

May 27, 2011

Governor Deval Patrick
Massachusetts State House
Office of the Governor, Room 280
Boston, MA 02133

Re: Secure Communities

Dear Governor Patrick:

When you won your second term of office, we were heartened by your statement to the immigrant community in Massachusetts that “I want you to know that you are welcome here in this commonwealth. This is your commonwealth. This is your home” (November 16, 2010).

That ‘welcome’ and ‘home’ are now imperiled by the flawed and misleading “Secure Communities” (S-Comm). We are writing to urge you to decline to enter into a Memorandum of Agreement to participate in a program that damages the social fabric of our commonwealth and makes our communities more vulnerable and less safe.

At a series of community meetings convened by your office, individuals have described their experience of being racially profiled by law enforcement and expressed fears that S-Comm will make such practices more prevalent. Representatives of immigrant groups and Jane Doe Inc. and many of its member groups have testified that the program will make people afraid to contact the police to report crimes and get help and that it conflicts with federal protections for immigrant victims of sexual and domestic violence. Police chiefs have come forward and stated that they do not want the program in their neighborhoods. In the words of Chelsea Chief of Police Brian Kyes, S-Comm has created “mistrust of local police, discouraged people from reporting crime, and made everyone more vulnerable to crime by breaking down hard earned relationships.”

Although S-Comm is supposed to focus on identifying and removing violent “Level 1” criminals, the latest (March 7, 2011) ICE Interoperability statistics show that in Boston, ICE under S-Comm has deported *almost twice as many* people with no criminal convictions than “Level 1” offenders. People who have never been convicted of any crime represent an astonishing 54 percent of the total number of people removed under S-Comm, with a further 15 percent committing only minor offenses.

And Boston is not alone. Because in this state and across the country the program has not focused on its stated purpose of removing people convicted of serious criminal offenses, Governor Pat Quinn of Illinois informed ICE on May 4, 2011 that he was terminating Illinois’ S-Comm Memorandum of Agreement (MOA). A similar push back

against S-Comm is occurring at various levels of the political system within states from California to New York.

Members of Congress are also asking probing questions about S-Comm that demand answers. On April 28, Representative Zoe Lofgren wrote to the Department of Homeland Security and ICE denouncing the “false and misleading statements” made about S-Comm’s deployment. “It is unacceptable for government officials to essentially lie to local governments, Members of Congress, and the public,” she stated. Senator Robert Menendez joined her in demanding an investigation into S-Comm. The Congressional Hispanic Caucus in a letter to President Obama dated May 5 called for its immediate freeze, citing the “misrepresentation and confusion” surrounding the program, “the astonishing rate of non-criminal deportations,” evidence that it was leading to “localized abuses such as racial profiling and pre-textual arrests,” and the threats it posed to “public safety, civil rights, and community-police relations.”

With opposition to S-Comm rising across the country and more and more documents about its problematic operations coming to light through a FOIA lawsuit brought by the Center for Constitutional Rights and the National Day Laborer Organizing Network, now is no time for you to bring the commonwealth into what the Congressional Hispanic Caucus has termed a program “in disarray.” As ICE’s reaction to Governor Quinn’s decision to terminate the Illinois MOA indicates, the decision to sign a Memorandum of Agreement may be irreversible.

What is now needed is a careful and detailed study of the program and its operations. There is no political or legal reason to embrace S-Comm before the program is thoroughly examined and its impact understood. Concerns about that impact should have special resonance in Massachusetts given the recent Supreme Judicial Court opinion in *Finch v. Commonwealth Health Insurance Connector Authority*, which confirmed that, under the state constitution, distinctions based on alienage must be reviewed under the most exacting standards of scrutiny. The opinion of the court stands as a powerful reaffirmation of our constitution’s protection of all residents of the commonwealth.

We ask you to stand by your welcome to the immigrant community and to hold fast to the wisdom and the political will that led you to oppose the commonwealth’s participation in the 287(g) program when you first became governor. You were on the right side of history then, and by not signing onto S-Comm, we believe that you will be on the right side of history again.

