

May 9, 2017

The Hon. Gina Raimondo
Governor
State House
Providence, RI 02903

(by fax and mail)

Re: Executive Orders on Immigration

Dear Governor Raimondo:

As organizations that represent, assist or otherwise regularly interact with members of the immigrant community in Rhode Island, we have been deeply distressed by the Executive Orders that were issued by President Donald Trump addressing the issue of immigration, and by the fear they have generated in immigrant communities here in Rhode Island (as well as in the rest of the country). We know you share those concerns, but we are writing at this point to ask you to exercise your executive authority to help address, at least partially, those fears.

During your campaign for Governor in 2015, you promised to issue an executive order allowing for the issuance of driver's licenses to undocumented immigrants. You have since retreated from that pledge and instead called for legislative enactment of such a program. Some of us understand the political realities that have led you to this reconsideration, but that being the case, there are other ways that we firmly believe you can, and should, make use of your executive powers to protect undocumented immigrants living here.

Last month, the ACLU of Rhode Island drafted and submitted to various municipal officials across the state a model comprehensive immigrant protection ordinance. A copy of that model ordinance is enclosed. We believe that many of the provisions of that ordinance can also be adopted at the state level through executive order. One of them – refusing to enforce so-called civil detainers issued by immigration agents in the absence of a court order – is already in effect here, although it was admittedly adopted in response to a federal court decision finding that the State acted unconstitutionally in enforcing them.

Other provisions from the model ordinance that we believe you could adopt through an executive order include:

- Limiting the State Police from stopping or interrogating people based solely on their suspected immigration status, or inquiring about the immigration status of crime victims or witnesses unless necessary to investigate criminal activity unrelated to enforcing immigration laws.
- Limiting state executive agencies from responding to immigration agency requests for certain sensitive non-public information about individuals except to the extent required by law;
- Limiting access to individuals in state custody by immigration agents solely for civil immigration enforcement purposes;

- Banning the use of state resources or funds to facilitate a federal registry based on national origin, religion or other protected statuses;
- Limiting the collection by state agencies of immigration-related information except to the extent required by federal or state law;
- Limiting State Police from participating in the surveillance of political or religious groups in the absence of specific criminal investigatory criteria;
- Strengthening the procedures in place for the State Police to help undocumented crime victims apply for nonimmigrant visas specifically designated for such victims; and
- Protecting the rights of students in our institutions of higher education from inappropriate federal inquiries about their immigration status except to the extent required by law.

As you are undoubtedly aware, a palpable fear now exists in the immigrant community in light of the federal government's increased rhetoric and aggressive enforcement of immigration laws. Domestic violence victims have been arrested in courthouses¹ and a young person with protective status under former-President Obama's DACA (Dreamers) program was recently deported.² While we recognize that your office cannot prevent ICE from all that it may seek to do, the executive actions cited above would both reduce the potential for harm in the immigrant community and promote some level of protection.³

As we said at the beginning, we do not doubt your desire to protect our state's immigrant population. We believe you have ways to act on it through your executive authority, and we are respectfully asking you to do so.

We appreciate your attention to this important matter and look forward to hearing back from you. Thank you for your time.

Sincerely,

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¹ <http://www.elpasotimes.com/story/news/2017/02/15/ice-detains-domestic-violence-victim-court/97965624/>

² <https://www.usatoday.com/story/news/world/2017/04/19/homeland-security-now-acknowledges-deported-dreamer-had-protective-status/100647846/>

³ Though not as extensive as our request, the Governors of Oregon and Washington State have issued executive orders addressing some of these issues. See, http://www.governor.wa.gov/sites/default/files/exe_order/eo_17-01.pdf; https://www.oregon.gov/gov/Documents/executive_orders/eo_17-04.pdf

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