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May 9, 2013

**Support Coons Amendment #2 to S. 744 to
Ensure Safer, More Humane Deportation Practices**

The Honorable Patrick Leahy, Chairman
Committee on the Judiciary
United States Senate
Washington, DC 20510

The Honorable Charles Grassley, Ranking Member
Committee on the Judiciary
United States Senate
Washington, DC 20510

Dear Chairman Leahy and Ranking Member Grassley:

On behalf of The Leadership Conference on Civil and Human Rights, we write to express our strong support for Senator Coons' amendment #2 to S. 744, the "Border Security, Economic Opportunity, and Immigration Modernization Act." The Coons amendment would limit dangerous deportation practices that unnecessarily make migrants more vulnerable to violence and exploitation. While the amendment has been temporarily withdrawn, we are encouraged that Senators Coons and Flake are continuing to discuss how to best address this critical human rights imperative.

Organizations that work with migrants at the Southern border regularly witness the harmful impacts of current deportation practices on the safety and well-being of recently deported migrants. For example, migrants are frequently separated from traveling companions – including family members – and deported to unfamiliar border towns with high rates of violence and organized crime, after most shelters have closed for the night, forcing them to spend the night without protection. At the same time, we are concerned that an evolving and worsening security situation in northern Mexico is not being taken into account adequately by the Department of Homeland Security. As a result, the lives of recently deported migrants are being endangered.

Recent research from the University of Arizona and the International Organization of Migration (IOM) shows that deporting migrants to a different port of entry than the one they entered is not an effective deterrent to unauthorized crossing. On the contrary, lateral repatriations may make migrants more susceptible to human smuggling and other dangers. While DHS believes that the Alien Transfer Exit Program (ATEP) disrupts smuggling operations and discourages deportees from promptly retrying to cross the border, the fact is that smuggling organizations are present in all major border towns, and coyotes wait at ports



of entry to aggressively offer their services as soon as migrants cross into Mexico. Upon entering an unfamiliar city, often at night, many migrants can be overwhelmed and are cajoled into going with a coyote who may rob or kidnap them. Not only is transferring migrants to other ports of entry before deportation ineffective, but it is also a poor use of federal resources.

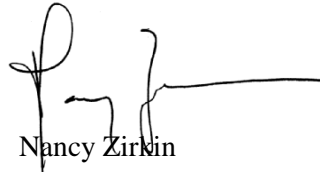
It is vital that the Department of Homeland Security considers factors that threaten the life and safety of a migrant when determining how, when, and where to deport migrants at the Southern border. In particular, in the absence of a compelling governmental interest or migrant consent, DHS should be prohibited from nighttime deportations, and should be required to deport migrants to the port of entry nearest to where they were apprehended. Additionally, DHS should be required to consider a range of deportation location factors, including homicide and violent crimes rates and the availability of services for migrants. Finally, DHS should be required to return migrants' lawful, non-perishable belongings prior to deportation.

Again, we urge you to support the Coons amendment when it returns for further consideration. If you have any questions, please feel free to contact Rob Randhava, Senior Counsel, at (202) 466-6058 or randhava@civilrights.org.

Sincerely,



Wade Henderson
President & CEO



Nancy Zirkin
Executive Vice President