



February 10, 2026

**Testimony of the Immigrant Legal Advocacy Project  
In Support of LD 2176  
“An Act to Create a Right to Judicial Review Under the Maine Civil  
Rights Act for Persons Erroneously Detained”**

The Immigrant Legal Advocacy Project (ILAP) respectfully submits the below testimony regarding Sec. 7. Funds to service providers. ILAP defers to the expertise of the ACLU of Maine regarding the other sections of the bill.

**I. About the Immigrant Legal Advocacy Project**

For more than 30 years, ILAP has been Maine’s only statewide immigration legal services organization, providing immigration legal assistance to people in Maine who would otherwise not be able to afford an attorney. ILAP is a non-governmental, non-profit, non-partisan organization. As the only organization of our kind in the state, ILAP has a unique bird’s eye view over the impact of federal immigration law and policy on Maine’s residents, communities, and our state as a whole.

**II. Greater Access to Qualified Immigration Legal Assistance for  
People in Immigration Detention Will Help Maine’s Immigrant  
Communities Secure Their Freedom and Access Justice**

At no point in the U.S. immigration system is someone guaranteed an attorney. This includes children, people with disabilities, and people who are in ICE detention facing loss of freedom, family separation, and deportation to life-threatening circumstances.

At the same time, the U.S. immigration system is deeply complex and places huge barriers in front of the people trying to navigate it. In particular, vulnerable people seeking humanitarian immigration protections such as asylum may face language barriers, may not have financial or technological resources, may not have their basic needs met, and may be living with the physical and emotional aftereffects of trauma.

Being in immigration detention adds an extreme layer of difficulty on top of these challenges. It can be nearly impossible to assemble what’s needed for a bond or immigration case, gather documentation and evidence, and take other steps while in detention. Accordingly, studies show that people are

overwhelmingly more likely to be successful in their cases when they have access to a qualified immigration attorney, especially when they are in ICE detention.<sup>1</sup>

In the current enforcement environment, the majority of the people ILAP is seeing detained are people in lawful immigration processes with no criminal records. Increased funding for Maine residents in detention to access qualified immigration legal assistance will help them secure their freedom through habeas petitions and bond hearings and more successfully navigate the overall immigration system. Increased access to qualified immigration legal help will keep Maine families together and help people find greater stability and security in both the short and long term. That stability translates to a richer, more prosperous future for all of us.

### **III. Sec. 7 Amendment:**

ILAP respectfully recommends amending Sec. 7 to read:

“The purpose of this section is to direct \$2,000,000 to civil legal service providers that have developed an expertise in immigration law and who are engaging in the representation of indigent persons ~~wrongfully~~ detained by Immigration Customs and Enforcement **or Customs and Border Protection.**”

This change will clarify that funding can be used to assist anyone who is being detained by ICE as well as CBP and not misconstrued to mean that a person must first show they are wrongfully detained.

Additionally, under the law, immigration officers may technically have the authority to detain someone, but they may also be eligible for bond and their freedom. This is the case of many Maine residents who are in lawful immigration processes with no criminal records but have been detained. Those individuals should also receive increased access to immigration legal assistance through the funding.

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<sup>1</sup> Where Can You Win in Immigration Court?, American Immigration Council (Nov. 20, 2025), <https://www.americanimmigrationcouncil.org/report/immigration-court/>.