

## S 2396

### PROFILED Act

**Congress:** 116 (2019–2021, Ended)

**Chamber:** Senate

**Policy Area:** Crime and Law Enforcement

**Introduced:** Jul 31, 2019

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

**Latest Action:** Read twice and referred to the Committee on the Judiciary. (Jul 31, 2019)

**Official Text:** <https://www.congress.gov/bill/116th-congress/senate-bill/2396>

### 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		Jul 31, 2019
Sen. Gillibrand, Kirsten E. [D-NY]	D · NY		Jul 31, 2019
Sen. Harris, Kamala D. [D-CA]	D · CA		Jul 31, 2019
Sen. Warren, Elizabeth [D-MA]	D · MA		Jul 31, 2019
Sen. Wyden, Ron [D-OR]	D · OR		Jul 31, 2019

### Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	Jul 31, 2019

### 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 establishes a framework to eliminate racial profiling at the federal, state, and local levels. It also addresses the rights of individuals during immigration-related enforcement activities.

First, the bill requires federal, state, local, and tribal law enforcement agencies to maintain policies and procedures to eliminate racial profiling, including training, data collection, and complaint procedures. To enforce violations, the bill authorizes civil suits by the Department of Justice and affected individuals.

Next, it requires that law enforcement agents give notice to individuals 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. Further, the bill requires a detained individual to have access to a telephone.

In addition, the bill defines various rights accorded to vulnerable populations and to parents who have been detained by immigration officers.

Finally, the position of Immigration and Customs Enforcement Ombudsman is established in DHS.

### **Actions Timeline**

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- **Jul 31, 2019:** Introduced in Senate
- **Jul 31, 2019:** Read twice and referred to the Committee on the Judiciary.