

*Testimony of Anna Welch supporting*

**LD 1971, An Act to Protect Workers in This State by Clarifying the Relationship of State and Local Law Enforcement Agencies with Federal Immigration Authorities and LD 1259, An Act to Enhance Public Safety in Maine by Defining the Relationship between Local and Federal Law Enforcement**

*Before the Joint Standing Committee on Judiciary*

Dear Senator Carney, Representative Kuhn, and Honorable Members of the Judiciary Committee:

Thank you for the opportunity to testify today in support of LD 1971, An Act to Protect Workers in This State by Clarifying the Relationship of State and Local Law Enforcement Agencies with Federal Immigration Authorities and in support of LD 1259, An Act to Enhance Public Safety in Maine by Defining the Relationship between Local and Federal Law Enforcement.

My name is Anna Welch, and I am a resident of South Portland, Maine. I am also a Maine native. I have worked with immigrants for more than 20 years and for the past 13 years I have served as a Professor and Founding Director of the Refugee and Human Rights Clinic at the University of Maine School of Law. My testimony represents my personal views only and not the position of the University of Maine School of Law or the University of Maine System.

**My testimony is organized into four parts:**

1. First, I will discuss how voluntary cooperation with federal immigration authorities undermines public safety and trust in law enforcement.
2. Second, I will discuss the heavy financial burden these partnerships place on local governments—costs not reimbursed by the federal government.
3. Third, I will discuss the legal risks stemming from racial profiling and civil rights violations.
4. Fourth, I will discuss the broader social cost to our communities—especially as immigrant families are pushed into the shadows.

Additionally, I will address the unprecedented expansion of ICE-local cooperation agreements as part of the Trump administration's mass deportation strategy, which makes this legislation more urgent than ever.

## 1. Cooperation with ICE Erodes Public Safety and Community Trust

Local law enforcement cooperation with federal immigration authorities, particularly with Immigration and Customs Enforcement (“ICE”) - whether through 287(g) agreements,<sup>1</sup> detainer policies, or data sharing—fundamentally undermines public safety. These partnerships make community members afraid to report crimes, serve as witnesses, or even seek help when they are in danger.

This is not just a theoretical concern. A 2019 statement by police chiefs representing nearly 8,000 departments across the U.S. and Canada made clear: immigration enforcement by local police “would end the hard-won trust, communication and cooperation from the immigrant community.”<sup>2</sup>

The data backs this up:

- As reported by the American Immigration Council: “Studies in 2009 and 2010 by the University of North Carolina at Chapel Hill found that 287(g) agreements under the task force model in the state were primarily used to target offenders who posed no threat to public safety or individuals with no criminal record.”<sup>3</sup>
- Research and reporting from CBS News and the ACLU have shown that victims of domestic violence and sexual assault often avoid calling law enforcement, fearing it could lead to ICE involvement.<sup>4</sup>
- The International Association of Chiefs of Police (IACP) have stated that “local police agencies depend on the cooperation of immigrants, legal and [otherwise], in solving all sorts of crimes and in the maintenance of public order. Without assurances that they will not be subject to an immigration investigation and possible deportation, many immigrants with critical information would not come forward, even when heinous crimes are committed against them or their families.”<sup>5</sup>

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<sup>1</sup> The Immigrant Legal Resource Centers, “What to Understand About the 287g Program,” [https://www.ilrc.org/practitioners/national-map-287g-agreements#:~:text=Under%20287\(g\)%2C%20ICE%20forms%20an%20agreement%20with,to%20designated%20officers%20within%20the%20local%20agency.&text=287\(g\)%20agreements%20lead%20to%20racial%20profiling%2C%20civil.isolation%20of%20immigrant%20communities%2C%20and%20family%20separations.](https://www.ilrc.org/practitioners/national-map-287g-agreements#:~:text=Under%20287(g)%2C%20ICE%20forms%20an%20agreement%20with,to%20designated%20officers%20within%20the%20local%20agency.&text=287(g)%20agreements%20lead%20to%20racial%20profiling%2C%20civil.isolation%20of%20immigrant%20communities%2C%20and%20family%20separations.)

