



## SUPPORT SAFE COMMUNITIES

(An Act to Protect the Civil Rights and Safety of All Massachusetts Residents)

SD.1596 and HD.3052

*From the Boston Tea Party to the anti-slavery and marriage equality movements, Massachusetts leadership has always shaped the nation's consciousness on civil rights. Today, we need to see that kind of courage on behalf of immigrants and Muslims in our communities.*

**The Safe Communities Act would protect the civil rights of all state residents by making sure our tax dollars are not used to help the Trump Administration deport immigrant families or create a Muslim registry.** This powerful new version of the Trust Act is sponsored by State Senator Jamie Eldridge (SD.1596) and State Representative Juana Matías (HD.3052).

### KEY FEATURES OF THE SAFE COMMUNITIES ACT

- 1. Prohibits state support for any Muslim registry.** Prohibits law enforcement agencies and the Registry of Motor Vehicles from allowing access to databases or records for enforcement of any federal registry program based on national origin, religion or other protected characteristics.
- 2. Ensures Basic Due Process Rights** for immigrants detained in state and local facilities. Requires informing detainees - in a language they understand - that they have the right to decline an interview with ICE agents, and to have their own attorney present (at their own expense) if they so choose.
- 3. Ensures that police resources are used to fight crime, not separate families.** Ensures that state, local and campus police don't participate in federal immigration enforcement activities, including participation in inquiries, investigations, raids, arrests or detentions that are based solely on immigration status. ***When police become ICE agents, immigrant victims and witnesses of crime are afraid to call police, which makes us all less safe.***<sup>1</sup>
- 4. Prohibits collaboration agreements** between the U.S. Department of Homeland Security (DHS) and law enforcement agencies that deputize state and local officers as immigration agents, like those recently concluded by Bristol and Plymouth counties.
- 5. Upholds constitutional standards.** The bill puts citizens and non-citizens on equal footing with respect to law enforcement. It would **not** prevent police from arresting or detaining a person in the course of a criminal investigation or prosecution supported by probable cause of a crime, which is consistent with constitutional standards applicable to all people in the Commonwealth.
- 6. Conforms to federal law.** The bill contains several provisions ensuring compliance with federal law, specifically 8 U.S.C. § 1373, which prohibits state and local governments from restricting the exchange of information about citizenship or immigration status.

<sup>1</sup> For example, immigrant state residents are historically twice as likely to be victims of domestic violence homicide than are the native born, in large part because they fear separation from children or other family members through deportation. Most MA immigrant families are "mixed status" families – which means that different members have different statuses. Most have U.S. citizen children.

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