

Rep. Hammoud offered the following resolution:

House Resolution No. 18.

A resolution to memorialize the Congress of the United States to pursue humane and responsible immigration policies and oppose discriminatory policies and practices in immigration enforcement.

Whereas, The *Constitution of the United States* and the *Constitution of the State of Michigan of 1963* enumerate the basic tenants of freedom and values in American society. These documents provide an unyielding guarantee to the right not to be imprisoned without probable cause and the due process of law, the right to equal protection under the law, and the right to live free from discrimination based on race, religion, or national origin; and

Whereas, The state of Michigan is committed to the fair and effective administration of justice. Through body of law, the Michigan Legislature has worked purposefully to ensure that government protects the rights and liberties guaranteed in our constitutions and discourages the systematic violation of the rights of their constituents. State and local law enforcement officers are essential to ensuring our bodies of law and constitutional rights are protected in communities; and

Whereas, The Michigan Legislature opposes policies that contribute to community divisiveness by perpetuating negative and inaccurate stereotypes about immigrant communities. The Great Lakes State is home to countless individuals that were born outside the political jurisdiction of this state and this country but who now, by choice, live in our great state. Michigan Governor Rick Snyder extolls the importance of Michigan's immigrant population and recognizes that immigrants are a positive force in our economic growth and cultural diversity; and

Whereas, The President of the United States recently signed an executive order that threatens the constitutional rights of Michigan residents. This order disrupts the state of Michigan's reputation as a welcoming and tolerant people, and its broad and ambiguous deportation priorities may have a harmful impact on those that pose no threat to our communities, including immigrants who have been charged, but not yet convicted, of a crime. Moreover, this policy invites local law enforcement to unconstitutionally profile residents based on race and religion; and

Whereas, Immigration enforcement, including the execution of federal immigration detainers, is the responsibility of federal immigration authorities, not local law enforcement agencies. Detainer requests issued by federal immigration enforcement agents lack the procedural safeguards required by the U.S. Constitution's due process and unreasonable search and seizure clauses. Local law enforcement agencies who comply with these requests are at increased risk of being found liable for constitutional violations; and

Whereas, The U.S. government should not demand local law enforcement—whose job it is to protect all residents regardless of immigration status—perform a federal responsibility. Some municipalities in Michigan have adopted a policy or practice of declining to respond to detainer requests, or to comply with detainer requests only in limited circumstances in order to preserve their own much-needed and limited resources for local priorities. Requiring local compliance with immigration detainer requests increase costs to counties and municipalities through extended imprisonments and damages for violating individual rights. Withholding federal dollars for departments refusing to take on this new role, as the President's executive order states, improperly places local law enforcement in the position of choosing between their budget and the constitutional rights of community residents; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the United States to pursue humane and responsible immigration policies and oppose discriminatory policies and practices in immigration enforcement; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.