



May 19, 2025

**Testimony of the Immigrant Legal Advocacy Project
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”**

Good afternoon, Chair Senator Carney, Sponsor Representative Dhalac, and members of the Judiciary Committee. My name is Lisa Parisio, and I am the Policy Director at the Immigrant Legal Advocacy Project, or ILAP. I am here today to urge you to support LD 1971, which is needed to protect the rights and safety of Maine’s residents, our workforce and economy, and future.

I. About ILAP & Subject Matter Expertise:

ILAP is Maine’s *only* statewide immigration legal services organization, and we provide legal assistance to people across Maine who would otherwise not be able to afford an attorney. As the only organization of our kind in the state, we have a unique vantage point over how the federal administration’s mass deportation policies and strategies are harming Maine’s residents, and our state as a whole.

II. Local Law Enforcement in Maine Are Currently Diverting Our Limited Public Safety Resources for No Legitimate Public Policy Purpose:

For the federal administration to carry out its agenda of deporting at least one million people a year – which is broadly and indiscriminately targeting *all* immigrant communities – it needs the public safety resources of local law enforcement. Because the 10th Amendment of the U.S. Constitution protects the states from being forced to hand over their resources to the federal government for purposes like this, states must voluntarily divert their resources. An absence of guardrails in state law prohibiting public safety resources from being spent on civil immigration enforcement provides this,

allowing individual law enforcement agencies and even individual officers to use our state public safety resources for civil immigration enforcement instead of matters of legitimate public safety.

Having the guardrails in place proposed in LD1971 – including prohibiting law enforcement from needlessly inquiring into immigration status and prohibiting law enforcement from holding people in jail for Immigration and Customs Enforcement (ICE) past their release dates – would have no impact on normal police work. Local law enforcement, of course, have the ability to execute criminal warrants or respond to crimes regardless of a person’s citizenship or immigration status. Additionally, having guardrails has no impact on the ability of federal immigration officers to do their job – federal immigration officers can carry out immigration enforcement anywhere in the United States.

While LD 1971 would have no negative impact on Maine law enforcement’s work, not having it in place will continue to harm our state, as local law enforcement are currently heavily engaged in civil immigration enforcement. For individuals, being placed in federal immigration custody at this time may result in incarceration in a detention center and life-threatening deportation without due process – including to places like Centro de Confinamiento del Terrorismo, or CECOT, a notorious work prison in El Salvador where the U.S. government currently has an arrangement to send people.ⁱ Other consequences include the ongoing destruction of public trust and immigrant communities becoming even more afraid to report crimes.ⁱⁱ ILAP’s clients have already reported these types of fall outs in Maine – sharing that they did not call the police when they wanted to for their own safety and that they are scared to continue serving as witnesses in court. Consequences also include increased racial profiling, waste of taxpayer dollars, and economic harms as immigrant communities are afraid to go to work, apply for jobs, and may relocate to places that prioritize the public safety of all residents.ⁱⁱⁱ

Using the resources of local law enforcement to do civil immigration enforcement also has no legitimate underlying public policy basis. Such use of resources is based on a false narrative that there is some kind of link between being an immigrant and criminality. No such link exists. We know this by common sense – because immigrants are simply human beings – and because of the numerous studies that have been done to prove this.

These include:

- A comparison of crime data to demographic data from 1980 to 2022 showing that as the immigrant share of the population of the U.S. has gone up, crime has fallen. This study also shows that there is no statistically significant correlation between the immigrant share of the population and the total crime rate in *any* state.^{iv}
- An analysis of policing and crime data in cities that received a significant number of migrants since the spring of 2022, showing no link between crime and an influx of immigrants. This analysis also shows the number of immigrants at the U.S.–Mexico border in recent years has not corresponded with an overall increase in crime.^v
- An analysis of incarceration data in the United States, which shows that undocumented immigrants are 33 percent less likely to be incarcerated than people born in the United States.^{vi}
- A study of criminal convictions versus immigration status, showing undocumented immigrants are 47 percent less likely to be convicted of a crime than citizens born in the U.S.^{vii}
- Public safety data reports from cities that have received large numbers of immigrants in recent years, showing that crime has decreased.^{viii}

III. Maine Law Enforcement Are Assisting Immigration Officers in Targeting Maine’s Residents and Workers, Actively Harming Maine’s Workforce and Economy:

Studies show that over the last decade, 70 to 75 percent of Immigration and Customs Enforcement (ICE) arrests in the interior of the U.S. have been facilitated by local law enforcement.^{ix} This facilitation is currently happening in Maine. Local law enforcement in Maine are acting without the guardrails of LD 1971, diverting our state’s resources, and causing serious and lasting harm to individuals, families, communities, Maine’s workforce, economy, and future.

