

October 9, 2009.

Dear Senator Schumer:

We write to you as immigration advocates, human rights advocates, civil liberties advocates, and members of community groups and faith-based organizations who want to ensure that U.S. immigration and border policy is implemented in a way that is fair, humane and respectful of individuals' constitutional and human rights.

We were encouraged by the tone and confidence of your June 24 speech when you said that the time for immigration reform is now and that it can indeed happen. We were reassured that you recognize family reunification as an important value and priority for immigration reform and that you understand, as most of the American people do, that we cannot simply deport millions of people and say that we have a successful immigration system.

You stated, *"Our system is badly broken. And, as Pastor Joel Hunter eloquently told the immigration subcommittee last month, our broken system forces good people to break the law because we give people no option to act lawfully."* We applaud your recognition that our current system impels people to break the law and then cruelly punishes them for doing so. We also agree that enforcement-only policies do nothing to remedy a broken immigration system. Sweeping and indiscriminate enforcement tactics have resulted in ever-increasing detentions and an alarming lack of due process.

We understand that the American people have valid concerns about immigration. We also understand that many of these same people are not aware of the arcane system we currently have, but that they are much more sympathetic to the immigrants who have been forced to cross our borders "without documents" when they do become informed about the system's human impact. We believe that we can work together to create a just and humane immigration system in which the American people can have confidence and also proudly know reflects the best of America's founding principles.

We share a mutual goal: people should not feel forced to leave their home country but, when this occurs, they should be met by an orderly and humane process that respects their constitutional and human rights and also fully welcomes them into our society. We acknowledge that some factors, which encourage migration, are beyond the control of our government. However, foreign trade and economic policies that respect the right of developing nations to nurture their economies and the livelihoods of their people will ultimately do more to help control migration flows than costly punitive and inhumane enforcement policies.

We appreciate the commitment you have made to reform the immigration system. Any proposed changes to our immigration enforcement system must reflect fundamental fairness, cardinal American values, and international human rights norms. We believe that the following principles are necessary to protect constitutional and human rights when enforcing existing immigration laws in the interior of the country, at the border, and when drafting new immigration bills:

- **Enforceable Detention Standards:** DHS must be required to improve, codify, and enforce detention standards in all facilities that detain immigrants to ensure fair and humane treatment, including minimum requirements relating to transfers, language access, medical care, access to counsel, telephone access, and religious practice and visitation.
- **Secure, Community-Based Alternatives to Detention:** To avoid wasteful public spending and comply with international obligations, DHS should ensure that detention is only used as a last resort. Custodial alternatives to detention such as electronic monitoring programs should be used only for individuals who would otherwise be subject to detention. DHS should be directed to implement secure non-custodial, community-based alternatives for individuals who do not pose a danger to the community.
- **Fair Day in Court:** All individuals should receive their fair day in court. Any legislation should restore meaningful judicial and administrative review and reform the immigration courts to preserve judicial independence. Judges and DHS officials should be able to consider the individual circumstances of each case when making a determination about a person's liberty or eligibility for immigration relief. Detention statutes should be modified to enhance release and parole options for individuals who pose no flight risk or danger to public safety. In every case, the burden should be on the government to demonstrate that detention is necessary. Additional removal grounds should not be added or expanded.
- **Access to Counsel:** To ensure individuals have access to information about their legal case and their rights, legislation should provide for national expansion of the Legal Orientation Program and should appoint counsel for all detained individuals, especially for vulnerable populations that include children and mentally ill individuals who are unable to participate meaningfully in their removal proceedings.
- **Federal Enforcement:** To protect community security and the integrity of community policing, the federal government should regain control of immigration enforcement. Congress should not expand or fund initiatives that pull state and local law enforcement into federal immigration enforcement, including the 287(g) program and the Secure Communities initiative.
- **Civil Rights:** Legislation must ensure that civil rights laws and protections for noncitizens are part of any immigration enforcement action and are enforced throughout the immigration system. Civil rights training should be required for federal immigration officials. Independent oversight mechanisms must be created to monitor and enforce the protection of civil rights, including prohibitions against gender, racial, ethnic and religious profiling.
- **Responsible and Accountable Border Policy.** Policies that relate to the border, including parts of New York State, should consider the concerns and needs of border residents through a consultation process. We must strive for border policies that bolster the safety and security by upholding the civil and human rights of border communities and residents. Sensible border policy must ensure that human rights are protected, that the economic prosperity of the region is not compromised and must respect the quality of life of local communities by establishing clear accountability systems and transparent oversight through the creation of a Border Enforcement Review Commission, uniform complaint processes, improved training for federal border agents, and standards for ports of entry and short-term custody. Considering our shared goal to build an immigration system that is humane and respectful of newcomers, it was disheartening to hear

