



STATE OF CONNECTICUT

ASIAN PACIFIC AMERICAN AFFAIRS COMMISSION



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Legislative Analyst

Alok Bhatt

Monday, March 30, 2015

Dear Senator Coleman, Representative Tong, and distinguished members of Judiciary Committee:

My name is Alok Bhatt. I serve as Legislative Analyst for the Asian Pacific American Affairs Commission (APAAC/the Commission). The Connecticut General Assembly (CGA) established APAAC in 2008 to engage and advocate for our state's Asian Pacific American (APA) population in areas such as civil rights, economic development, education, health, housing, and general quality of life.

According to US Census data, over 99,000 foreign-born APAs make their homes in Connecticut. This population entails not only naturalized citizens, but also Legal Permanent Residents, holders of various academic and professional VISAS, and a small number of undocumented residents. Many foreign-born individuals in Connecticut have US citizen offspring, as in many mixed-status APA families.

Our foreign-born APA population consists of peoples originating from over 60 nations, who speak more than 100 distinct languages and dialects. APAs also represent the fastest-growing immigrant group in the Connecticut and nationally. Furthermore, the demographics of Connecticut and the United States are continuously shifting as foreign-born individuals enter our communities, schools, and workforce. Connecticut's policies and systems must be prepared to meet the needs and challenges facing our changing population.

In supporting the civil rights of all immigrant families and communities in Connecticut, APAAC writes in strong support of HB 7039: An Act Concerning Civil Immigration Detainers, also known as the TRUST (Transparency and Responsibility Using State Tools) Act.

In the 2013 legislative session, APAAC, as part of the Connecticut Immigrant Rights Alliance (CIRA), advocated for a version of the TRUST Act which passed unanimously through the CGA and went into effect January 1, 2014. While effective in limiting federal immigration authorities' discriminatory and disruptive practices in Connecticut, the original legislation contained several flaws that undermine public safety and positive relations with state and local law enforcement agencies.

In particular, the current TRUST Act allows for the detention of

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individuals solely on the basis of a detainer request from Immigrations & Customs Enforcement (ICE). Since Connecticut passed the TRUST Act in 2013, federal courts have held this practice unconstitutional under the 4th Amendment. Law enforcement agencies holding individuals pursuant to ICE detainers, without a judicially-endorsed warrant, open themselves to legal liabilities¹.

Furthermore, as of December 15, 2014, Connecticut's own Department of Corrections (DOC) no longer holds individuals pursuant to immigration detainers absent a judicial warrant or violent felony convictions on record². This change came after advocates engaged the Governor's administration for months regarding the impact of immigration enforcement in the community.

The proposed changes to the TRUST Act would close this loophole by prohibiting detention based solely on civil immigration detainers. Furthermore, the improved TRUST Act would prevent state and local law enforcement agencies from sharing confidential information about community members from federal entities, unless compelled by law. This provision will prevent ICE from continuing its discriminatory practices through Connecticut's criminal justice databases.

APAAC strongly believes that the proposed changes to the TRUST Act will not only protect the civil rights of Connecticut residents, but also enable best practices in community policing. We cannot allow federal authorities to tear apart our communities and families to support their own mission, which often strays from keeping the peace.

APAAC appreciates your time and consideration of this highly important matter.

Sincerely,

Alok Bhatt
Legislative Analyst, Asian Pacific American Affairs Commission

¹ <https://www.aclu.org/immigrants-rights/third-circuit-appeals-court-rules-immigration-detainers-are-non-binding-requests>

² <http://www.ct.gov/doc/LIB/doc/PDF/AD/ad0903.pdf>



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