The following stories illustrate why LD 1971 is needed to specifically protect Maine’s workforce:

Andres^x is a 17-year-old young man from Lewiston who was on his way to his first day of a new job in construction when Maine State Police pulled over the car he was just a passenger in. He had no criminal record. Maine State Police needlessly inquired into his

immigration status and for that reason alone, turned Andres over to immigration officials. He remains incarcerated in a detention center months later.

Jacob is 22 years old and lives in Portland. He currently has protection from deportation through a process for young people who are victims of abuse, neglect, or abandonment. He has been working hard to stabilize his life and has a job taking care of people in Maine who have developmental disabilities. Recently, Jacob's cousin, who is in a lawful process seeking asylum, was detained. Since he found out, Jacob hasn't reported to work, terrified of leaving his home and this happening to him.

Sarah is in her 30s and lives in Auburn. She was previously the victim of a crime. Because she was brave enough to come forward and report it to the police and assist in the investigation, she is eligible for a visa, which is currently pending. Sarah works in the food services industry in Maine. She recently got a great promotion but turned it down because it would involve her driving to Augusta and she is too terrified that police would pull her over on her longer commute and she would be detained and deported.

In addition to these impacts on Maine resident workers, our state's economy depends on the many immigrant workers who travel into our state to do short-term or seasonal work. Given the levels of enforcement happening in Maine, and that people with valid work permits and who are in lawful immigration processes are being targeted, attorneys in other states are advising their clients not to go to Maine to work.^{xi}

ILAP's clients have also reported to us that they are not pursuing college and adult education out of fear of enforcement, leaving them unable to develop professionally and reach their potentials – great losses for them and Maine's future.

IV. The Provisions in LD 1971 That Prohibit Maine Law Enforcement from Detaining People Based on Hold Requests Are Needed to Protect the Rights and Safety of Maine Residents

ICE hold requests to local law enforcement are another way local law enforcement needlessly divert public safety resources. Hold requests are non-mandatory requests from ICE to jails asking them to detain people for an additional 48 hours past their release date for the purpose of giving ICE additional time to decide whether to try to take them into their custody. These holds have raised serious constitutional concerns as people are frequently imprisoned by local law enforcement without any criminal charges pending or probable cause of any violation. Accordingly, these holds open municipalities and counties up to the risk of litigation and damages liability.

One of these stories is currently unfolding here in Maine. Patrick is a 23-year-old young man living in Portland. As a child in his home country, he experienced severe child abuse and was abandoned by his parents. As a teen, he witnessed two friends killed by police in front of him. As a 17-year-old, he made it to the U.S. by himself and then to Maine, searching for security, stability, and a better life. Unfortunately, given the extreme trauma he has endured in his life, Patrick struggles with depression and frightening flashbacks and he turned to alcohol to try to alleviate his symptoms. Patrick was being held at a Maine jail related to this alcohol use when he realized he was being held past his release date and reached out to ILAP for help. Patrick was never given a copy of the detainer, which would be required under LD 1971, and the jail refused to tell him or his ILAP attorneys what was happening. The jail eventually handed him over to ICE. Had LD1971 been in place, prohibiting law enforcement from voluntarily holding people past their release date for ICE^{xii}, Patrick would be free. Now, he is at risk of life-threatening deportation.

V. Conclusion:

These examples demonstrate the impacts of mass immigration enforcement in Maine, facilitated by local law enforcement, which will worsen if the guardrails in LD 1971 are not put in place. This does not serve Maine. Not only are individual lives and families destroyed, public trust in law enforcement – which is crucial for the safety of all of us – is further eroded, and Maine loses invaluable and essential members of our workforce and our communities.

Passing LD 1971 is crucial to protect the rights and dignity of Maine’s residents and the hope of a prosperous economy and safe future for all of Maine.

Thank you.

ⁱ Vega, Celia, *U.S. sent 238 migrants to Salvadoran mega-prison; documents indicate most have no apparent criminal records*, CBS News (April 6, 2025), <https://www.cbsnews.com/news/what-records-show-about-migrants-sent-to-salvadoran-prison-60-minutes-transcript/>.

