

Linda Harker
President

Judith Bernstein-Baker, Esq.
Executive Director



2100 Arch St, 3rd
Philadelphia, PA 19103
Tel: (215) 832-0900
Fax: (215) 832-0919
www.hiaspa.org

HIAS Pennsylvania writes in support of today's City Council's hearing and strongly urges Philadelphia to stand on the right side of history and stop honoring ICE holds. HIAS PA is the organized Jewish community agency which provides legal, support and resettlement services to immigrants and refugees, just as it has for the last 132 years.

“Justice, justice thou shall pursue.” These are the words that appear in the Torah, the Jewish faith's most sacred text. ICE holds violate this commandment by punishing an individual twice for the same crime.

Early in the Torah we are taught that one should not be punished twice for the same crime. After Cain murders his brother Abel, God curses him with a lifetime of wandering. Cain, afraid, exclaims that the first person to come upon him will kill him, but God insists that the punishment for killing Cain, who had already faced punishment, would be far worse. One punishment was enough for one crime.

The prohibition against double jeopardy is also central to the US Constitution and is embraced in the 5th Amendment: “nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb.” The honoring of ICE holds by the Philadelphia police is a violation of the spirit of this core protection enshrined in our Bill of Rights. ICE holds allow the government to exact the penalty of detention and deportation against an individual after already being incarcerated by the Philadelphia police.

HIAS Pennsylvania has consistently opposed the local enforcement of immigration laws, which diverts scarce resources away from core police activities. We know firsthand how unproductive and destructive ICE holds can be. Recently we represented a person who was turned over to ICE after they issued a hold. This person had been in the U.S. for 15 years, helped support 11 people and was an engaged member of his church and our community. Even though we were able to win the case, enabling his family to stay together, his detention and threatened removal plunged the family into poverty and had a devastating effect on his children.

As Jews, we stand vigilant of governmental actions that target disenfranchised minorities. ICE holds terrorize immigrant communities, making residents fearful of calling police to report crimes, and provide cover for racial profiling. Pennsylvania was founded to protect religious liberties and give shelter to minorities. Philadelphia should live up to its history and to its name, brotherly love, and stop honoring ICE holds.

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