



NEW HAVEN
DEPARTMENT OF POLICE SERVICE
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Dean M. Esserman
Chief of Police

Toni N. Harp
Mayor

March 27, 2015

State of Connecticut Joint Committee on Judiciary
Legislative Office Building, Room 2500
Hartford, CT 06109

RE: SUPPORT for Connecticut TRUST Act
H.B. 7039 (raised) An Act Concerning Civil Immigration Detainers

Dear State Judiciary Committee Member,

I write in support of the TRUST Act amendments, which will update the TRUST Act adopted in 2013, reforming state and local responses to civil immigration detainers ("ICE detainer requests") and providing crucial protection to Connecticut residents. This bill will advance public safety by rebuilding the trust between immigrant communities and local police that the Department of Homeland Security (DHS) has undermined through "Secure" Communities (S-Comm) and its successor, Priority Enforcement Program (PEP-Comm).

These DHS programs have led to the removal of many Connecticut residents without criminal convictions. ICE detainers have created an incentive for police officers, judicial marshals, and probation officers to target people of color, converting police departments and courthouses into what many believe are virtual immigration checkpoints. Additionally, by holding certain individuals on ICE detainers, state and local law enforcement have taken on the substantial burden of carrying out federal immigration law. ICE detainer requests are not legally binding, and local law enforcement agencies are under no obligation to respond to these requests.

In 2013, the Connecticut state legislature made history by unanimously passing the TRUST Act to limit the effect of ICE detainers in the state. In the past two years, however, implementation of the TRUST Act has revealed crucial gaps in protection that undermine its overall goals. For one, the TRUST Act lacks crucial protections from the stronger policies of Department of Corrections and East Haven Police Department after settlements in the *Brizuela v. Feliciano* and *Chacon v. EHPD* lawsuits. In late 2014, Governor Malloy announced that DOC would no longer enforce ICE detainer requests solely on the basis of a final order of deportation unless accompanied by judicial warrant, nor solely on the basis of a past non-violent felony conviction. So far, data disclosures from Connecticut DOC show that these policies are working—but they don't go far enough. These policies are not written into law, and they do not reach critical law enforcement actors, including judicial marshals and probation officers. The state legislature should strengthen these policies, make them permanent, and broaden them to reach all of Connecticut's law enforcement agencies.

Dedicated to Protecting Our Community

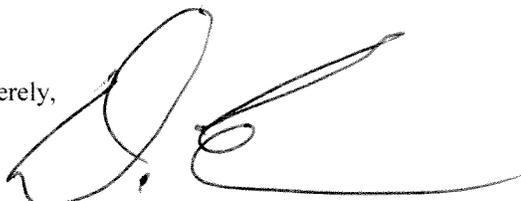
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The harmful cooperation between ICE and local law enforcement in Connecticut is destroying communities. Despite the TRUST Act of 2013, immigrants and their families and friends are still reluctant to contact the police or approach courthouses because they are worried about their immigration status being communicated to ICE, and fear being held under an ICE detainer. DHS programs have undermined public safety, and immigrants have been unable to report landlord abuse, workplace abuse, and other crimes in our communities.

The proposed TRUST Act amendments close major loopholes in the current legislation ensuring that all CT law enforcement officers do not detain any individual based on any ICE detainer requests. It also prohibits CT law enforcement officers from sending information to ICE about custody status or release of individuals in CT custody, and keeping immigration status confidential. The amendments in this bill would uphold a federally approved division between local law enforcement and federal immigration authorities. They would protect Connecticut taxpayers by ensuring that the state does not expend local resources on ICE detainer requests. Most importantly, the bill would foster community prosperity, safety, and unity.

Connecticut has long been a pioneer in immigration reform and protection, and it is time for Connecticut to continue to be a pioneer by amending the TRUST Act of 2013.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dean M. Esserman', with a long horizontal flourish extending to the right.

Dean M. Esserman
Chief of Police

Dedicated to Protecting Our Community

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