

September 26, 2008

Dear Senator,

## **Support S. 3594, the Protect Citizens and Residents from Unlawful Raids and Detention Act**

We, the undersigned organizations, urge you to support S. 3594, the Protect Citizens and Residents from Unlawful Raids and Detention Act, sponsored by Senators Menendez (D-NJ) and Kennedy (D-MA). We represent a broad group of religious, labor, immigration, asylum/refugee, civil liberties and community groups from across the country.

Since 2005 the Department of Homeland Security Immigration and Customs Enforcement (ICE) has dramatically increased and intensified immigration raids – in worksites, homes, parks, streets, and communities nationwide. These raids have created widespread fear and insecurity in our families, homes, schools, and religious communities. Many immigration raids have been so sweeping and untargeted that they have ensnared U.S. citizens and lawful permanent residents. Immigration agents have entered families' homes during pre-dawn hours and have detained everyone living there including U.S. citizen children and legal permanent resident spouses. ICE agents have descended on large work sites, shutting down operations, while detaining and interrogating all workers onsite including U.S. citizens and permanent residents. People arrested in ICE raids have been denied access to immigration counsel. U.S. citizens have languished in immigration detention facilities, and at least one U.S.-born citizen was illegally deported to Mexico.

These problems point to the need for Congress to pass legislation that regulates and curbs ICE's sweeping and reckless raids. S. 3594 would establish minimum standards of due process and treatment for U.S. citizens, lawful permanent residents, and others who are swept up in raids and immigration enforcement operations. This bill would ensure that all people arrested or detained by ICE are advised of the right to access immigration counsel and are notified of the immigration charges against them. It would mitigate the negative impact on families. ICE agents would be required to determine whether individuals arrested in raids have dependent children, and for work site operations, ICE would be required to provide prior notice to state and local child welfare agencies and allow social service workers to screen individuals arrested during raids. ICE would also be required to provide a toll-free number to allow individuals to locate their family members who are impacted by raids. In addition, this bill includes labor protections to ensure that ICE worksite raids don't undermine labor or employment law investigations including child labor, sexual harassment, and wage and hour violations.

Tremendous growth in the numbers of non-citizens in immigration detention across the country and the lack of effective oversight systems have resulted in inconsistent conditions of confinement and repeated incidents of detainee abuse. The DHS Office of Inspector General recently audited five immigration detention facilities and found widespread violations of detention standards concerning medical care, environmental health and safety, detainee grievance procedures, access to legal materials, access to telephones, housing classifications, and recreation. This bill requires DHS to promulgate regulations governing the treatment of immigration detainees based upon the recommendation of a detention advisory committee.

This bill also establishes a meaningful “alternatives to immigration detention” program that is more humane and cost-effective than penal-style detention. These alternatives to detention programs would ensure that people appear at immigration court hearings using intensive community-based supervision and monitoring. This bill would establish procedures for the release of vulnerable populations encountered during immigration raids.

Importantly, this bill would also require ICE to report any labor violations uncovered during an immigration raid to a labor or employment rights agency. This bill further ensures that detained workers are not deported until the labor or employment agency has determined whether to initiate legal proceedings against the violating employer.

We commend Senators Menendez and Kennedy for sponsoring the Protect Citizens and Residents from Unlawful Raids and Detention Act at a time when our families and communities suffer daily under the threat of immigration raids. Our Constitution guarantees all individuals in our country the right to due process, and we must ensure that all those caught up raids are treated in a humane and fair way.

