

S 748

PROFILED Act

Congress: 115 (2017–2019, Ended)

Chamber: Senate

Policy Area: Crime and Law Enforcement

Introduced: Mar 28, 2017

Current Status: Read twice and referred to the Committee on the Judiciary.

Latest Action: Read twice and referred to the Committee on the Judiciary. (Mar 28, 2017)

Official Text: <https://www.congress.gov/bill/115th-congress/senate-bill/748>

Sponsor

Name: Sen. Menendez, Robert [D-NJ]

Party: Democratic • State: NJ • Chamber: Senate

Cosponsors (5 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Booker, Cory A. [D-NJ]	D · NJ		Mar 28, 2017
Sen. Gillibrand, Kirsten E. [D-NY]	D · NY		Mar 28, 2017
Sen. Harris, Kamala D. [D-CA]	D · CA		Mar 28, 2017
Sen. Wyden, Ron [D-OR]	D · OR		Mar 28, 2017
Sen. Warren, Elizabeth [D-MA]	D · MA		Mar 29, 2017

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	Mar 28, 2017

Subjects & Policy Tags

Policy Area:

Crime and Law Enforcement

Related Bills

No related bills are listed.

Protecting the Rights of Families and Immigrants Who Legally Entered from Detention Act or the PROFILED Act

This bill prohibits a law enforcement agent or agency from engaging in racial profiling. It creates a civil cause of action permitting declaratory or injunctive relief to enforce this ban on racial profiling.

The Department of Justice shall issue regulations requiring law enforcement agencies to collect certain data relating to investigatory activities, including, but not limited to, collecting information on the race, ethnicity, national origin, gender, and religion of persons subject to investigatory activities.

The bill requires that law enforcement agents give notice to persons suspected of immigration violations of their right to counsel (at no expense to the federal government), the right to remain silent, and notice that any statements given by the individual can be used against them in a removal or criminal proceeding. Any evidence obtained in violation of this requirement cannot be used against the individual in a removal proceeding.

Not later than 48 hours after an individual has been detained, the Department of Homeland Security (DHS) shall file a notice to appear with the closest immigration court.

No later than six hours after detention, a detained individual must be allowed to use the telephone to make calls at no charge to the detainee.

DHS shall issue regulations prohibiting officials from detaining individuals on various premises, including schools, courts, and places of worship, unless there exist exigent circumstances. DHS must also issue regulations pertaining to the transfer of detainees, including the factors to be considered when deciding whether to transfer the detainee.

The bill defines various rights accorded to vulnerable populations and to parents who have been detained by immigration officers. The position of Immigration and Customs Enforcement Ombudsman is established in DHS.

Actions Timeline

- **Mar 28, 2017:** Introduced in Senate
- **Mar 28, 2017:** Read twice and referred to the Committee on the Judiciary.