

# FLORIDIANS FOR IMMIGRANT JUSTICE

EVERY PERSON HAS RIGHTS UNDER THE U.S. CONSTITUTION.

We envision a Florida where all people can work, travel, and live in the state without fear of harassment or discrimination. We envision a Florida where people can thrive and have equal protection under the law.

At the ACLU of Florida, we are challenging laws that deny any immigrants access to due process and other legal rights, laws that impose indefinite and mandatory detention, policies that codify racial profiling into law and indiscriminately target people of color, and laws that discriminate on the basis of nationality.



WHEN THE GOVERNMENT HAS THE POWER TO DENY LEGAL RIGHTS AND DUE PROCESS TO ONE PERSON – EVERYONE’S RIGHTS ARE AT RISK.

Anti-immigrant laws that weaponize programs against lawfully present immigrants and their families, separate families, harm DREAMERS, and require local resources to be spent on enforcing immigration law must be ended. Cruelty is not an immigration policy. Policies that make Florida a “show your papers” state are un-democratic and do not align with our values.

In Florida, one out of every five people are born outside of the U.S.,

making the state one of the most diverse in our country. It is critical that every single person in our state is able to live, work and travel without fear of violence, harassment and discrimination. As a state with a vibrant and unique immigrant community, we must ensure the movement for immigrant justice is a reality in Florida.

## PROTECTING COMMUNITIES THROUGH LOCAL POLICY DEVELOPMENT

We are committed to securing the passage of local ordinances that reduce collaboration between Immigration Customs Enforcement (ICE) and local law enforcement that impact immigrants’ and communities’ rights. Immigrants make up a quarter of the labor force in Florida. Instead of stoking fear with counterproductive policies like SB 168, lawmakers should be focusing on fostering community, empowering our economy, and creating solutions that work for everyone. Members of our communities should not

have to live with the fear of being stripped of their livelihoods. Florida communities and businesses should not bear the brunt of the federal government’s failure to implement needed immigration reform.

## LOCAL COUNTIES AND JURISDICTIONS SHOULD NOT DIVERT LIMITED RESOURCES TO ENFORCING IMMIGRATION LAW.

For decades, politicians have failed to address our broken immigration system – and in 2019, state lawmakers passed a law that separates families, codifies racial profiling into law, and instills fear in our communities. Passing anti-immigrant policies, like Senate Bill 168, mandated that local counties and governments spend their already limited resources on enforcing immigration policies, which is the job of the federal government.

At the ACLU of Florida, we are committed to challenging SB 168 and ensuring that all people in Florida have equal access to due process rights, regardless of immigration status. We will achieve this by limiting the implementation of SB 168 and supporting legal challenges that repeal the bill.

## END UNCONSTITUTIONAL ICE AND CBP PRACTICES

We are also focused on ending unconstitutional ICE and Custom Border Patrol (CPB) practices in Florida, including ending prolonged pretrial detention for ICE detainees, reforming immigration bail proceedings to no longer disregard the ability to pay and stopping CBP transit and traffic stops, which involve racial profiling and violate the Fourth Amendment.

The indefinite detention of immigrants violates our most basic Constitutional principles. This overuse of incarceration not only shatters immigrant families, but also squanders taxpayer money.

Putting people in cages because they cannot afford bail is an affront

Local governments should decide how local resources are spent and local law enforcement should spend their time serving local communities—not enforcing federal immigration law. Policies like SB 168 contribute to a climate of fear and demonization of immigrants. SB168 will tear families apart by forcing local law enforcement officers to carry out ICE’s unjust and inhumane immigration policies that local law enforcement are not required by law to implement; further weaken trust in law enforcement by encouraging racial and ethnic profiling; endanger communities by discouraging victims and witnesses from reporting crime; waste taxpayer money by forcing local police to do ICE’s job at taxpayer expense.

to decency, dignity, and fairness. Unreasonable bonds for detained immigrants, including asylum seekers, violate the Constitution.

Across the country, and especially in Florida, CBP agents are boarding buses without warrants and subjecting riders to arbitrary interrogation and detention because of their skin color, accent or attire.

Passengers and drivers alike are protected by the Constitution from racial profiling and unreasonable government searches and seizures — regardless of immigration status.

**TO ENSURE THE RIGHT TO DUE PROCESS AND EQUAL TREATMENT OF ALL FLORIDIANS REMAIN INTACT, THE ACLU OF FLORIDA IS COMMITTED TO:**

Challenging Senate Bill 168, which mandates local law enforcement collaboration with ICE, by:

- Exploring legal challenges and other efforts to repeal SB 168 .
- Highlighting the adverse consequences of the law on Florida’s communities.

Ending unconstitutional ICE and CBP practices, by:

- Ending prolonged pretrial detention for ICE detainees.
- Reforming immigration bail proceedings to no longer disregard the ability to pay and limiting the use of cash bail in Florida.
- Stopping Customs and Border Patrol’s transit and traffic stops on Greyhound and other forms of transportation.

Developing local policy protections that reduce local collaboration with the denial of immigrants’ rights, by:

- Rejecting/defeating ICE programs such as 287(g), Warrant Service Officer and Basic Ordering agreements.
- Addressing racial profiling in immigration enforcement.
- Monitoring and regulating immigrant detention centers.

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