



State of Connecticut

DIVISION OF PUBLIC DEFENDER SERVICES

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**Testimony of Christine Perra Rapillo, Chief Public Defender
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Raised Bill 5543, An Act Concerning the Trust Act

**Committee on the Judiciary
March 26, 2018**

The Office of Chief Public Defender **strongly supports** *Raised Bill 5543, An Act Concerning the Trust Act*. This proposal would:

Protect the immigrant community by requiring immigration detainers to be supported by judicial warrants and by restricting the use of state and local law enforcement resources to assist Immigration Custom and Enforcement.

The Trust Act was passed in 2014 to protect our immigrant community from the improper use of civil immigration detainers by federal immigration authorities. Since 2014 there have been several federal decisions holding states liable for Fourth Amendment violations resulting from civil detainer enforcement actions in which individuals were held without probable cause. In Connecticut, Immigration Customs and Enforcement (ICE) has continued to inappropriately use state and local law enforcement resources to effect civil immigration detainers not supported by judicial warrants. At courthouses throughout the state ICE agents have enlisted judicial marshals, probation officers, and other state personnel to identify and detain individuals. Victims, witnesses, and defendants have been negatively impacted by this ICE activity and as a result, the immigrant community's trust and safety have been severely compromised. There is overwhelming fear and distrust with respect to our state judicial system due to these immigration enforcement actions at our courthouses.

Raised Bill 5543 provides that any civil immigration detainer request be accompanied by a judicial warrant; an individual's non-public information not be shared with ICE without the individual's express consent; and that law enforcement advise detainees that interviews by ICE agents are voluntary. These provisions will help to restore the immigrant community's trust in our judicial system and will enhance public safety overall. Additionally, Raised Bill 5543 will

protect Connecticut from liability for Fourth Amendment violations due to the illegal detention of individuals through civil detainers not supported by judicial warrants. Therefore, this Office requests that this Committee support this bill.