



STATE OF CONNECTICUT
JUDICIAL BRANCH

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**Testimony of Stephen N. Ment
Judiciary Committee Public Hearing
March 30, 2015**

House Bill 7039, An Act Concerning Civil Immigration Detainers

Thank you for the opportunity to submit written testimony on behalf of the Judicial Branch concerning **House Bill 7039, An Act Concerning Civil Immigration Detainers**. While the Judicial Branch takes no position on the policy objective behind the bill, we would respectfully note that provisions of the bill appear to be in conflict with federal law.

Subsections (c) and (d) of section 1 would prohibit a law enforcement officer – including the Judicial Branch’s own judicial marshals and adult probation officers – from communicating with United States Immigration and Customs Enforcement officials regarding the custody status, release, or immigration status of an individual who is subject to a civil immigration detainer. By contrast, sections of the United States Code prohibit any state or local government entity from prohibiting, or in any way restricting, a governmental entity or official from communicating with Immigration and Naturalization Service (INS) regarding the citizenship or immigration status of an individual. Such language would seemingly put Judicial Branch employees in the middle of a conflict between state and federal law.

We therefore respectfully ask that no action be taken on the bill until it is clear that no such conflict exists. Thank you for the opportunity to provide written testimony.