Two hundred and fifty thousand undocumented immigrants live in Massachusetts. They fall victim to policing practices meant to intimidate, detain, and deport anyone who comes into contact with law enforcement. As a result, this interjection by federal police results in an array of problems that endanger the lives of those who reside in the state, not only undocumented immigrants themselves. Immigrants are discouraged from reporting crime or assisting in police investigations, causing disruptions in trust for the justice and healthcare systems, and violating due process rights for individuals.

- **The Bill**
  S.1401 An Act to protect the civil rights and safety of all Massachusetts residents

- **Elevator Speech**
  Our names are Hannah Lee and Dariana Resendez and we are students at Brandeis University. We are here because in many parts of Massachusetts, communities are struggling to find peace and safety in their own cities. In our state, local enforcement officers are allowed to act as federal ICE agents by asking people about their immigration status, even when the individual has not committed any crimes. Heightened fear and distrust in immigrant communities weakens community relations and public efforts because unauthorized individuals become hesitant to report crimes or serve as witnesses out of fear of being deported. Accounts of rape, murder, and theft amongst other crimes are going unnoticed in Massachusetts because 173,000 people fear that they will be asked about their immigration status before being offered help.

  Just the other day I spoke to a DACA student at Brandeis whose mother is undocumented and lives in Massachusetts. About a year ago, someone broke into her residence and took possessions she had worked tirelessly to earn. Most people would immediately call the cops and report the crime, but she was hesitant that they would ask to see her state identification and, when she failed to provide one, that they would ask about her immigration status. Instead, she picked up the pieces and no investigations were conducted, leaving the offender free to repeat their crime.

  Massachusetts is known to be a progressive and liberal state, yet with immigration issues, we fall behind many states that have seen a positive change as a result of laws that are inclusive of immigrant
communities. There are over 140 counties in 7 states where police are not allowed to ask questions about immigration status. A report revealed that there are, on average, 35.5 fewer crimes committed per 10,000 people in counties with this policy compared to those without it. However, only California has passed a law to provide this benefit to all of its cities. We must be innovative and promote legislation that will benefit all communities of Massachusetts.

For this reason, it is imperative that Massachusetts passes S.1401, also known as the Safe Communities Act, which would bar questions about immigration status from being asked and allow the local police to do its job in fighting crime and protecting all Massachusetts residents. We can restore community trust in police, respect due process for all, and make sure no one ever lives in fear by passing this bill. The bill has been to the Senate in a previous session and though it was voted out favorably, time was insufficient and no decisions were reached on the House floor. We ask that you have a hearing as soon as possible and vote in support of this bill, so that its life is prolonged and the safety of the Commonwealth is restored.

■ Excerpts from Storybook

“I want to feel safe enough to call 911 in an emergency but there’s always the worry that they will arrest me and not help me.” – undocumented Brazilian woman living in Massachusetts.

“My sisters and I live in constant fear that our mom will be in danger if we report mistreatment from her employer” – undocumented Salvadoran student in Massachusetts.

■ Op-Ed

Hannah

This Bill Is For Us All, Not Just Immigrants

The Trump Administration has managed to spread and continue to act on an anti-immigration agenda across the country. Our newspapers, TVs, and smartphones are being inundated with stories of separated families and imprisoned people of color:

“An Angel from God, and Border Agents Took Her”

“471 Parents Were Deported from US Without Their Children During Family Separations”

“Don’t Stop with Family Separation, End the Whole Immigration Prison System”

“End Forced Labor in Immigrant Detention”

“I Am an Immigrant. Someday You Might Be One, Too”

But what will it take for America to truly understand the gravity of the immigration issues we are facing today? On any given day, there are 30,000 to 40,000 people being held in immigration detention, including those who have been arrested in ICE raids, victims of human trafficking, those who arrive at the border seeking asylum, and even working families who get pulled over for a broken headlight. This horrifying, systematic form of arrest and detention, while they await the outcome of their requests to stay in the United States, needs to be checked.

