



April 10, 2025

The Honorable Robert Craven Sr., Chair
House Judiciary Committee
82 Smith Street
Providence, Rhode Island 02903

RE: House Bill 5724 Detention for Federal Civil Immigration Violations

Dear Chairman Craven and other distinguished Members of the Judiciary Committee:

My name is Shari Rendall and I am the Director of State and Local Engagement at the Federation for American Immigration Reform (FAIR). FAIR is a non-profit, non-partisan organization of concerned individuals who believe that our immigration laws must be reformed to serve our nation's interests.

FAIR advocates for immigration policies that reduce the harmful impact of illegal immigration on national security, public safety, the economy, jobs, education, healthcare and the environment.

Founded in 1979, FAIR has approximately three million members and supporters nationwide including 1,000 in Rhode Island. On behalf of our members and supporters, I am writing to express FAIR's opposition to House Bill (H) 5724.

H 5724 prohibits state agencies and local jurisdictions from contracting with Immigration and Customs Enforcement (ICE) as well as prohibits private detention facilities from operating and detaining any individual for ICE.

Many open-borders advocates demonize correctional facilities that partner with ICE, as well as private detention facilities, hoping to convince the American people that no individuals entering the United States illegally should be detained. This concept of open borders has public safety and national security risks.

According to its Fiscal Year 2024 Report, over 81,312 (71.7 percent) aliens arrested by ICE in the interior of the United States were either convicted criminals or face pending criminal charges. The aliens arrested had a combined total of 516,050 charges and/or convictions including 57,081 assaults, 18,579 sexual assaults and sex offenses, 12,895 weapon offenses, and 2,894 homicides.

Moreover, policies like H 5724 hamper ICE's ability to effectively accomplish its statutorily mandated mission to identify and ultimately remove illegal aliens, especially dangerous, criminal aliens. However, if Rhode Island enacts this legislation, it will not succeed in stopping the detention of illegal aliens. It will simply raise the detention costs on taxpayers and it will mean individuals will be detained in other states further away from their families and counsel.

Additionally, H 5724 imposes a "one-size-fits-all" policy statewide on communities that have already made the decision locally that they want an immigration detention facility. Currently Wyatt Detention Facility operates in Rhode Island. This facility provides both well-paying jobs and streams of federal revenue. Enacting H 5724 would likely pull the rug out from under and could be economically devastating to both the areas workers and the local economy.

Finally, H 5724 could lead to costly litigation that Rhode Island could potentially lose. Although none of the cases heard on this issue are binding on Rhode Island, the United States Court of Appeals for the Ninth Circuit held in September that California's immigration detention ban was unconstitutional and enjoined its operation, see *GEO Group Inc. v. Newsom*, No. 20-56172 (9th Cir. Sept. 26, 2022) (en banc), while the Seventh Circuit upheld Illinois's ban, see *McHenry County v. Raoul*, No. 21-3334 (7th Cir. Aug. 9, 2022). Closer to Rhode Island, a district court judge ruled in August 2023 that New Jersey's immigration detention ban was unconstitutional. The decision has been appealed to the Third Circuit Court of Appeals and will be heard on April 28.

For the aforementioned reasons, I urge an unfavorable vote on H 5724. I thank you for the opportunity to provide my input. Please do not hesitate to reach out to me if I may be of assistance. I may be reached by email at srendall@fairus.org or by phone at 202- 328-7004.

Sincerely,

A handwritten signature in black ink that reads "Shari Rendall". The script is cursive and fluid, with the first name "Shari" and last name "Rendall" clearly distinguishable.

Shari Rendall