language in your speech that suggests that these same “good people” are criminals or “illegal,” particularly when the broken conditions that have impelled their actions have been acknowledged. The use of terms such as “illegal” effectively dehumanizes individuals and grants permission to the media and the general public to do the same. In building a new immigration system, we believe that we also must use language that addresses this as a policy challenge and respectfully characterizes the many people who greatly contribute to this nation. Any legislation that does not take into consideration the aforementioned principles will only perpetuate the current problems in the immigration system. All attempts to reform the immigration system must protect people’s basic constitutional and human rights, ensure fair process and enforce civil rights, constitutional and labor laws. We look forward to your principled leadership and to continue to work with you to create an immigration system that is fair to all.

Sincerely,

**National Organizations**

	Immigration Equality ( <i>New York, New York</i> )	National Immigration Project ( <i>Boston, Massachusetts</i> )
AFL-CIO ( <i>Washington, DC</i> )	Jesuit Refugee Service / USA ( <i>Washington, DC</i> )	National Korean American Service and Education Consortium ( <i>Los Angeles, California</i> )
American Friends Service Committee ( <i>Philadelphia, Pennsylvania</i> )	Leadership Conference on Civil Rights ( <i>Washington, DC</i> )	Network Lobby ( <i>Washington, DC</i> )
American Immigration Law Foundation ( <i>Washington, DC</i> )	Medical Mission Sisters Alliance for Justice ( <i>Washington, DC</i> )	NYIHA MEDIA ( <i>New York, New York</i> )
Asian American Justice Center ( <i>Washington, DC</i> )	Mennonite Central Committee U.S. Washington Office ( <i>Washington, DC</i> )	Physicians for Human Rights ( <i>Cambridge, Massachusetts</i> )
Bill of Rights Defense Committee ( <i>Northampton, Massachusetts</i> )	Missionary Oblates JPIC Office ( <i>Washington, DC</i> )	Rights Working Group ( <i>Washington, DC</i> )
Center for National Security Studies ( <i>Washington, DC</i> )	National Advocacy Center of the Sisters of the Good Shepherd ( <i>Silver Spring, Maryland</i> )	Sisters of Mercy of the Americas ( <i>Silver Spring, Maryland</i> )
Coalition of Irish Immigration Centers ( <i>Brighton, Massachusetts</i> )	National Council of La Raza ( <i>Washington, DC</i> )	South Asian Americans Leading Together ( <i>Takoma Park, Maryland</i> )
Defending Dissent Foundation ( <i>Silver Spring, Maryland</i> )	National Employment Law Project ( <i>Washington, DC</i> )	Unitarian Universalist Association of Congregations ( <i>Boston, Massachusetts</i> )
Florida Immigrant Advocacy Center ( <i>Miami, Florida</i> )	National Immigration Forum ( <i>Washington, DC</i> )	United Methodist Church, General Board of Church and Society ( <i>Washington, DC</i> )
Friends Committee on National Legislation ( <i>Washington, DC</i> )	National Immigration Law Center ( <i>Washington, DC</i> )	Witness for Peace ( <i>Washington, DC</i> )

World Organization for Human Rights (*Washington, DC*)

### **Local Organizations**

Samaritan Patrols (*Tucson, Arizona*)

Asian Law Alliance (*San Jose, California*)

Coalition for Humane Immigrant Rights of Los Angeles (*Los Angeles, California*)

House of Mercy (*Los Angeles, California*)

Japanese Citizens League-Pacific Southwest District (*Los Angeles, California*)

La Raza Centro Legal (*San Francisco, California*)

Los Angeles Community Legal Center (*Huntington Park, California*)

MiAcceso (*Los Angeles, California*)

NUHW (*San Francisco, California*)

OLA RAZA, Inc. (*Porterville, California*)

Peace and Justice Network (*San Jose, California*)

Student Advocates for Higher Education (*San Jose, California*)

American Friends Service Committee (*Denver, Colorado*)

American Friends Service Committee (*Englewood, Colorado*)

Center for Justice, Peace, and Environment (*Fort Collins, Colorado*)

Centro Humanitario para los Trabajadores (*Denver, Colorado*)

Colorado Anti-Violence Program (*Denver, Colorado*)