The macro effects of immigration enforcement by the federal government have pressured states to follow a similar regimen. However, the unintended consequences negatively impact all citizens and residents, not just immigrants. It is a civil right to feel safe in your skin, your bodies, and in your communities. The traumas we’ve inflicted on immigrants, caging them in a system that is deliberately set up to block access to resources and due process, have also affected our local communities. People have lived in fear and community trust in the police has been broken. The fear of police encounters and anxiety over possible arrest result in accounts of rape, murder, and theft amongst other crimes going unnoticed in local communities. 173,000 undocumented immigrants in Massachusetts live in fear every minute of every day, thus, they are much more likely to avoid the police in times of need. Crimes of domestic abuse, robberies, and assaults are left unreported, as if they never happened. Those individuals are now existing in our neighborhoods, repeating their crimes against other residents of Massachusetts. We are now looking at a public safety issue, not just an immigration issue.

Surrounded by such inhumane and unjust policies, we must strive to protect our people and show more compassion. Massachusetts has a proud tradition of leading on civil rights, and S.1401 The Safe Communities Act embodies its deeply held values. At a time when the federal government is doing everything in its power to create division and fear, this bill sends a strong message that in Massachusetts, we respect and value all human beings, regardless of race, class, gender, sexual orientation, etc. By drawing a clear line between law enforcement and civil immigration matters, it helps ensure that everyone feels safe calling 911 to report crimes and speaking to police, and it protects due process for all. The Safe Communities Act would ensure that Massachusetts police resources are used to fight crime rather than to assist in federal immigration enforcement, prohibit collaboration agreements between the US Department of Homeland Security and law enforcement agencies that deputize local and state police as immigration agents, ensure due process for immigrants who are detained, and provide crucial training to law enforcement officers about this law.

A bill like this is a less expensive and more humane way of responding to immigration in our country that protects not only immigrant communities, but also all residents in
Massachusetts. It costs roughly $125.00 taxpayer dollars (per person per day) to detain people in Massachusetts, yet prisons and jails are holding immigrants for long periods of time, ranging from 34 days to 100 days to years. In addition, statistics show that there are an estimated 35,5 fewer crimes committed per 10,000 people in places where policies like The Safe Communities Act exist. This bill strives to protect all residents of Massachusetts and ensure that everyone is safe.

We must end the immigration prison system, arbitrary arrests, racial profiling of individuals, and continued incarceration of innocent people. We must uphold our values as a state and nation dedicated to civil rights, peace and harmony, and respect for human beings. This bill is a step towards creating welcoming and safe communities for all, thus, the importance of passing this act is critical in setting a national trend. Call your local legislators today and ask them to pass The Safe Communities Act.

**House Ways & Means Script**

Dear Representative Jeffrey Sánchez,

In many parts of Massachusetts, communities are struggling to find peace and safety in their own cities. Policies shaped by fear and stereotypes have actually endangered public safety, increased racial profiling, and infringed due process for all. The U.S. is in the midst of a ruthless campaign of deportation, targeting legal and unauthorized immigrants alike. The federal government has even been pushing for proposals that punish “sanctuary cities” where local enforcement in immigration is discouraged, thus, many states have been pressured to cooperate with federal laws. DHS and ICE are using state and local police to help enforce immigration law, which means greater taxpayer money is funneling towards immigration enforcement and detention. In Massachusetts, it costs roughly $125.00 taxpayer dollars (per person per day) to detain people. Yet, prisons and jails are holding immigrants for long periods of time, ranging from 34 days to 100 days to years. In fiscal year 2018, the DHS estimates that there will be an average of 51,379 people held in immigration detention centers each day.

In addition, the 287(g) program, which allows state and local police officers to collaborate with the federal government to enforce federal immigration laws, is incredibly costly for states that want to dedicate resources to implementing, training, and managing the program, since ICE only covers partial costs. [Examples of program expenses include: travel, housing, and per diem for officers during training; salaries; overtime; other personnel costs; administrative supplies; and maintaining technology, hardware, and software associated with the program]. UNC Chapel Hill reported that the first year of operating the 287(g) program in Mecklenburg County, North Carolina, cost a total of $5.3 million. When local police carry out federal immigration enforcement functions, state resources become incredibly limited, potential for civil liability exists due to unclear authority, reporting of crimes decreases, investigation and litigation assistance by witnesses decreases, and communities lack public safety. All these impacts have detrimental fiscal implications for Massachusetts as it continues to enforce anti-immigration work.