Sincerely,

National Organizations:

American Civil Liberties Union  
American Immigration Lawyers Association  
Asian American Justice Center  
Asian Law Caucus  
American Jewish Committee  
Bill of Rights Defense Committee  
Boston College Immigration and Asylum Project  
Cabrini Immigrant Services  
Church World Service, Immigration and Refugee Program  
Diaspora Community Services  
The Episcopal Church  
First Friends: Elizabeth Detention Center Visitors Project  
Hebrew Immigrant Aid Society  
H. S. Power & Light - Latino Faith Initiative  
Human Rights Project  
Human Rights USA  
Leadership Conference on Civil Rights  
Legal Momentum  
Lutheran Immigration and Refugee Service (LIRS)  
Mexican American Legal Defense and Educational Fund  
National Association of Latino Elected and Appointed Officials (NALEO) Educational Fund  
American Baptist Churches USA  
National Council of La Raza  
National Immigration Forum  
National Immigration Law Center  
National Immigration Project of the National Lawyers Guild  
National Korean American Service & Education Consortium (NAKASEC)  
New Immigrant Community Empowerment (NICE)  
Physicians for Human Rights

Political Asylum/Immigration Representation Project  
Post-Deportation Human Rights Project (Boston College)  
Rights Working Group  
Rural and Migrant Ministry, Inc.  
United Church of Christ, Justice and Witness Ministries  
United Methodist Church, General Board of Church and Society

Labor Organizations:

Centro Independiente de Trabajadores Agrícolas (CITA)  
Colorado Immigrant Rights Coalition  
Farmworker Association of Florida  
Farmworkers Self-Help Inc.  
Kentucky May Day Coalition, Frankfort, KY  
Korean Immigrant Workers Alliance (KIWA), Los Angeles, CA  
Los Angeles County Federation of Labor, AFL-CIO, Los Angeles, CA  
Maria Elena Durazo, Executive Secretary Treasurer, Los Angeles County Federation of Labor, AFL-  
Service Employees International Union (SEIU)  
SEIU Local 32BJ, Washington, DC  
Tenants and Workers United  
United for Economic Justice (CLUE), Los Angeles, CA  
The Workmen's Circle/Arbeter Ring

State and Local Organizations:

California:

Asian Pacific American Legal Center, Los Angeles CA  
Asian Pacific American Legal Center, Los Angeles CA  
Asian Pacific American Legal Center, Los Angeles CA  
California Immigrant Policy Center (CIPC), Los Angeles, CA  
California Partnership, Los Angeles, CA  
Central American Resource Center, Los Angeles, CA  
Coalition for Humane Immigrants Rights of Los Angeles (CHIRLA)  
Homies Unidos, Los Angeles, CA  
Islamic Shura Council of Southern California, Anaheim, CA  
Korean Resource Center, Los Angeles, CA  
South Asian Network, Artesia, CA

Colorado:

Immigrant Legal Center of Boulder County, Boulder, CO  
Rocky Mountain Immigrant Advocacy Network in Denver, CO

Florida:

Florida Immigrant Advocacy Center  
Moroccan Congress, Florida Chapter

Illinois:

Illinois Coalition for Immigrant and Refugee Rights  
Korean American Resource & Cultural Center, Chicago, IL  
Our Lady of Mt. Carmel Community Center, Melrose Park, IL

Kentucky:

The Hispanic/Latino Coalition of Louisville, KY

Kentucky Coalition for Immigrant and Refugee Rights, Lexington, KY

Maine:

Maine People's Alliance

Maryland:

CASA de Maryland, Inc.

Massachusetts:

Massachusetts Immigrant and Refugee Advocacy Coalition

Michigan:

Arab Community Center for Economic and Social Services (ACCESS) of Dearborn, Michigan

Michigan Civil Rights for Immigrants Project

Minnesota:

Immigrant Law Center of Minnesota

New Jersey:

New Jersey Civil Rights Defense Committee, Piscataway, NJ

New Jersey Immigration Policy Network Newark, NJ

New York:

Center for Family Life, Brooklyn, NY

Long Island Immigrant Alliance, Amityville, NY

New York Immigration Coalition

YKASEC – Empowering the Korean American Community, Flushing, NY

Virginia:

Legal Aid Justice Center -- Immigrant Advocacy Program, Charlottesville, VA

Washington:

Washington Defender Association's Immigration Project, Seattle, Washington

Washington Community Action Network, Seattle, WA

Washington, DC:

Ayuda, Washington, DC

National Capital Immigrant Coalition

Northwest Federation of Community Organizations

Northwest Immigrant Rights Project

Wisconsin:

Voces de la Frontera, Wisconsin