<sup>2</sup> American Immigration Council, “The 287g Program: An Overview,” [https://www.americanimmigrationcouncil.org/sites/default/files/research/the\\_287g\\_program\\_an\\_overview\\_2025\\_0.pdf](https://www.americanimmigrationcouncil.org/sites/default/files/research/the_287g_program_an_overview_2025_0.pdf) (internal citation omitted).

<sup>3</sup> *Id.* (internal citation omitted)

<sup>4</sup> CBS News, “ICE Partnerships with Local Law Enforcement Triple as Trump Continues Deportation Crackdown,” April 18, 2025, <https://www.cbsnews.com/news/ice-partnerships-local-law-enforcement-trump-immigration/>; The American Civil Liberties Union, “License to Abuse: How ICE’s 287(g) Program Empowers Racist Sheriffs,” <https://www.aclu.org/publications/license-abuse-how-ices-287g-program-empowers-racist-sheriffs>

<sup>5</sup> International Association of Chiefs of Police, “Enforcing Immigration Law: The Role of State, Tribal and Local Law Enforcement,” *Police Chief* 72, no. 4 (2005), p. 5, <http://www.markwynn.com/trafficking/enforcing-immigration-law-the-role-of-state-tribal-and-local-le-2004.pdf>.

This erosion of the trust of local law enforcement makes all of us less safe. When law enforcement becomes a gateway to immigration detention and deportation, no one wins.

## **2. ICE Partnerships Are Costly—And Local Governments Foot the Bill**

Contrary to claims that ICE partnerships improve efficiency or safety, they come at great cost to local governments—costs that are largely unfunded by the federal government.

While ICE covers the costs of training under programs like 287(g), local governments are responsible for:

- Salaries, overtime, and benefits for deputized officers,
- Equipment and administrative support,
- Legal defense costs in the event of lawsuits.

Local case studies reveal staggering expenses:

- **Mecklenburg County, NC:** \$5.3 million in the first year of ICE cooperation.
- **Alamance County, NC:** \$4.8 million in year one.
- **Maricopa County, AZ:** \$1.3 million over just three months.
- **Prince William County, VA:** \$6.4 million in the first year and \$26 million projected over five years—resulting in budget cuts to public safety equipment, including police vehicle cameras.

Here in Maine, the Town of Winthrop withdrew its application to participate in ICE’s most expansive Task Force program after citing these same concerns—financial strain, legal exposure, and community distrust.

As we all know, Maine law enforcement is already stretched to the limit. As of 2024, police and sheriff’s departments across the state reported vacancy levels approaching crisis status. The Maine State Police alone spent \$8.5 million in overtime last year. Diverting resources to enforce federal immigration law makes no fiscal or operational sense and opens communities up to legal defense costs.

### 3. Local Cooperation with ICE Exposes Communities to Legal Liability for Racial Profiling and Civil Rights Violations

ICE partnerships frequently open the door to racial profiling, pretextual stops, and unconstitutional detentions. These practices do not happen in isolation—they happen because immigration enforcement invites subjective judgments based on race, language, or national origin.<sup>6</sup>

An ACLU report found that 65% of 287(g)-participating agencies had records of racial profiling or other civil rights abuses.<sup>7</sup>

Examples include:

- **Davidson County, TN:** After joining the program, arrest rates for Latinx drivers without a license more than doubled.
- **North and South Carolina:** Officers stopped Hispanic drivers at disproportionately high rates under ICE cooperation models.
- **Maricopa County, AZ:** A DOJ investigation found that the sheriff's office engaged in widespread constitutional violations—including racial profiling—after entering a 287(g) agreement.

And when violations occur, ICE does not pay the price. The legal responsibility and financial burden fall on the local government. If a town or county is sued, it must cover the cost of litigation, settlements, and legal defense with no legal or financial support from ICE or the Federal government.

### 4. Local Partnerships with Federal Immigration Authorities Harm and Fragment Communities Where Immigrants Are Essential

Immigrants are vital members of our communities—as workers, students, neighbors, business owners, and parents. But cooperation with ICE drives them into the shadows and tears the fabric of our shared public life.

