

Ana Troxel's Testimony in Opposition to HP 834, 1259 Prohibiting Agreements with Federal Immigration Enforcement Authorities

Dear Members of the Maine Judiciary Committee,

I respectfully oppose the proposed policy prohibiting Maine law enforcement from entering into agreements with federal immigration enforcement authorities, including under 8 U.S.C. § 1357(g). This prohibition would undermine public safety, strain local resources, overburden our judiciary, and expose Maine to legal risks.

Undermines Public Safety

Agreements under 287(g) enable law enforcement to detain serious criminal offenders, enhancing community safety. For example, in May 2025, ICE arrested Lourenco Dos Santos, a 38-year-old Angolan national in Androscoggin County convicted of child sexual abuse, illustrating the presence of dangerous offenders (per ICE reports). The 2019 Migration Policy Institute found that 287(g) programs improve coordination with ICE, targeting serious crimes like drug trafficking and assault. Prohibiting these agreements would limit Maine's ability to remove such offenders, leaving communities vulnerable. While most immigrants contribute positively to Maine, 287(g) ensures focus on serious criminals, not broad enforcement.

Overburdens Maine's Judiciary

Maine's courts face a backlog of over 22,000 cases, with delays in Cumberland County leading to the release of defendants due to procedural issues (Maine Judicial Branch, 2024). The 287(g) agreements alleviate this strain by transferring eligible immigration-related cases, particularly serious crimes, to federal immigration courts, as noted in ICE's 2024 summary. Prohibiting cooperation would force local courts to process complex cases, increasing backlogs and risks of releasing offenders, as seen in the 2025 Androscoggin County case.

Risks Legal and Financial Liabilities

The prohibition may conflict with federal law, including 8 U.S.C. § 1373, which mandates information sharing with immigration authorities, risking federal preemption challenges (see *Arizona v. United States*, 2012). It could also expose agencies to lawsuits for unclear authority in handling undocumented offenders. Non-cooperative jurisdictions risk losing federal grants, such as Portland's \$5.4 million FEMA allocation (per federal guidelines). Structured 287(g) agreements provide legal clarity, protecting Maine from these risks.

I urge the Committee to reject this policy. Accepting this legislature and prohibiting 287(g) agreements would weaken public safety, strain resources, and invite legal challenges.

Thank you,

Ana Troxel