

## Testimony in Support of LD 1259

An Act to Enhance Public Safety in Maine by Defining the Relationship Between Local and Federal Law Enforcement

Sponsor: Representative Rana

Public Hearing: Judiciary Committee 19th, May 2025 1:00 PM

Senator Carney, Representative Kuhn, and esteemed members of the Judiciary Committee:

My name is Ruben Torres, and I serve as the Advocacy, Communications, and Policy Manager for the Maine Immigrants' Rights Coalition (MIRC). MIRC represents more than 100 organizations across Maine, including grassroots immigrant-led organizations, legal service providers, housing advocates, and direct service agencies, working collectively to improve the economic and social standing of Maine's immigrant communities, thereby uplifting the state as a whole. We are testifying in strong **support** of LD 1259, An Act to Enhance Public Safety in Maine by Defining the Relationship Between Local and Federal Law Enforcement.

**This bill is about safety. Not politics.** And for that reason, Maine should bar the enactment of immigration enforcement programs like 287(g), which deputize local police to act as federal immigration agents. These programs have failed elsewhere, and they will fail us here. They don't make communities safer; in fact, we have seen them create division and distrust.

**We've seen what 287(g) does in other states, and it's not public safety. It's public harm.** These agreements have been repeatedly linked to racial profiling, unlawful detentions, and expensive lawsuits. What the rhetoric suggests and what is actually achieved are vastly different. A 2011 Migration Policy Institute study found that half of all detainers issued under 287(g) were for misdemeanors and traffic violations.<sup>1</sup> One study in North Carolina found that 33% of people detained through 287(g) had no criminal record at all—just traffic tickets.<sup>2</sup>

**And they're expensive.** Prince William County, Virginia, spent \$6.4 million in a single year to implement 287(g), forcing the county to dip into its rainy-day fund and cut \$3.1 million from other critical law enforcement priorities.<sup>3</sup> In the end, real tools for safer policing were traded for a program that sowed distrust. We cannot afford the added risk to our budget.

**Even the federal government knows these programs are broken.** The Department of Homeland Security's own Inspector General has issued multiple reports over the last decade

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<sup>1</sup> Randy Capps, Marc R. Rosenblum, Cristina Rodríguez, and Muzaffar Chishti, "Delegation and Divergence: A Study of 287(g) State and Local Immigration Enforcement" (Washington, DC: Migration Policy Institute, 2011), 13-14,

<http://www.migrationpolicy.org/research/delegationand-divergence-287g-state-and-local-immigration-enforcement>.

<sup>2</sup> Deborah M. Weissman, Rebecca C. Headen, and Katherine Lewis Parker, "The Policies and Politics of Local Immigration Enforcement Laws: 287(g) Program in North Carolina" (Chapel Hill: University of North Carolina, 2009), 46, <http://www.law.unc.edu/documents/clinicalprograms/287gpolicyreview.pdf>

<sup>3</sup> Mai T Nguyen and Hannah Gill, "The 287(g) Program: The Costs and Consequences of Local Immigration Enforcement in North Carolina Communities" (Chapel Hill: University of North Carolina, 2010), [https://www.academia.edu/31571070/The\\_Costs\\_and\\_Consequences\\_of\\_Local\\_Immigration\\_Enforcement\\_in\\_North\\_Carolina\\_Communities\\_The\\_287\\_g\\_Program\\_The\\_Latino\\_Migration\\_Project](https://www.academia.edu/31571070/The_Costs_and_Consequences_of_Local_Immigration_Enforcement_in_North_Carolina_Communities_The_287_g_Program_The_Latino_Migration_Project)

citing inadequate training, poor oversight, and ineffective evaluation.<sup>4</sup> The January 2021 Government Accountability Office report confirmed that ICE failed to establish performance goals and couldn't even assess if the program was working.<sup>5</sup> This is not a standard we should bring to our state.

**Maine is one of the safest states in the nation.** But if we bring these agreements here, we *will* import the consequences: the broken trust, the community fear, and the unnecessary expense. The International Association of Chiefs of Police and the Major Cities Chiefs Association have been consistent and loud in their opposition to using local officers for immigration enforcement.<sup>6</sup> They know that policing relies on trust. And when people fear that calling the police might result in deportation, they stop reporting crimes. That means domestic violence goes unreported. Workers stay silent about unsafe job conditions. Victims stay in the shadows. And we all become less safe.

**This isn't just about immigrants. This is about all of us.** Immigration enforcement does not happen in a vacuum. People have been detained and deported without being charged, without a conviction, and sometimes even by mistake, including U.S. citizens and legal residents. Maine already has a shortage of legal services, and once someone is caught in the system, they are often alone and unrepresented. That should concern anyone who believes in the constitutional right to due process.

**And what about the economic impact?** We rely on immigrants to keep Maine's industries running—from farms to fisheries to healthcare and food service. Programs like 287(g) have disrupted local labor markets and weakened regional economies. One study found that it drove down the farm labor supply, forcing producers to pay higher costs for both labor and fuel.<sup>7</sup> Adopting programs proven to drive workers and their families away would only hamper efforts to attract and grow our workforce. When people leave, so do their tax dollars.<sup>8</sup>

LD 1259 helps Maine stay focused on what works. It makes clear to our local and state law enforcement that we support them in protecting our communities, and not letting them get bogged down doing work for ICE. It shields our already overburdened agencies from taking on unnecessary risks, and it reaffirms Maine's commitment to safety and governance.

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<sup>4</sup> U.S. Department of Homeland Security, Office of Inspector General, "The Performance of 287(g) Agreements: FY 2013 Update," September 6, 2013,

<https://www.oig.dhs.gov/reports/2013-09/performance-287g-agreements-fy-2013-update/oig13-116sep13>

<sup>5</sup> U.S. Government Accountability Office, "Immigration Enforcement: ICE Can Further Enhance Its Planning and Oversight of State and Local Agreements," January 27, 2021, <https://www.gao.gov/products/gao-21-186>

<sup>6</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): 5, <http://www.markwynn.com/trafficking/enforcing-immigration-law-the-role-of-state-tribal-and-local-le-2004.pdf>.

<sup>7</sup> Jennifer Ifft and Margaret Jodlowski, "Is ICE freezing US agriculture? Farm-level adjustment to increased local immigration enforcement," Labour Economics Volume 78, 102203, October 2022, <https://www.sciencedirect.com/science/article/abs/pii/S092753712200094X>.

<sup>8</sup> Guzman C. Davis, E. M. Sifre, (2024, July 30) Tax Payments by Undocumented Immigrants. Institute on Taxation and Economic Policy. <https://itep.org/undocumented-immigrants-taxes-2024/>

We can't always predict the consequences of a new policy. But here, we don't have to guess. We've seen the damage this program has caused elsewhere. We know the trade-offs. And we know better.

For these reasons, we urge the committee to vote Ought to Pass on LD 1259. Let's keep Maine a place where all communities feel safe calling for help, without fear.

Thank you for your time and consideration.

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Contact:

Ruben Torres

Advocacy, Communications, and Policy Manager, Maine Immigrants' Rights Coalition  
[rtorres@maineimmigrantrights.org](mailto:rtorres@maineimmigrantrights.org)

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