



September XX, 2017

The Honorable Chuck Grassley
Chair, Judiciary Committee
United States Senate
Washington, D.C. 20510

The Honorable Dianne Feinstein
Ranking Member, Judiciary Committee
United States Senate
Washington, D.C. 20510

Re: Vote “NO” on H.R. 3697, the Criminal Alien Gang Removal Act

Dear Chairman Grassley and Ranking Member Feinstein,

As organizations dedicated to child and youth well-being and advocates for young people, families, community safety and justice, we strongly urge you to vote no on H.R. 3697, the Criminal Alien Gang Member Removal Act. This bill promotes widespread racial and ethnic profiling of young people and communities and dramatically expands the detention of non-citizens, putting many members of our communities at risk.

The Criminal Alien Gang Member Removal Act creates a new sweeping definition of “criminal gang,” and targets those who never committed a single criminal act, unlike current law, which requires non-citizens be convicted of a crime to be eligible for deportation. Further, states with broadly defined gang databases, such as those in H.R. 3697, disproportionately harm immigrant communities and undocumented youth under these policies, including those who are seeking asylum in the United States to escape brutal gang violence that plagued their home countries. In fact, some states and localities are moving away from these practices. For example, the city of Portland, Oregon, recently announced it will end the use of a decades-old gang database that, not surprisingly, targeted racial and ethnic minorities. And in California, AB90, the Fair and Accurate Gang Database Act of 2017, that greatly restricts who is placed on the gang databases has passed both chambers of the legislature.

H.R. 3697 grants the Secretary of Homeland Security broad authority to designate small groups of people as a “criminal gang” and requires mandatory detention and deportation for any current or former member of such designated groups. The Trump Administration has already targeted teens under the mere suspicion of gang affiliation. Per U.S. Immigration and Customs Enforcement policy, “a person can be identified as a gang member if they meet two or more criteria, including . . . frequenting an area notorious for gangs and wearing gang apparel.” As a result, children are being targeted by law enforcement for simply displaying the flag of their home country or playing sports with suspected gang members. Children suspected of being affiliated with a gang are “arrested, denied access to family and legal counsel . . . and held in jail-like conditions.” H.R. 3697 will only amplify these problems.

Innocent youth of color should never be targeted, but it is especially troubling that the House opted to prioritize this draconian bill instead of taking steps to protect those in the Deferred Action for Childhood Arrivals (DACA) program and steps that would more broadly protect vulnerable youth in our communities. We urge you to vote no on the bill.

Signed by Members,

Cc: Members of the Senate Judiciary Committee