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**Before the Judiciary Committee**

**Testimony in Support of H.B. 5544**

**An Act Concerning The Recommendations Of The Connecticut Sentencing Commission With Respect To Misdemeanor Sentences**

Senator Doyle, Senator Kissel, Representative Tong, and Members of the committee,

Thank you for this opportunity to testify on behalf of H.B. 5444, which would make a technical change in length of sentence to prevent some of the excesses we are seeing from federal immigration agents in our state. I hope you will be hearing H.B. 5543 regarding the Trust Act soon; it is a related bill that makes additional changes to address these federal excesses.

It has been my honor to speak with many of you in the past when I was the director of Connecticut Legal Services. I left that position last year, and now (in addition to starting a non-profit consulting practice) I have been donating pro bono time to support our immigrant neighbors in Connecticut.

Like every state, Connecticut is home to many people who were born in other countries, who have lived here for many years, and who contribute in many ways to the well-being of our state. There is a general agreement in our state and country that because of the partisan breakdown in Washington, our federal laws have failed to change to accommodate the desire of our country to recognize immigrants who have made a positive impact. If that weren't bad enough, the current federal administration has decided to do away with the system of priorities put in place by previous Republican and Democratic presidents. The previous federal priorities focused deportation on people who have committed serious crimes. Instead, according to a recent report by the American Immigration Council, the current administration has started arresting and deporting any vulnerable immigrant they come into contact with.<sup>1</sup> People being deported include those with pending status claims, people with serious illnesses, people with citizen families, people who have been paying taxes for years. Sometimes people have been whisked out of the country despite pending claims (including asylum claims and

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<sup>1</sup> <https://americanimmigrationcouncil.org/research/immigration-enforcement-priorities-under-trump-administration> .

claims that the charges against them are false) – and as a result these people never have the opportunity to present their claim before the appropriate immigration court or federal tribunal.

The random and aggressive enforcement posture has been particularly acute in states like Connecticut which have expressed an interest in standing with our immigrant residents – efforts sometimes referred to as sanctuary. In Connecticut, as in Massachusetts, New York and other states in our region, ICE has been patrolling our public spaces, and especially our courthouses. As a result of this overly aggressive posture, and the lack of priorities in enforcement, anyone who is not a citizen must think twice about whether they should show up for court in Connecticut.

How can we run a court system this way?

Immigrants vulnerable to arrest in or around our courthouses include people accused of a crime who have a right to appear in court to tell their side and try to clear their name. They include victims of domestic violence and sexual assault who need relief from the court. They include divorcing parents of children who need the court's help to make sensible arrangements for the custody and support of those children. They include witnesses to cases, who the lawyers of our state may need to subpoena to ensure that our judges have all the testimony needed to properly establish the facts of a case.

Right now, lawyers must counsel such clients that while their court appearance is important or even legally required, they have to know that they may also be at risk of being hauled off – even before their hearing – by ICE agents roaming our courthouses. Often these are people who have committed no offense since coming to our country. They have been paying taxes. They often have children who are citizens. And they are being randomly grabbed by ICE.

How can we run a justice system this way?

H.B. 5544 would reduce the maximum sentence of certain crimes from 365 days to 364 days. It would have no impact on the ability of our courts to assign fair levels of punishment. It would not impede continued federal action to deport people who have committed serious crimes and are subject to criminal detainers issued by a court of law. But it would restrain federal excesses against people who have not committed a felony, who are contributing members of our state's economy and society, who have strong family connections to our state. The proposed change supports not only these immigrants, but everyone in their family, work life and community whose lives are interwoven with our immigrant neighbors.

I urge you to support H.B. 5544, and to take up H.B. 5543 for a hearing.

Thank you.