Colorado Immigrant Rights Coalition (*Denver, Colorado*)

Colorado Jobs with Justice (*Englewood, Colorado*)

Colorado Progressive Coalition (*Denver, Colorado*)

Comunidad Liberación / Liberation Community (*Denver, Colorado*)

Cross Community Coalition (*Denver, Colorado*)

Escuela Tlatelolco Centro de Estudios (*Denver, Colorado*)

Faith in Action Committee, Calvary Baptist Church of Denver (*Denver, Colorado*)

Families Learning Together (*Denver, Colorado*)

FRESC: Good Jobs, Strong Communities (*Denver, Colorado*)

Fuerza Latina (*Fort Collins, Colorado*)

H. S. Power & Light Ministries – Latino Faith Initiative (*Denver, Colorado*)

Hispanic Affairs Pastoral Project (*Montrose, Colorado*)

Interfaith Worker Justice Committee of Colorado (*Denver, Colorado*)

Latina Initiative (*Denver, Colorado*)

MobilizeUs (*Boulder, Colorado*)

No More Deaths Denver (*Centennial, Colorado*)

Rights for All People (*Denver, Colorado*)

Rocky Mountain Peace and Justice Center (*Boulder, Colorado*)

SLV Immigrant Resource Center (*Alamosa, Colorado*)

Spirit of Christ Peace and Justice Committee (*Arvada, Colorado*)

Our Savior's Lutheran Church (*Denver, Colorado*)

Capital Area Immigrants' Rights Coalition (*Washington, DC*)

Farmworker Association of Florida (*Apopka, Florida*)

Moroccan American Socio-Cultural Center (*Kissimmee, Florida*)

WeCount! (*Homestead, Florida*)

Coalition of Latino Leaders-CLILA (*Dalton, Georgia*)

Georgia Detention Watch (*Atlanta, Georgia*)

Georgia Latino Alliance for Human Rights (*Atlanta, Georgia*)

Idaho Community Action Network ( <i>Boise, Idaho</i> )	National Immigrant Justice Center ( <i>Chicago, Illinois</i> )	Centro Presente ( <i>Somerville, Massachusetts</i> )	
Driftless Area Fellowship of Reconciliation ( <i>Decorah, Iowa</i> )	Organizacion Latina de Evanston ( <i>Evanston, Illinois</i> )	Citizen Orange ( <i>Cambridge, Massachusetts</i> )	
Beardstown / Rushville Immigrant Families United ( <i>Beardstown, Illinois</i> )	Temple KAM Isaiah Israel ( <i>Chicago, Illinois</i> )	Comite Centro Americano de Emergencia de Massachusetts ( <i>Boston, Massachusetts</i> )	
Chicago Celts for Immigration Reform ( <i>Chicago, Illinois</i> )	Universidad Popular ( <i>Chicago, Illinois</i> )	Dominican Development Center ( <i>Boston, Massachusetts</i> )	
Chicago Media Watch ( <i>Evanston, Illinois</i> )	Yolotl Inc. ( <i>Chicago, Illinois</i> )	La Comunidad, Inc. ( <i>Everett, Massachusetts</i> )	
Chicago New Sanctuary Coalition ( <i>Chicago, Illinois</i> )	CASA de Maryland ( <i>Silver Spring, Maryland</i> )	Latinos Unidos en Massachusetts ( <i>Everett, Massachusetts</i> )	
De Lasalle Christian Brothers ( <i>Chicago, Illinois</i> )	Agencia ALPHA ( <i>Boston, Massachusetts</i> )	Massachusetts Immigrant and Refugee Advocacy Coalition ( <i>Boston, Massachusetts</i> )	
Illinois Coalition for Immigrant and Refugee Rights ( <i>Chicago, Illinois</i> )	American Arab Anti-Discrimination Committee, Massachusetts Chapter ( <i>Cambridge, Massachusetts</i> )	Massachusetts Interfaith Committee for Worker Justice ( <i>Boston, Massachusetts</i> )	
Immigration Advocacy Project ( <i>Evanston, Illinois</i> )	Arise for Social Justice ( <i>Springfield, Massachusetts</i> )	Massachusetts Jobs With Justice ( <i>Boston, Massachusetts</i> )	
Jewish Council on Urban Affairs ( <i>Chicago, Illinois</i> )	Arlington Street Church ( <i>Boston, Massachusetts</i> )		
Korean American Resource and Cultural Center ( <i>Chicago, Illinois</i> )	Berkshire Immigrant Center ( <i>Pittsfield, Massachusetts</i> )		
Logan Square Neighborhood Association ( <i>Chicago, Illinois</i> )	Brazilian Immigrant Center ( <i>Allston, Massachusetts</i> )		
MataHari: Eye of the Day ( <i>Boston, Massachusetts</i> )	Massachusetts)	Massachusetts)	The Advocates for Human Rights ( <i>Minneapolis, Minnesota</i> )
New England Joint Board, Unite Here ( <i>Boston, Massachusetts</i> )	United for Peace and Justice ( <i>Cambridge, Massachusetts</i> )	Arab Community Center for Economic and Social Services ( <i>Dearborn, Michigan</i> )	Immigrant Law Center of Minnesota ( <i>St. Paul, Minnesota</i> )
Post-Deportation Human Rights Project, CHRIJ, Boston College ( <i>Chestnut Hill,</i>	Western Massachusetts Immigrant and Worker Rights Coalition ( <i>Springfield,</i>	Michigan Roundtable for Diversity and Inclusion ( <i>Detroit, Michigan</i> )	Jewish Community Action ( <i>St. Paul, Minnesota</i> )

