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ACLU OF RI POSITION: SUPPORT/AMEND

TESTIMONY ON 22-H 7249, RELATING TO STATE AFFAIRS AND GOVERNMENT – RHODE ISLAND SANCTUARY STATE ACT March 3, 2022

The ACLU of Rhode Island strongly supports the concept of this legislation, which is designed, among other things, to limit the ability of immigration agents to engage in arrests and other enforcement actions in certain “sensitive locations” in the community. The bill is partly based on a long-standing Department of Homeland Security memo which similarly specifies that its agents will not engage in routine enforcement of immigration laws in certain “sensitive” places like hospitals, religious institutions, and schools. Unfortunately, highly publicized ICE enforcement actions across the country near schools and courthouses in recent years have appropriately prompted efforts like this at the state level to provide a separate level of protection.

Residents of our state should not have to think twice about going with a loved one to the hospital for critical medical care or testifying in court as the witness to a violent crime for fear of being picked up by ICE agents as a result. ICE’s actions to the contrary are mean-spirited and counter-productive, and we commend this bill’s sponsors for seeking to address this serious problem.

In serving this crucial goal, we recognize that the bill needs some revisions. There are potential separation-of-powers issues in having legislators tell the courts how they must deal with federal law enforcement officials, and we do not believe that the state can dictate to private religious institutions how they interact with federal agencies.

Having said that, the state is by no means powerless to address this very critical issue. We would be happy to work with the bill’s sponsor and the committee on amendments that focus its reach on situations where the state *does* have the clear power to protect immigrants in the community from counter-productive ICE raids in locations where people should feel safe.

We urge the committee to pass some form of this important legislation.