Heightened fear and distrust in immigrant communities weakens community relations and public efforts because unauthorized individuals become hesitant to report crime or serve as witnesses out of fear of being deported. The greatest cost to the state will be the fractured trust between immigrants and local police. Accounts of rape, murder, and theft amongst other crimes are going unnoticed in Massachusetts because people fear that they will be asked about their immigration status before being offered help.

In addition, Massachusetts is home to more than 1.1 million immigrants. More than 1 out of every 7 residents are foreign-born, making them incredibly critical contributors to Massachusetts’ economic success. 58% of Fortune 500 companies based in Massachusetts were founded by immigrants or their children; those firms generate $136.8 billion in annual revenue and employ more than 466,000 people globally. Immigrants are valuable individuals in our state and we ask that the state realize how economically inefficient it is for us to carry out federal law enforcement policies.

If this resonates with you, we hope you can help us push S.1401 The Safe Communities Act forward in the legislature by asking the Joint Committee on Public Safety and Homeland Security to hold a hearing so that we can stop using local police funds to tear families apart.

Sincerely,

Hannah Lee and Dariana Resendez

**Letter to the Legislator**

Dear Representative Stanley,

Our names are Hannah Lee and Dariana Resendez and we are students at Brandeis University.

We write in support of S.1401, The Safe Communities Act, and respectfully request that you fight for passage of Senator Jamie Eldridge’s bill.

We are hoping that the bill will advance given the harmful impact that President Trump’s anti-immigration rhetoric is having on immigrant communities in Massachusetts and across the nation. According to ICE data obtained by WBUR, ICE arrests of non-criminal immigrants in New England have more than tripled under President Trump. Nationwide, between February and May of 2017, ICE arrested 108 undocumented immigrants daily with no criminal record,
which represented an increase of 150% from the same time period in 2016.

These aggressive immigration enforcement policies are leaving families fearful of accessing critical health care services and domestic violence victims fearful of seeking help. Orders from the President also threaten the independence and effectiveness of Massachusetts law enforcement by encouraging ethnic profiling, undermining community-police relations, and preventing state resources from being used to improve public safety.

We recently spoke to a student at Brandeis whose mother is undocumented and lives in Massachusetts. About a year ago, someone broke into her residence and took possessions she had worked tirelessly to earn. Most people would immediately call the cops and report the crime, but she was concerned that they would ask to see her state identification and, when she failed to provide one, that they would ask about her immigration status. Instead, she picked up the pieces and no investigations were conducted, leaving the offender free to repeat their crime. Accounts of rape, murder, and theft amongst other crimes are going unnoticed in Massachusetts because 173,000 people fear that they will be asked about their immigration status before being offered help.

Our Commonwealth has a proud tradition of leading on civil rights, and the Safe Communities Act embodies our deeply held values. At a time when the federal government is doing everything in its power to sow division and fear, this bill sends a strong message that in Massachusetts, we respect and value all human beings, regardless of race, class, gender, sexual orientation, etc. By drawing a clear line between law enforcement and civil immigration matters, it helps ensure that everyone feels safe calling 911 to report crimes and speaking to police, and it protects due process for all.

For these reasons, we are requesting your support for the Safe Communities Act, which would:

Ensure that Massachusetts police resources are used to fight crime, not assist in federal immigration enforcement; and

Prohibit collaboration agreements between the U.S. Department of Homeland Security and law enforcement agencies that deputize state and local officers as immigration agents; and

Ensure Due Process rights for immigrants who are detained in state and local facilities; and

Provide crucial training and accountability to law enforcement agencies and their personnel about this law.

The Safe Communities Act would not prevent ICE agents from arresting and detaining immigrants in Massachusetts, but the bill ensures that our state resources are not used to enforce immigration policies that pose dire risks to public health and safety, or support federal efforts to discriminate based on a person’s race, ethnicity, or religion. Such actions harm Massachusetts residents, make our communities less safe, and damage the Commonwealth’s economy.

We thank you for your attention. Massachusetts urgently needs the Safe Communities Act. Please advocate with your colleagues and with House leadership to get a hearing as soon as possible and get it passed in the next session.

