

Currently, our immigration system is so severe that [a single marijuana offense can be enough to deport some legal permanent residents](#), regardless of their years in the country or any positive facts about their lives. Our immigration laws exacerbate racial inequalities associated with the criminal justice system. Communities are torn apart when a single contact with law enforcement can result in permanent banishment from this country. The Trump Administration has called for heightened immigration enforcement and harsher treatment of “criminal aliens,” wasting billions of taxpayer dollars and working against bipartisan efforts to reform our criminal justice system. Laws and policies that criminalize immigrants – like the expansion of inadmissibility and removal grounds and increasing criminal penalties for immigration-related crimes – will only hurt our country’s families and communities and should be rejected in favor of policies that recognize the contributions of immigrants and allow families to be together.

Our immigration system:

- Subjects certain non-citizens convicted of crimes to mandatory deportation even when no jail sentences were imposed or based on the maximum sentence rather than the actual sentence imposed.
- Allows state expungement and diversion laws to be ignored and treats suspended sentences as time served.
- Requires certain non-citizens be detained without a bail hearing.

Reject Proposals to Expands Grounds of Inadmissibility and Deportability

- Proposals that claim to address gang violence but target immigrants for enhanced policing and enforcement should be rejected.
- Allowing immigrants, including immigrant youth to be deported if immigration agents have “reason to believe” there is gang involvement or association, is nothing more than a license to profile and discriminate against people of color that live in poor communities that already struggle with over-policing.
- Immigration agents use flawed databases, social media, and stop and frisk policing to make allegations of gang affiliation; these proposals are so broad that any group could be swept in.
- Any expansion in mandatory detention should be rejected.

Reject Proposals That Further Criminalize Illegal Reentry

- Many proposals, under the guise of “[Kate's Law](#),” try to expand criminal penalties for INA § 276, illegal reentry. This is when an individual unlawfully enters or attempts to enter the US after a prior removal.
- The reasons a person returns to the US are not considered, even when related to critical life events like death of a family member, birth of a child, or helping family escape extreme poverty.
- Currently, illegal reentry is the second most prosecuted federal offense with an average sentence of 15 months.
- These proposals would result in exponential increases to the federal prison population, at the taxpayer’s expense.
- These proposals allow for individuals fleeing persecution and seeking asylum to face criminal prosecution.
- Expanding the sentences or scope of prosecutions for illegal reentry flies at the face of bipartisan efforts to reform the criminal justice system and the use of mandatory minimums.

These proposals, that further criminalize immigrant communities, only serve to normalize the Trump Administration’s anti-immigrant nativist agenda. We call on you to reject provisions expanding inadmissibility or removal grounds and reject provisions increasing criminal penalties for reentry – and stand on the side of our constitutional norms and the due process of law.