El Pueblo ( <i>Biloxi, Mississippi</i> )	Alexandre Foundation ( <i>Kew Gardens, New York</i> )	La Fuente: NYCPP and LICPP ( <i>New York / Hempstead, New York</i> )	Putnam Community Action Program ( <i>Brewster, New York</i> )
Leadership Team of the Sisters of the Most Precious Blood of O'Fallon, MO ( <i>O'Fallon, Missouri</i> )	Center for Family Life ( <i>New York, New York</i> )	Long Island Immigrant Alliance ( <i>Amityville, New York</i> )	Reconciliation and Culture Cooperative Network ( <i>New York, New York</i> )
MtWy Conference United Church of Christ ( <i>Billings, Montana</i> )	Central American Legal Assistance ( <i>Brooklyn, New York</i> )	Make the Road New York ( <i>New York, New York</i> )	Social Justice Council, St. Lawrence District, Unitarian Universalist Association ( <i>New York, New York</i> )
Casa Esperanza ( <i>Bound Brook, New Jersey</i> )	CITA ( <i>Albion, New York</i> )	May 1st Coalition for Worker and Immigrant Rights ( <i>New York, New York</i> )	Tag Art & Graphic ( <i>Jamaica, New York</i> )
Haitian Center of the Diocese of Trenton ( <i>Newark, New Jersey</i> )	Commission on Peace and Justice of the Roman Catholic Diocese of Albany ( <i>Albany, New York</i> )	Mujeres Por La Paz ( <i>New York, New York</i> )	Westchester Hispanic Coalition ( <i>White Plains, New York</i> )
IRATE & First Friends ( <i>Elizabeth, New Jersey</i> )	Eppiscopal Community Services of Long Island ( <i>Flushing, New York</i> )	Neighbors in Support of Immigrants ( <i>Water Mill, New York</i> )	YKASEC – Empowering the Korean American Community ( <i>Flushing, New York</i> )
Latin American Legal Defense & Education Fund, Inc. ( <i>Princeton, New Jersey</i> )	Forum for African Immigrant Associations ( <i>New York, New York</i> )	New Immigrant Community Empowerment ( <i>Jackson Heights, New York</i> )	Youth Ministries For Peace and Justice ( <i>Bronx, New York</i> )
Middlesex County Coalition for Immigrant Rights ( <i>Highland Park, New Jersey</i> )	Greater New York Labor – Religion Coalition ( <i>New York, New York</i> )	New York Immigration Coalition ( <i>New York, New York</i> )	Association of Mexicans in North Carolina ( <i>Greenville, North Carolina</i> )
Migration and Refugee Services Diocese of Trenton ( <i>Trenton, New Jersey</i> )	Haitian-Americans United for Progress, Inc. ( <i>Cambria Heights, New York</i> )	New York State Youth Leadership Council ( <i>New York, New York</i> )	Faith Action International House ( <i>Greensboro, North Carolina</i> )
New Jersey Immigration Policy Network ( <i>Newark, New Jersey</i> )	Hudson Valley Community Coalition ( <i>Cross River, New York</i> )	Office of Justice and Peace, Sisters of Charity of New York ( <i>Bronx, New York</i> )	Holy Cross / Ministerio Hispano ( <i>Kennersville, North Carolina</i> )
Pax Christi NJ ( <i>Summit, New Jersey</i> )	Juan Neumann Center ( <i>Brooklyn, New York</i> )	OLA of Eastern Long Island ( <i>Water Mill, New York</i> )	Literacy Council of Buncombe County ( <i>Asheville, North Carolina</i> )
African Services Committee ( <i>New York, New York</i> )	Korean Community Services of Metropolitan New York ( <i>New York, New York</i> )	Popol Vuh Lagtinoametica Association ( <i>Mount Kisco, New York</i> )	North Carolina Justice Center ( <i>Raleigh, North Carolina</i> )

