

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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NATIONAL DAY LABORER ORGANIZING
NETWORK, et al.,

Plaintiffs,

- v -

UNITED STATES IMMIGRATION AND CUSTOMS
ENFORCEMENT, et al.,

Defendants.
----- x

**DECLARATION OF
SARANG SEKHAVAT**

I, Sarang Sekhavat, declare pursuant to 28 U.S.C. § 1746 and subject to the penalties of perjury, that the following is true and correct:

1. I have been the Federal Policy Director at the Massachusetts Immigrant and Refugee Coalition ("MIRA") since November 1, 2008.
2. MIRA is the largest organization in New England promoting the rights and integration of immigrants and refugees. We serve the commonwealth's one million foreign-born residents with policy analysis and advocacy, institutional organizing, training and leadership development, and strategic communications.
3. The statements I make in this declaration are based on my communications with Department of Homeland Security ("DHS") and U.S. Immigration and Customs Enforcement ("ICE") officials.
4. MIRA has serious concerns about the Secure Communities program because of its impact on community policing and safety.
5. In June 2011, thanks to advocacy by MIRA and other organizations, Governor Deval Patrick announced that Massachusetts would not participate in Secure Communities.

However, DHS and ICE stated that the agencies would continue to use fingerprints from Massachusetts for immigration enforcement.

6. In or around July 27, 2001, I discussed the mandatory nature of the Secure Communities program with a DHS official. We discussed the agency's intent to make the program mandatory by 2013.
7. I discussed my concerns about the program with the official by telephone and email.
8. In our communications, the official informed me that the Congressional mandate for Secure Communities comes from 8 U.S.C § 1722.
9. On August 5th 2011, I participated in a conference call conducted by officials at DHS and ICE with immigration advocates from across the country. On the call, the DHS and ICE officials announced that DHS/ICE were rescinding all Memorandums of Understanding with the states. A DHS official cited the same statute, 8 U.S.C § 1722, as the legal authority to implement Secure Communities regardless of state and local participation.

Dated: Boston, MA
September 9, 2011


Sarang Sekhavat