

Thank you for the opportunity to speak today. I am here to urge you to **oppose LD 1656**, "An Act to Facilitate Compliance with Federal Immigration Law by State and Local Government Entities."

While the title suggests facilitation, this bill mandates it. It forces Maine's state and local officials—our police, our sheriffs, our county jails—to become frontline enforcers of federal civil immigration law. It prohibits them from setting their own policies on cooperation, even policies designed to protect constitutional rights and build community trust. This bill is fundamentally flawed: it violates core constitutional principles, undermines public safety, imposes unfunded burdens on our communities, and represents an unnecessary surrender of Maine's sovereignty. First, the Tenth Amendment and decades of Supreme Court precedent, including landmark cases like *Printz v. United States* and *Murphy v. NCAA*, establishes the anti-commandeering doctrine. This doctrine is clear: the federal government cannot compel states or their officials to administer or enforce federal law. LD 1656 does exactly that, stripping away local control and forcing Maine officials to act as federal agents. Look at the principle in the action of compelling ourselves towards a government that attacks and makes us look like fools. That is a principle, manipulation coercion, should never be accept.

Furthermore, the bill raises serious Fourth Amendment concerns. It mandates compliance with federal immigration detainers, ignoring that these are merely *requests*, not legally binding orders. Courts have repeatedly found that holding someone *solely* on an ICE detainer constitutes a new arrest requiring probable cause—a standard these detainers often fail to meet. LD 1656 dangerously ignores the critical difference between administrative warrants issued by ICE officials and judicial warrants signed by a judge based on probable cause. By forcing compliance with potentially unlawful detainers and warrants, this bill compels our local officials to risk violating constitutional rights, exposing Maine towns and counties to significant legal liability and costly lawsuits.

Beyond the constitutional issues, LD 1656 is detrimental to Maine communities. It imposes unfunded mandates, forcing local governments to divert scarce resources—personnel time, jail space, taxpayer dollars—away from local priorities like fighting crime and providing essential services, towards the federal governments authority and will. What really makes someone a Mainer? Is it our status under a flag or an idea? The idea of sovereignty and being left alone by bullies or some tribalistic flag? That flag means nothing if we don't stand by its idea.

Continuingly, this bill undermines public safety. Effective policing relies on trust. When local police are seen as immigration agents, immigrant communities—including victims and witnesses—become afraid to interact with law enforcement. Crimes go unreported, investigations are hampered, and *everyone* becomes less safe.

We must see this bill in context. It arrives at a time when Maine is facing pressure from the federal administration across multiple fronts—from cuts to FEMA funding to suspended Department of Education grants for UMaine. Enacting LD 1656 would be a surrender this pressure, eroding Maine's ability to govern itself.

LD 1656 is an unconstitutional, unsafe, and unfunded mandate. It violates principles of federalism, jeopardizes public safety by destroying community trust, burdens local resources, and surrenders state sovereignty. I urge you to protect Maine's constitutional rights, fiscal health, community safety, and local autonomy by voting **ought not to pass** on LD 1656. Thank you.

Theodore Winterbottom

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LD 1656

Original speech attached, I just winged it though