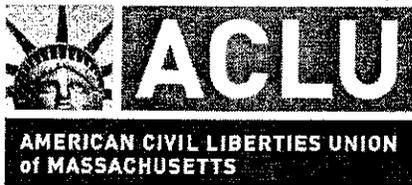


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Cambridge City Council

Testimony of Laura Rótolo
June 2, 2014

I am here today on behalf of the American Civil Liberties Union of Massachusetts, representing 1,300 members in Cambridge, to register our support for Order #1, an order to clarify the Cambridge police's role in cooperating with federal immigration authorities.

This order is a direct response to a controversial federal deportation program called Secure Communities, which funnels information about people arrested in Cambridge to Immigration and Customs Enforcement, known as ICE. This program has allowed the federal government to identify and deport record levels of immigrants—1,000 in Massachusetts alone since the program was made mandatory in 2012.

Secure Communities has had a devastating effect on relations between police and the immigrant communities they serve. When people believe that any contact with the police can result in being deported, they don't call for help or cooperate in fighting crimes, and this is bad for everyone.

Eight years ago, this City Council had the wisdom to declare Cambridge a Sanctuary City, renouncing voluntary cooperation in deportation efforts and creating a welcoming environment for newcomers from all over the world.

But despite being a Sanctuary City, Cambridge has itself suffered from the confusion that Secure Communities has created about the role of local police. This is because the federal government purposefully obfuscated both the purpose of Secure Communities and its legal nature.

In fact, there are two important and different policies at work. While the data-sharing portion of Secure Communities is mandatory, a second program, known as an ICE detainer, is completely voluntary. A detainer is a request by ICE to a local law enforcement agency to hold a person who has been released by the criminal justice system in order to give ICE more time to arrive and take custody for deportation purposes. Local agencies have the discretion to comply with this request or not.

In other words, Cambridge—like all other cities—may not stop sending arrestees' fingerprints to ICE. But Cambridge need not go any further by extending the person's detention in order to facilitate deportation efforts. Secure Communities created confusion about the voluntary nature of ICE detainers, and many police agencies around the state feel compelled to cooperate.

Moreover, the *perception* among immigrants is that because of Secure Communities, local police are now cooperating with ICE.

This is why today's order is so important. It will clarify that except in specific circumstances, Cambridge police will not cooperate with ICE detainers.

And in the Spirit of the Sanctuary City resolution, this order would once again send the message that Cambridge police are not in the business of enforcing immigration laws and that immigrants in this City can feel safe and welcome.

By passing such an order, Cambridge will join a long and growing list of jurisdictions to take similar action. Two states—Connecticut and California—have passed similar laws and over 60 cities around the country, including New York City; San Francisco; Washington, DC; Chicago; New Orleans, and most recently Somerville, Massachusetts, have done the same.

For these reasons, I urge the council to give thoughtful consideration to the proposed order, and I look forward to working with you on this important measure.

Thank you for your attention today.