Sisters of Mercy of the Americas South Central Community ( <i>Belmont, North Carolina</i> )	Tennessee Immigrant and Refugee Rights Coalition ( <i>Nashville, Tennessee</i> )	Bellingham Unitarian Fellowship ( <i>Bellingham, Washington</i> )	Queer Ally Coalition ( <i>Seattle, Washington</i> )
Amigos Multicultural Services Center ( <i>Eugene, Oregon</i> )	American Dream Community Agency ( <i>Houston, Texas</i> )	Bridges Not Walls ( <i>Olympia, Washington</i> )	SEIU 775 Northwest ( <i>Seattle, Washington</i> )
CAUSA ( <i>Salem, Oregon</i> )	Badmus Law Firm ( <i>Dallas, Texas</i> )	Casa Latina ( <i>Seattle, Washington</i> )	Unite Here Local 8 ( <i>Seattle, Washington</i> )
Centro de Ayuda ( <i>Newport, Oregon</i> )	Border Network for Human Rights ( <i>El Paso, Texas</i> )	Children's Alliance ( <i>Seattle, Washington</i> )	Washington Community Action Network ( <i>Seattle, Washington</i> )
Comite de Solidaridad y de Apoyo Mutuo ( <i>Portland, Oregon</i> )	Hispanic Coalition for Comprehensive Immigration Reform ( <i>Dallas, Texas</i> )	Chinese Information and Service Center ( <i>Seattle, Washington</i> )	Washington Public Defenders Association ( <i>Seattle, Washington</i> )
Immigrant Family Advocates ( <i>Bend, Oregon</i> )	La Union del Pueblo Entero ( <i>San Juan, Texas</i> )	Church Council of Greater Seattle ( <i>Seattle, Washington</i> )	Welcome Back Center ( <i>Seattle, Washington</i> )
Mid-Willamette Valley Jobs with Justice ( <i>Salem, Oregon</i> )	Las Americas Immigrant Advocacy Center ( <i>El Paso, Texas</i> )	Coking.com LLC ( <i>Bellingham, Washington</i> )	Witness for Peace Northwest ( <i>Seattle, Washington</i> )
Oregon Farm Worker Ministry ( <i>Portland, Oregon</i> )	Mexican American Catholic College ( <i>San Antonio, Texas</i> )	Community to Community ( <i>Seattle, Washington</i> )	9to5, National Association of Working Women ( <i>Milwaukee, Wisconsin</i> )
Oregon New Sanctuary Movement ( <i>Portland, Oregon</i> )	Paso del Norte Civil Rights Project ( <i>El Paso, Texas</i> )	Community to Community Development ( <i>Bellingham, Washington</i> )	Church of the Poor ( <i>Milwaukee, Wisconsin</i> )
Rural Organizing Project ( <i>Scappoose, Oregon</i> )	School Sisters of Notre Dame ( <i>Austin, Texas</i> )	Law Office of Shara Svendsen, PLLC ( <i>Snohomish, Washington</i> )	MICAH ( <i>Milwaukee, Wisconsin</i> )
VOZ Workers' Rights Education Project ( <i>Portland, Oregon</i> )	Southwest Workers Union ( <i>San Antonio, Texas</i> )	Minority Executive Director's Coalition ( <i>Seattle, Washington</i> )	SOPHIA ( <i>Waukesha, Wisconsin</i> )
Bernardine Franciscan Sisters ( <i>Reading, Pennsylvania</i> )	Welcoming Immigrants Network ( <i>Stephenville, Texas</i> )	Northwest Federation of Community Organizations ( <i>Seattle, Washington</i> )	<b>International Organization</b>
Irish Immigration Center ( <i>Philadelphia, Pennsylvania</i> )	Witness for Peace, Northeast ( <i>Richmond, Vermont</i> )	One America ( <i>Seattle, Washington</i> )	Maryknoll Lay Missioners of Oaxaca, Mexico ( <i>Oaxaca, Mexico</i> )
		Puget Sound Sage ( <i>Seattle, Washington</i> )	

