



*Testimony Submitted to the Joint Committee on the Judiciary
In support of H.1368 An Act relative to enforcing federal law
By Jennifer Muroff, LWVMA Immigration Specialist
October 8, 2019*

The League of Women Voters of Massachusetts supports H.1368 An act relative to enforcing federal law, which would prohibit state officials from spending any state or local funds to participate in 287(g) agreements with Immigration and Customs Enforcement (ICE), a federal agency. These 287(g) agreements allow local sheriffs to act as federal immigration enforcement agents to detain immigrants for civil, not criminal, infractions. Bristol, Plymouth and Barnstable counties, as well as the state Department of Corrections, have 287(g) agreements with ICE that were renewed recently.

In July 2017, the Supreme Judicial Court ruled in *Commonwealth v. Lunn* that, "Massachusetts law provides no authority for Massachusetts court officers to arrest and hold an individual solely on the basis of a Federal civil immigration detainer, beyond the time that the individual would otherwise be entitled to be released from State custody." Therefore, holding people on civil ICE detainers is unconstitutional in the Commonwealth.

Sheriffs claim that 287(g) agreements generate revenue for the Commonwealth. However, the official audit report of the Bristol County Sheriff's Office (BCSO) issued February 13, 2019 by State Auditor Suzanne Bump for the period 7/1/15 through 12/31/17 indicates that BCSO "did not ensure that the Commonwealth received appropriate compensation for the service it provided under its agreement with ICE."

Additionally, such agreements do not promote or ensure public safety. Instead, they spread fear among immigrant communities. Local police resources should be used on issues the local community is currently facing and not on federal immigration matters.

Regardless of revenue generation, the League of Women Voters of Massachusetts (LWVMA) opposes deputizing state and local police to enforce federal immigration laws in Massachusetts. The League of Women Voters of the United States supports cities, towns, counties and states that make a decision not to cooperate with federal deportation and enforcement actions that include non-criminal undocumented immigrants.

LWVMA, representing 47 local Leagues from Cape Cod to the Berkshires, believes that all levels of government have the responsibility to provide equality of opportunity for education, employment and housing for all persons in the United States regardless of their race, color, gender, religion, national origin, age, sexual orientation or disability. The League stands in solidarity with immigrants and our partners in the immigrant rights community.

For all these reasons, the LWVMA supports this bill and asks that you favorably report this bill out of committee. Thank you for your consideration.