



COVID-19 has upended so much for all of us. This is no less true for immigrant families than for anyone else. In this extraordinary time, we need to keep our entire population, including immigrants, safe, healthy, and able to perform essential functions that sustain us all. That's why we are calling for a temporary suspension on arrests and prosecutions for driving without a license during this emergency.

- **No one should fail to seek health care for fear of being arrested while driving to a health facility!**
  - COVID-19 does not care about immigration status. Inevitably, some immigrants will need health care -- urgently. Driving is often the best way to reach care, particularly for immigrants who live far from a hospital or in an area without public transit.
  - Studies show that immigrants who fear arrest or discrimination less readily seek health services.<sup>1</sup> During a pandemic, it's especially important that everyone seek health care because everyone's health affects the health of the greater community.
  - Drive-through testing facilities, one of the safest ways to get tested, require that you drive.
  
- **During an epidemic, public transit isn't necessarily a safe or viable option.**
  - Buses and trains remain crowded, and it's hard to keep a safe distance on a crowded bus. The more people use public transit, the more surfaces will be touched since the last cleaning.
  - Traveling in your own car entails much less risk of disease transmission.
  
- **Immigrants do essential work on which all of us rely -- and need to drive to work.**
  - Immigrants disproportionately work in fields that keep our society going, like agriculture, janitorial work, and health care:
    - They pick the fruits and vegetables that we eat; stock grocery store shelves; keep our hospitals clean; disinfect buildings; and care for our loved ones at home.
    - Nationally, 27,000 DACA recipients (at risk of losing status if DACA is cancelled by the Supreme Court) work in health care as doctors, nurses and paramedics.
  - We need immigrants to stay healthy, and get to work easily and safely, so that they can keep doing this work -- this is best done by car.

---

<sup>1</sup> Massachusetts Budget and Policy Center, "Driver's licenses for immigrants without status – how would it affect Massachusetts?" [https://massbudget.org/reports/pdf/DriversLic4briefs\\_FINAL.pdf](https://massbudget.org/reports/pdf/DriversLic4briefs_FINAL.pdf), at 5.



- **Arrests involve substantial physical contact, which could put both officers and drivers at risk of infection, and requires substantial law enforcement resources.**
  - Handcuffing or patting someone down is not social distancing.
  - WA State Police estimated that it took nine hours of an officer's time to arrest someone driving without a license, time that could be spent keeping the community safe or quarantining at home.<sup>2</sup>
  - Police have to arrange to tow and impound vehicles, which may be difficult if towing businesses are closed or unavailable.
    - Vehicles are towed and impounded at government expense. These resources could be better used fighting the pandemic.
  
- **Immigration detention is a hotspot for disease. Keeping people out of detention helps the entire community.**
  - A local arrest for driving without a license can be a direct pipeline to immigration detention.
  - Immigrants in ICE detention are often housed in close quarters and therefore are at increased risk of infection from COVID-19.
  - COVID-19 infections have already been reported in MA jails.
  - Some DAs recognize how dangerous jails are for infections and are trying to decrease the incarcerated population.
  - ICE detainees in the Bristol County Jail are suing the Bristol County Sheriff in federal court over overcrowding and the lack of COVID-19 screening. Two people in ICE detention in Plymouth County have already been released after bringing lawsuits making the case that they were at high risk.
  - [A 2007 study shows that newly incarcerated folks are more vulnerable to viral infections](#) and infections from airborne organisms like COVID-19.
  
- **Police and district attorneys already have the discretion not to arrest or prosecute drivers who are not licensed.**
  - Police already have the discretion to issue a summons instead of arresting a driver they encounter without a license.
  - District attorneys have the discretion to decline to prosecute.

---

<sup>2</sup> *Id.* at 6.