These partnerships cause fear and detrimental effects across all sectors of society:

- A Stanford University study found a 10% drop in school attendance for Hispanic students over two years in areas with ICE-local cooperation agreements. Parents fear sending their

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<sup>6</sup> Albany Law School, Government Center, “When Local Law-Enforcement Officers Become ICE Deputies: 287g Agreements” <https://www.albanylaw.edu/government-law-center/when-local-law-enforcement-officers-become-ice-deputies-287g-agreements>

<sup>7</sup>The American Civil Liberties Union, “License to Abuse: How ICE’s 287(g) Program Empowers Racist Sheriffs,”

<https://www.aclu.org/publications/license-abuse-how-ices-287g-program-empowers-racist-sheriffs>

children to school or attending school events.<sup>8</sup>

- Residents avoid seeking critical medical care, even during emergencies.
- Attendance at religious institutions declines among immigrant congregants who fear being targeted in public spaces.

This fear is not limited to undocumented individuals. Even visa holders and lawful permanent residents report avoiding police and public services because they worry they will be swept into ICE custody due to profiling or administrative errors.

In Maine, this climate of fear has economic consequences. Local industries—especially seasonal employers—have already reported concerns that foreign workers will choose not to come to Maine this year due to the threat of ICE enforcement.<sup>9</sup> In a state already struggling with a severe labor shortage, this is a self-inflicted economic wound.

### **ICE Cooperation as a Tool for Mass Deportation**

This issue cannot be separated from the national context. Under the Trump administration, ICE cooperation agreements have skyrocketed as part of an intentional effort to carry out a campaign of mass deportation.

Between January and April of 2025, the number of ICE-local cooperation agreements exploded from 135 to 444—tripling in a matter of weeks. Over 75 more are pending, bringing the total to well over 500 agreements across the U.S.<sup>10</sup>

Many of these are the Task Force Model agreements—the most sweeping and dangerous, allowing local officers to arrest individuals in the field based on immigration enforcement authority.

These agreements are not about improving safety—they are about deputizing every sheriff and police officer in America to execute a national deportation agenda at local expense and local risk.

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<sup>8</sup> American Immigration Council, “US Citizen Children Impacted by Immigration Enforcement, June 24, 2021,” <https://www.americanimmigrationcouncil.org/research/us-citizen-children-impacted-immigration-enforcement#:~:text=A%20Stanford%20University%20study%20analyzing,10%20percent%20within%202%20years> (internal citations omitted)

<sup>9</sup> Maine Public Radio, Lawyers Say Border Patrol in Maine is Arresting People Who are in Lawful Immigration Process, May 8, 2025, <https://www.mainepublic.org/courts-and-crime/2025-05-08/lawyers-say-border-patrol-in-maine-is-arresting-people-who-are-in-lawful-immigration-processes> (“I am advising all my clients who have valid work authorization and their own companies, and other companies they work for, not to travel to Maine for work,” said Kira Gagarin, an immigration attorney in Framingham, Massachusetts. She said she has dozens of clients who usually travel to Maine for jobs in construction and landscaping.”).

<sup>10</sup> Austin Kocher, *Trump is Quietly Building a Deportation Army out of State and Local Agencies*, April 14, 2025, <https://austinkocher.substack.com/p/trump-is-quietly-building-a-deportation>.

Even nontraditional agencies—like the Florida Fish and Wildlife Conservation Commission—have entered into ICE agreements, highlighting how indiscriminately these programs are being spread.

This unprecedented expansion makes legislation barring voluntary ICE cooperation more urgent than ever. Maine should not be used as a platform for mass deportation, especially in light of the risks and costs cited above.

I therefore urge this committee to support legislation that ends voluntary cooperation with ICE and other federal immigration authorities and protects the constitutional rights, public safety, and financial stability of our communities.

Thank you for your leadership and commitment to keeping Maine communities safe, inclusive, and strong.

Sincerely,

A handwritten signature in blue ink, appearing to read "Anna R. Welch".

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