who are already active and vital members of our communities, can be protected.

However, that is not to say that the Act is without opponents. The most prominent is Governor Charlie Baker, who has dismissed the possibility of Massachusetts becoming a sanctuary state and has stated multiple times that he intends on vetoing the Act, largely due to the Justice Department’s threat to cut police funding from sanctuary jurisdictions. However, Judge William Orrick of the Northern District Court of California recently ruled that it would be unconstitutional for the Trump administration to revoke police funding for sanctuary jurisdictions, effectively dismissing Baker’s concerns.

The Safe Communities Act would be a historical piece of legislation, and would almost definitely inspire other states to pass similar bills. Many states, in fact, already have. The passage of the Act shouldn’t be a matter of partisan politics because it’s not a partisan issue. Most studies performed have shown that communities with higher immigrant populations actually have lower crime rates than predominantly native-born communities, so there isn’t a threat to public safety in allowing immigrants to continue living safely in the Commonwealth. Rather, the threat to public safety comes from allowing unchecked police and administrative powers to perform raids against peaceful and otherwise law-abiding citizens.

To oppose the Safe Communities Act would be to encourage the separation of families and continued discrimination against immigrants in Massachusetts. To oppose the Safe Communities Act would be to encourage fear mongering and scapegoating of vital members of our churches, schools, and neighborhoods. To oppose the Safe Communities Act would be to encourage hate and prejudice in the Commonwealth.

The Safe Communities Act is the piece of legislation drawing the most media attention this session, and for good reason. The bill is far-reaching and its potential impact would be tremendous. Although it does have a number of supporters both inside and outside of the State House, it’s still going to be challenging to pass. To that end, it’s up to the people of the Commonwealth to speak up and support the Safe Communities Act. By calling legislators, showing up to peaceful demonstrations and rallies, and contacting the Governor’s office, the people of Massachusetts can show that they’re different from the national norm, and won’t stand for prejudice.

House Ways and Means Script

My name is Sara Bezrukovnikov, and I, along with my colleague Jose Castellanos, am a student of Brandeis University and resident of Waltham, Massachusetts. As representatives of the immigrant youth of America, we...
want to address the criminalization of immigrants in Massachusetts. On January 25th, 2017 Donald Trump issued an executive order that has already changed the lives of millions of American residents. In that order, he, among other things, has rapidly increased the number of immigrants considered a priority for deportation. Under that order, immigrants with even minor crimes, or even if merely accused of such criminal activity, are prioritized for removal from the United States. That order has resulted, among other things, in deportation of Guadalupe Garcia de Rayos, the mother of two living in Arizona whose only crime was falsification of the Social Security card to work at an Arizona water park. To quote the Mayor of Phoenix Greg Stanton, “Rather than tracking down violent criminals and drug dealers, ICE is spending its energy deporting a woman with two American children who has lived here for more than two decades and poses a threat to nobody.” For that reason, we want you to support Senate Bill 1305: An Act to Protect the Civil Rights and Safety of all Massachusetts Residents, or The Safe Communities Act. By supporting that bill, you will prevent separation of families of people whose only mistake is a stamp in the wrong document.

In addition to immigration enforcement, during his campaign Trump has spoken about establishing a registry that would track Muslims in America. Even though he has not acted on this promise yet, given his current political course, it may very well come true in the nearest future. The Safe Communities Act prevents a creation of such a database, or any other database that would keep track of people’s race, gender, sexual orientation, religion, or national or ethnic origin, within Massachusetts. Furthermore, it ensures that the police force is used to fight crime, not separate families. The Act therefore prohibits the police participation in immigration enforcement activities, “including inquiries, investigations, raids, arrests or detentions that are based solely on immigration status”. In the same interest of minimization of immigration enforcement, it prohibits any agreements with Department of Homeland Security that enable local officers as immigration enforcement agents. Finally, it protects captives detained in state and local facilities for civil immigration violations.

Unlike many bills in the legislature this session, the Safe Communities Act was carefully drafted by Rep. Matias and Sen. Eldridge in such a way that its fiscal impact is very much limited. In fact, it could actually end up saving the Commonwealth money, as it would prevent state resources from being diverted towards assisting ICE/DHS raids and the creation of a Muslim registry, or in fact, any registry on a number of protected categories. Additionally, the idea behind the Safe Communities Act is not unique to Massachusetts. Sanctuary policies are already widespread, with a number of states, such as Connecticut and Colorado, and a number of cities, such as New Orleans and Baltimore, already taking similar measures to ensure protections for undocumented immigrants, at no cost to public safety. Immigrants have already been proven to have lower rates of crime than American-born citizens, and permitting the federal government to target these communities can actually pose a risk to public safety by threatening the wellbeing of vital members of our communities, as well as creating a tense and uneasy atmosphere.

