

MASSACHUSETTS SAFE COMMUNITIES COALITION

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Support the Safe Communities Act

H.3573 (Balsler & Miranda) and S.1401 (Eldridge)

Two years ago, we launched a movement: immigrant advocates, civil rights groups, service providers, faith leaders and allies committed to ensuring that **in Massachusetts, no one has to live in fear, and everyone's civil rights will be respected**. We built unprecedented support on Beacon Hill and across our Commonwealth. Dozens of communities also adopted local pro-immigrant policies.

Now it's time to bring our work to fruition. A new Safe Communities Act is before the Legislature – streamlined but with the same core provisions to **restore community trust in police** by avoiding entanglement in immigration matters, and **protect due process for all**:

1. **No questions about immigration status:** Bars law enforcement and court personnel from asking people about their status unless required by law. The State Police already have a similar policy. Many immigrants fear that calling 911 or speaking to police will lead to separation from family members – especially children –making them more vulnerable to domestic abuse, wage theft and other crimes. This provision would send a strong message that in our Commonwealth, police protect us all.
2. **Protects due process:** Before Immigration & Customs Enforcement (ICE) questions someone in local custody, requires police to obtain their consent using a form that explains their right to decline an interview or have their own attorney present. Without these protections, people often make statements or sign documents jeopardizing their immigration cases. Non-citizens often unaware of these rights, because “Miranda” warnings are not required in the civil immigration context.
3. **Limits notifications to ICE:** Bars police, court officers and jail officials from notifying ICE that someone is about to be released. Sometimes law enforcement will call ICE to try to keep an immigrant from going free when they can no longer hold them, even though a citizen would go free. The bill would still allow notifications to ICE if a person is being released after serving a criminal sentence.
4. **No more 287(g) agreements:** Ends contracts with ICE that allow state and county personnel to act as federal immigration agents, at state taxpayers' expense. Such contracts are the most extreme form of entanglement with ICE, and when they shift people into ICE custody before they can go to court, they undermine due process. Massachusetts is the only state in New England to have such agreements, and we have four: with Bristol, Barnstable Plymouth counties, and the Department of Corrections.
5. **Provides crucial training and accountability:** Requires law enforcement agencies to train their personnel about this law, and if there is an alleged violation, people can file a complaint with the relevant agency or the Attorney General. These provisions would help ensure transparency and tackle problems as they arise.

It's time for Massachusetts to send a clear message that in our Commonwealth, law enforcement protects us all, and everyone enjoys civil rights.

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