

April 9th, 2019

Chairman Beau LaFave
Members of the Committee
House Committee on Military, Veterans and Homeland Security
124 North Capitol Avenue
Lansing, MI 48933

Re: Opposition to HB 4083 and HB 4090

Dear Members of the House Committee on Military, Veterans and Homeland Security:

My name is Akash Patel, and I am a third-year law student at the University of Michigan. I was undocumented for 16 years, and it took me a total of 22 years to become a U.S. citizen. I am writing this letter to express my opposition to HB 4083 and HB 4090 for three reasons. First, these bills will alienate immigrant community members and subject already vulnerable people to further fear and oppression. Second, they will impede effective law enforcement since public trust will be eroded. Finally, these bills will result in racial profiling and discrimination, which will harm our Arab, Hispanic/Latino, Asian American, and other communities, as well as cost the state enormous amounts of money in litigation for the ensuing constitutional violations.

According to the American Immigration Council and the Pew Research Center, there are more than 100,000 undocumented immigrants living in Michigan and more than 7,000 immigrants who benefit from Deferred Action for Childhood Arrivals (DACA). These immigrants are our friends, neighbors, co-workers, classmates, and colleagues. Their social, cultural, intellectual, professional, and economic contributions to our state and their respective communities are invaluable. But regardless of these contributions, they deserve to live their lives without fear that local law enforcement, or residents who are deputized to bring charges against communities through these bills, will deport them or separate their families. They are human beings who have roots in our state and our country. These bills are antithetical to our history as a nation of immigrants.

Second, HB 4083 and 4090 will undermine effective policing. I've spent most of my life in Oklahoma, a state that is infamously anti-immigrant with cities and counties that are explicitly anti-sanctuary. I have seen families torn apart, schools get shaken with fear, and churches being compelled to protect their congregants. Immigrant communities no longer felt safe asking law enforcement for help when they needed it most because local police had become known as de-facto immigration agents. At the same time, law enforcement agents were unable to rely on local community members for help with investigations because they had lost the trust and good will of the public. These are not abstract hypotheticals. These are unfortunate and inevitable realities of imposing anti-sanctuary city policies in Oklahoma. And they will become the reality in Michigan if we let it.

Third, encouraging local police to try to discern the immigration status of those they come into contact with and send them to ICE will incentivize racial profiling. The Department of Homeland Security's own Office of Inspector General Report from September of 2018 revealed problems with allowing anti-sanctuary city policies. Having municipalities participate in immigration enforcement has "hindered ICE's oversight and management" of immigration enforcement activities. The report also warns that the federal government is unable to "properly monitor interactions between deputized officers and suspected undocumented people to make sure that *the legal basis for removal is sufficient.*" This conclusion indicates that even the federal government is suspicious of municipalities being able to competently carry out immigration duties because they know that racial profiling and discrimination are intermingled with trying to determine an actual, legal basis for removing someone to ICE's jurisdiction. Undoubtedly, implementing HB 4083 and 4090 will result in the violation of countless immigrants' constitutional rights. The moral and financial cost of this violations cannot be overstated.

Based on my personal and professional experiences as an immigrant, advocate, law student, and community member, I urge the Michigan Legislature to consider the deeply negative impacts of HB 4083 and 4090. Thank you.

Sincerely,



Akash Patel
J.D. Candidate
University of Michigan Law School