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Minnesota State Legislature
House Public Safety Committee

March 10, 2025

Re: Writing in opposition to HF 16.

Dear Honorable Committee Members:

I write to you today to express my opposition to HF 16. This bill purports to promote public safety, but will perhaps unwittingly play into the hands of those who seek to abuse, harm, and exploit foreign nationals and U.S. citizens in our great state.

I practice immigration law and some immigration-related civil litigation at my law firm in downtown Minneapolis. I have over 20 years' experience in this field. Immigration law spoke to my desire to seek justice for victims of violence against women, survivors of the commercial sex industry, and abused children, while also holding this country to its promise of equal justice for all, including those not born here. I have extensive experience helping crime victims and human trafficking victims obtain immigration relief. Clients' trauma and fear of law enforcement make this an arduous path. These experiences with my clients and law enforcement agencies informs my letter to you today.

Public safety is furthered by law enforcement focusing on their mission: enforcing the laws of the State of Minnesota, which necessarily include taking reports and investigating crimes committed against non-U.S. citizens within our borders. This, rather than turning any foreign-born person or foreign-seeming person over to federal authorities, often on the basis of unconstitutional "detainers," makes us safer. The words "crime victim" are disturbingly absent from this bill. Even today, police still arrest the abuser and the victim when they are on the scene of a possible domestic violence incident. I have had many such cases. Had my clients in this position simply been turned over to federal authorities, they may have not been available to assist in prosecuting their abuser. Further, human traffickers routinely use threats of calling police or law enforcement to maintain a climate of fear. I currently represent a human trafficking victim cooperating with state authorities whose trafficker routinely called the county sheriff to "arrest" and "get rid of" so-called "problem" workers. Had this happened to my client, he would not be here to assist prosecutors in their far-reaching case against this employer.

It is unacceptable that the State of Minnesota would enact policies that we know will make many among us less safe just because of where they were born, or perceived to have been born. I have represented a foreign-born woman fleeing horrible, felony-level domestic violence. Because she knew that she would not be at-risk of apprehension and detention by immigration authorities, she was able to report the domestic violence and cooperate in the investigation of her abuser. Not inconsequentially, she was also able to access much needed psychological services and legal help that led to her qualifying for one, but two applications for relief under the law. Had she simply been turned over to immigration authorities as HR 16 seems to mandate, it is highly unlikely the abuser would have been arrested and charged. It is even more improbable that she would have received help enabling her to vindicate her rights under federal immigration law.

I have also represented workers exploited in various sectors in Minnesota: construction, farms, landscaping, restaurants, domestic labor, and the commercial sex industry. When I can offer those clients assurances that their cooperation with law enforcement will not lead to their arrest and detention just for being a foreign national, they feel more confident to report human trafficking crimes and serve as the witnesses prosecutors need to hold exploitative employers accountable. This has happened in more than a few of my clients' cases. Their testimony has contributed to civil and criminal accountability for those who harmed them. It is the rare victim who will voluntarily offer to cooperate with law enforcement if they believe that they will be arrested and detained by federal authorities, possibly for the duration of their immigration case. This climate of fear allows individuals violating our fairly robust state laws against human trafficking to continue their exploitative practices unimpeded. This is not who we are.

Immigrants are a source of strength for our State. They clean our offices, make our food, milk our cows, build and repair our houses, care for our family members, seek higher education, start their own businesses, enrich our communities, serve in local, state, and federal government, and much more. I am proud to partner with my clients to help them attain safety, stability, and, for many, regain self-esteem and courage to begin a new chapter of life free of violence and exploitation. For my highly traumatized client base, this often means that they have assisted law enforcement in some fashion. Laws like HR16 create a climate of fear that causes foreign nationals to leave our great State or not come in the first place. It also detracts from the central mission of state law enforcement agencies to enforce state laws that keep us safe. Mandating reporting and detention of all foreign nationals for federal immigration authorities takes time and resources away from actual law enforcement, allowing human traffickers, domestic abusers, and child abusers to act with impunity.

I pray this Honorable Committee reflects, researches, and considers the negative impact of laws like HR 16. This has been tried in many states. By my count this is about the fourth wave of such anti-immigrant restrictions over the course of my career. Workers don't show up to do the grueling work of picking produce or the dangerous work of milking cows. They are not here to build our new housing stock or start their own construction business, as countless former and current clients have done. This means that they are not living in our neighborhoods, spending money in our stores, or joining the fabric of life of this State. I believe that my clients deserve the same protections from those who would seek to harm them as I do. They deserve justice under our laws if they seek the help of local and state authorities, not arrest and detention by virtue of their place of birth.

Thank you for your time and reasoned consideration of the negative impacts of this legislation. I hope you will vote against it.

Sincerely,

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