

---

T H E M I N N E S O T A  
C O U N T Y A T T O R N E Y S  
A S S O C I A T I O N

---

March 11, 2025

Members of the House Public Safety and Finance Policy Committee

Re: HF 16

Dear Members:

Our Association has reviewed HF 16. Section 1 requires the Attorney General or County Attorney to investigate violations of a person or government entity from prohibiting or restricting public employees from sharing a person's immigration status with a federal immigration agency or federal law enforcement officer and to seek a court order to attain compliance if there is violation. Section 3 adds a new statute requiring County Attorneys to report to federal ICE undocumented immigrants suspected of committing a crime of violence, even if no charges are filed. We have significant concerns about the bill related to impeding duly elected county attorneys ability to make independent decisions about cases they find meet criteria for criminal review and action and those concerns cause our Association to oppose the bill.

One of the overriding concerns with this bill is the potential for civil rights violations under the Fifth and Fourteenth Amendments. A person is afforded certain civil rights under the Fifth Amendment, which guarantees that "no person shall ... be deprived of life, liberty, or property, without the due process of law ...," and the Fourteenth Amendment, which prohibits a state from denying to "any person within its jurisdiction the equal protection of the laws." In addition, because unauthorized aliens are likely to be members of minority groups, complications may arise in enforcing immigration law due to the difficulty in identifying illegal aliens while at the same time avoiding the appearance of discrimination based on ethnicity or alienage. Thus, there is a significant risk of exposing local authorities to litigation over alleged civil rights violations, such as claims of "racial profiling."

Lastly, local participation in federal immigration enforcement undermines public safety by deterring members of immigrant communities from reporting crimes and participating in the prosecution of those crimes due to the fear of immigration consequences.

Our Association takes seriously any state or legislatively proposed changes that could thwart our discretion to carry out prosecution functions in our communities. We urge you to reconsider how this bill is drafted and the implications noted in our opposition.

Sincerely,



Robert M. Small  
Executive Director

100 Empire Drive, Suite 200 • St. Paul, MN 55103 • 651-641-1600 • Fax: 651-641-1666

[www.mcaa-mn.org](http://www.mcaa-mn.org)