The Safe Communities Act represents an opportunity to show that Massachusetts is different, and that we, as a state, will not stand for discriminatory policies that unjustly target people of already disenfranchised communities. The actions taken by the administration are targeted at people of color and religious minorities, and federal judges have repeatedly found these actions to be unconstitutional. However, we must ensure that the measures that are needed to protect these communities are codified into law, and for that, we need to pass the Safe Communities Act.

Letter to the Legislator

My name is Sara Bezrukavnikov and I, along with my colleague Jose Castellanos, am a student at Brandeis University who resides in Waltham, Massachusetts. I am writing to request your support of the SD 1305: An Act to Protect the Civil Rights and Safety of all Massachusetts Residents, known as The Safe Communities Act. Governor Baker, on January 28th of this year you publicly opposed the immigration ban President Trump imposed on migrants and refugees. You opposed “applying religious tests to the refugee system” and expressed a belief that “focusing on countries’ predominant religions will not make the US any safer.” Indeed, the religion of the refugees and migrants who flee to America in search of a better life does not indicate if they are a threat to the American society. On the contrary, studies have showed that areas with higher migrant and refugee populations have significantly lower crime rates. Moreover, rates of economic prosperity are higher in areas containing more migrants and refugees — from higher median household income, less poverty, and less reliance on public assistance to higher labor force participation, higher employment-to-population ratios, and lower unemployment. Thus, as you have justly claimed, applying religious tests and refusing a shelter based on a migrant’s national identity will not bring any benefit to the American population.

Senator Eldridge and Representative Matias’ Safe Communities Act expresses the same values. First of all, it opposes applying religious tests to the population of Massachusetts via the creation of a so-called ‘Muslim Registry’ or any other database that would keep track of people’s race,
gender, sexual orientation, religion, or national or ethnic origin within the state. Second of all, the Act ensures that the police force is used to fight crime, not separate families. The Act therefore prohibits police participation in immigration enforcement activities, “including inquiries, investigations, raids, arrests or detentions that are based solely on immigration status.” In the same interest of the minimization of immigration enforcement, it prohibits any agreements with Department of Homeland Security that enable local officers to as immigration enforcement agents. Finally, it ensures basic due process rights for the people detained in state and local facilities for civil immigration violations. Thus, the Safe Communities Act aims to ensure the safety and wellbeing of all Massachusetts residents, regardless of their religious, national, or ethnic background.

In February, you expressed your concerns regarding the bill in relation to the president’s threats to cut the federal budget from sanctuary cities or states. It is important to not that the largest sources of federal funds are exempt from Trump’s edict. Thus, payments to individuals, such as Social Security or health benefits from Medicare, Medicaid, or the Affordable Care Act, as well as highway funding and aid to disadvantaged schools and other programs like subsidized housing vouchers, heating subsidies for the poor, and food stamps, are exempt. The discretionary grant programs, which hypothetically are within Trump’s edict’s jurisdiction, are only limited to a handful of smaller programs within the departments of Justice and Homeland Security. Therefore, the passing of the bill will yield no serious financial change to the wellbeing of Massachusetts.

I ask of you to publicly support and then sign The Safe Communities Act to ensure safety and wellbeing for all the residents of Massachusetts.

### Excerpts from Campaign Journals

**Sara**

Meeting with the legislators, their aides and workers of the advocacy groups helped us shape our understanding of the bill and its place in the political landscape of Massachusetts. Most importantly, however, it helped us see what we do NOT understand about the bill. Any question from a legislator the answer to which we could not come up with immediately was more helpful to us than a reassuring smile and a promise of “looking more into it.”

For instance, Ms. Meg Kilcoyne’s asking us about the financial implications of the bill taught us to emphasize the fact that the bill, in fact, has no impact on the budget whatsoever in our future advocacy for it. That question also prompted us to ask Rep. Juana Matias about it, and she told us that lack of financial implications was a result of careful planning and is one of the bill’s greatest appeals.

**Jose**

A week and a half after the rally was Passover break. Given that my classwork over break would be minimal, I set out to do two things: film footage that could be used as filler for the video, and get the story of someone who represents the ideal immigrant, someone hardworking who is beloved by a community and strives to help others. On April 13th, I accomplished both those goals. I took a camera and went to the towns of Lexington and Concord to get patriotic imagery for the backdrop shots of the video. It only seemed appropriate to use the cradle of the American Revolution to talk about why immigrants make America great.

Afterwards, I drove back to Waltham and spoke to Olga, an older woman who owned a bakery in town. She came from Guatemala years ago, and I briefly spoke to her about the Safe Communities Act and what these protections would mean to her, before getting permission to film her as testimony for the video. Speaking to Olga was frankly sobering. Throughout the semester I would constantly feel detached from the true impact that the Act would have, and speaking to her was a reminder that there were real people who would be impacted if the Safe Communities Act were to become law.

**Update**

The bill was scheduled for a hearing on June 9, 2017.