Sincerely,

Alliance Assembly of God (Medford)
Alliance for Peace & Justice
American-Arab Anti-Discrimination Committee – Massachusetts Chapter

American Civil Liberties Union of Massachusetts
American Friends Service Committee
American Friends Service Committee of Western Massachusetts
ANSWER Coalition - Boston
API Movement Boston
Arise for Social Justice (Springfield)
Arlington Street Church
Asian American Civic Association
Asian American Resource Workshop
Bate Pepo Magazine
Berkshire Immigrant Center
Bill of Rights Defense Committee
Boston Area Rape Crisis Center
Boston College Immigration and Asylum Project
Boston College Post-Deportation Human Rights Project
Boston May Day Committee
Boston New Sanctuary Movement
Brazilian Women's Group
Boston Workers' Alliance
Brockton Interfaith Community
Cambridge Human Rights Commission
Cambridge Peace Commission
Cambridge-Somerville for Change
Cambridge United for Justice with Peace
Centro Las Americas (Worcester and Fitchburg)
Centro Latino
Centro Presente
Charles Hamilton Houston Institute for Race & Justice
Chelsea City-wide Tenant Association
Chelsea Collaborative
Chelsea Green Space and Recreation Committee
Chelsea Latino Coalition
Chelsea Latino Immigrant Committee
Chelsea Parents United in Defense of Education
Chinese Progressive Association
Citizenship News
City Life/Vida Urbana
Coalition Against Poverty
Coalition for Social Justice
Code Pink Greater Boston
Committee In Solidarity with the People of El Salvador (CISPES)--Boston chapter
Community Access Project (Somerville)
Community Action Agency of Somerville (CAAS)

Community Change, Inc.
Community Economic Development Center (CEDC) of Southeast MA
Cooperative Metropolitan Ministries
CORES Inc.
Dominican Development Center
Elizabeth Freeman Center, Inc. (Berkshire County)
Family Economic Initiative
First Church Unitarian, Littleton (FCU)
First Congregational Parish in Kingston
First Congregational Church, UCC Ashfield, MA
First Parish in Brookline (Unitarian Universalist)
First Parish Cambridge (Unitarian Universalist) Immigration Task Force
First Parish Church Unitarian Universalist of Ashby, MA
First Parish Unitarian Universalist Church of Stow and Acton – Social Action Committee
Follen Church Society (Lexington)
Framingham Human Relations Commission
Greater Boston United for Justice with Peace
Immigrant Service Providers Group/Health (Somerville)
Immigrant Worker Center Collaborative
Irish International Immigrant Center
Jane Doe Inc.
Jewish Alliance for Law and Social Action
La Comunidad, Inc.
Lawyers' Committee for Civil Rights Under Law of Boston Bar Association
Massachusetts Alliance of Portuguese Speakers
Massachusetts Coalition for Occupational Safety and Health
Massachusetts Committee for Interfaith Worker Justice
Massachusetts Communities Action Network
Massachusetts Council of Churches
Massachusetts Immigrant and Refugee Advocacy Coalition
Massachusetts Jobs with Justice
Massachusetts Law Reform Institute
Massachusetts Peace Action
MataHari: Eye of the Day
Mennonite Congregation of Boston
Metrowest Worker Center
Milton for Peace
Multicultural Education, Training and Advocacy, Inc.
Muslim American Civic and Cultural Association
National Association of Social Workers, MA Chapter
National Immigration Project of the National Lawyers Guild
National Lawyers Guild, Massachusetts Chapter
National Police Accountability Project

Neighbor to Neighbor Massachusetts
Neighborhood Legal Services, Inc. (Lynn)
Neighbors United for a Better East Boston (NUBE)
New England Jewish Labor Committee
Nicaragua Companions Group at Church of the Covenant (Boston)
Northampton Human Rights Commission
¿Oiste? The Massachusetts Latino Political Association
One Lowell
Out Now (Springfield)
Political Asylum/Immigration Representation Project
Projeto Nos Votamos – Brazilian American League of Voters
Reach Beyond Domestic Violence
Roca Inc.
SEIU 509
SEIU 615
SEIU 888
1199 SEIU
SEIU State Council
Shalom Magazine
Shanbaro Committee Association
Solidarity – Boston Branch
Somerville-Medford United for Justice with Peace
South Berkshire Educational Collaborative Adult Basic Education Program
The African Council (TAC)
The Network/La Red
The Real Cost of Prison Project (Northampton)
Unitarian Memorial Church, Fairhaven
Unitarian Universalist Association of Congregations
Unitarian Universalist Church of Marblehead
Unitarian Universalist Church of Medford
Unitarian Universalist Congregation in Andover, MA
Unitarian Universalist Mass Action Network
Unitarian Universalist Service Committee
Vecinos Unidos en Chelsea
Victim Rights Law Center
Welcome Project – Somerville, MA
Winchester Unitarian Society
Women’s International League for Peace and Freedom - Boston