



**Urging the General Assembly to Pass Misdemeanor Reclassification – SB-118 – for
the Protection of Immigrant Families**

Introduced by Councilpersons Glendaliz Colon & Jessica Vega
February 8, 2021

WHEREAS, Under federal immigration law, a state misdemeanor that carries a potential sentence of a year or more is treated as a felony for immigration purposes which results in devastating and unintended consequences that automatically strip immigrants — including green card holders, refugees, and victims of domestic violence and human trafficking — of their status and subjects them to mandatory deportation; and

WHEREAS, In cases involving victims of domestic violence and human trafficking, the fact that the crime or conviction may be the result of their victimization, does not exculpate them from deportation in the eyes of immigration authorities; and

WHEREAS, A person need not even receive a full 365-day sentence to trigger this harsh penalty as automatic deportation kicks in as long as the maximum allowable sentence is equal to a full year or more, even if the person's actual sentence was 20 days in jail or was completely suspended; and

WHEREAS, Federal law denies immigration judges any discretion on whether these harsh penalties are imposed and, until Congress restores discretion to consider individual circumstances before subjecting a person to deportation, the only clear solution is for states to clearly delineate that misdemeanors carry a maximum 364-day sentence; and

WHEREAS, This is important legislation for the purposes of judicial economy and efficiency as codifying this change will reduce the number of motions for post-conviction relief seeking to reduce sentences by one day; and

WHEREAS, State Senator Jonathon Acosta has introduced SB-118 to make this critical change with an additional seven co-sponsors and the bill is currently pending in the Senate Judiciary Committee.

NOW, THEREFORE, BE IT RESOLVED, that the Central Falls City Council urges the General Assembly to pass SB-118 for the protection of immigrant families in Central Falls and across Rhode Island; and

LET IT BE FURTHER RESOLVED, that a copy of this resolution be forwarded by the City Clerk to the Governor, to all of the Honorable Representatives and Senators representing the City of Central Falls in the General Assembly, to the Honorable Rhode Island Speaker of the House and the Honorable Rhode Island Senate President, and to all Rhode Island city and town councils, who are respectfully urged to also pass this resolution in support of our immigrant community.



Jessica Vega
City Council President



Jahaira Rodriguez
City Clerk