Sincerely,

Hannah Lee and Dariana Resendez

Excerpts from Campaign Journals:

Hannah

On Meeting with Senator Chang-Diaz’s Legislative Director, Ernesto Hernandez

Our first meeting on the March 20th Statehouse visit was with Ernesto Hernandez. He currently is the Legislative Director at the Office of Senator Sonia Chang-Diaz and is responsible for legislative and constituent work in Judiciary, Public Safety, Immigration, Public Health, and others. Since this was our first meeting with someone in the Statehouse, I felt nervous and unprepared to begin “real advocacy work” and have the conversations that would push them to fight for passage of the bill. However, when we first met Ernesto, he was incredibly personable and had a great sense of humor. We chatted about Boston, his dogs, college life, etc. as we made our way to the conference room.

After settling down, Dariana and I introduced ourselves and said that we were here to support S1401 The Safe Communities Act. As a Cuban immigrant himself, Ernesto was also very passionate about immigration rights in Massachusetts and felt compelled to do this work at the state level. I felt incredibly comfortable having these conversations with him and glad that he could understand the real issues of immigration and what that meant for people like us—which I have to emphasize is very different than having conversations about immigration with non-people of color. Ernesto was very knowledgeable about the Safe Communities Act, so we didn’t have to reiterate facts and statistics about the bill.

We explained why this bill was important to us, as he did the same. He explained to us how the legislative process works and followed to explain a different bill Senator Diaz was sponsoring, relating to immigration rights. He told us about the Higher Education Equity bill which had not been scheduled for a hearing yet, and told us ways that we could support the bill. In addition, he gave us tips on the opposition, explaining that personal stories really move people and that opponents don’t tend to listen to data. In addition, partnerships with groups or organizations who don’t get involved in advocacy are also very important, such as leadership of higher ed.
Overall, this was a very valuable and great meeting. He was honestly so amazing and I hope we can connect again in the future.

**Dariana**

*On meeting with Liza Ryan of MIRA*

We met Liza after a DEIS Impact event called “How Far Does Greater Boston Reach?” where she was a panelist. During the panel Liza explained how MIRA (Massachusetts Immigrant and Refugee Coalition) works with immigrant groups and individuals throughout all of Massachusetts to guarantee protections to all its residents. She was able to go into details about the SCA and how it has changed from the previous version, including its consolidation (literally shortening the explanation of the bill) to make it more approachable to legislators. She gave us action items that we could follow to get other people to support the bill and we emailed the people she suggested we reach out to. We recently heard back from Representative Tom Stanley of Waltham who said he would support it and reach out to his colleagues in the Joint Committee on Public Safety and Homeland Security to ask for a hearing. Our conversation with Liza, albeit short, was incredibly helpful and helped launch a semester’s worth of work.

*On Meeting Senator Minicucci’s Legislative Aide, Josselyn DeLeon*

Representative Minicucci was on our priority list because she is a member of the Joint Committee on Public Safety and Homeland Security. The day before our meeting her aide emailed us explaining that some things had been moved around and the representative would not be able to meet with us, but that she would be happy to do it instead. I feel like this is indicative of how unpredictable this field can be and how that is not always a bad thing.

We met with Josselyn who is only two years our senior. She grew up in Lawrence, which she told us is known as the “immigrant city.” Due to her close association with the topic of the bill, we did not have to explain its potential impact, though we had been prepared to do so due to previous advice, and instead had an incredible conversation about what it means to be a woman of color in a place dominated by white males.

Josselyn explained that at her young age she was able to secure her position through networking with unexpected people, much like we were doing in that moment. She told us to let her know if we ever needed anything and gave us her personal phone number in the event that we had any questions or wanted to grab coffee. I left this meeting feeling a lot more hopeful about the future of spaces I had been so hesitant to join prior to meeting people who made it meaningful.

**Update**

As of August 11: there has been no further action taken on the bill since its referral to the Public Safety and Homeland Security committee in January.

*For more information*

**View the bill (MA legislature website):**
S.1401: https://malegislature.gov/Bills/191/S1401
H.3573: https://malegislature.gov/Bills/191/H3573

**Organization or Coalition support:**
MIRA (Massachusetts Immigrant and Refugee Advocacy Coalition): http://miracoalition.org/safe-communities