ⁱⁱ For e.g., *The 287(g) Program: An Overview*, American Immigration Council, (Jan. 20, 2025), <https://www.americanimmigrationcouncil.org/research/287g-program-immigration>.

ⁱⁱⁱ *Id.*

^{iv} *Debunking the Myth of Immigrants and Crime*, American Immigration Council, (Oct. 2024), <https://www.americanimmigrationcouncil.org/research/debunking-myth-immigrants-and-crime>.

^v *What Crime Data Says About the Effects of Texas Busing Migrants*, The Marshall Project, (Oct. 2024), <https://www.themarshallproject.org/2024/02/17/new-york-texas-immigrants-crime-fears>.

^{vi} *On the association between undocumented immigration and crime in the United States*, Oxford Economic Papers, (January 2021), <https://academic.oup.com/oep/article-abstract/73/1/200/5572162?redirectedFrom=fulltext>.

^{vii} *Criminal Immigrants in Texas in 2017: Illegal Immigrant Conviction Rates and Arrest Rates for Homicide, Sex Crimes, Larceny, and Other Crimes*, The Cato Institute, (Aug. 2019), <https://www.cato.org/publications/immigration-research-policy-brief/criminal-immigrants-texas-2017-illegal-immigrant>.

^{viii} *For e.g., NYPD Announces December 2023, End-of-Year Citywide Crime Statistics*, NYPD, (Jan. 4, 2024), <https://www.nyc.gov/site/nypd/news/p00098/nypd-december-2023-end-of-year-citywide-crime-statistics>.

^{ix} *State Map on Immigration Enforcement 2024, Immigrant Legal Resource Center*, (Nov. 8, 2024), <https://www.ilrc.org/state-map-immigration-enforcement-2024#:~:text=Over%20the%20last%20decade%2C%2070,detention%20and%20mass%20deportation%20system>.

^x All names in this testimony have been changed to protect identity.

^{xi} Snider, Ari, *Lawyers say Border Patrol in Maine is arresting people who are in lawful immigration processes*, Maine Public Radio (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>.

^{xii} There are a few exceptions in LD 1971, but the facts of this situation do not fit an exception.



May 19, 2025

**Testimony of the Immigrant Legal Advocacy Project
In Support of LD 1259
“An Act to Enhance Public Safety in Maine by Defining the
Relationship Between Local and Federal Law Enforcement”**

Good afternoon, Chair Senator Carney, Sponsor Representative Rana, and members of the Judiciary Committee. My name is Lisa Parisio, and I am the Policy Director at the Immigrant Legal Advocacy Project, or ILAP. I am here today to urge you to support LD 1259, which is needed to protect the rights of Maine’s residents and Maine’s public safety resources, economy, and future.

I. About ILAP & Subject Matter Expertise:

ILAP is Maine’s *only* statewide immigration legal services organization, and we provide legal assistance to people across Maine who would otherwise not be able to afford an attorney. As the only organization of our kind in the state, we have a unique vantage point over how the federal administration’s mass deportation policies and strategies are harming Maine’s residents and our state as a whole.

II. 287(g) Agreements and Similar Programs are Mass Deportation Tools, Which Are Based False Narratives, and Do Not Serve the Public Good:

For the federal administration to carry out its agenda of deporting at least one million people a year – which is broadly and indiscriminately targeting *all* immigrant communities – it needs the public safety resources of local law enforcement, including through the dramatic expansion of 287(g) agreements. Because the 10th Amendment of the U.S. Constitution protects the states from being forced to hand over their resources to the federal government for purposes like this, municipalities must voluntarily sign up for 287(g) agreements.

Under 287(g) agreements, local law enforcement are deputized to do many of the duties of federal immigration officers. These include things like questioning people for the sole reason of finding out their immigration status, issuing detainers to hold people for Immigration and Customs Enforcement (ICE) past a person's release date from a jail, and taking other steps that might begin the deportation process. ICE provides some kinds of initial training, but after that, the expense is solely on the taxpayer dollars that fund local law enforcement.

287(g) agreements are purely for the purpose of allowing local law enforcement to step outside of their jurisdiction to investigate someone's immigration status and assist in civil immigration enforcement. They are not needed for any normal police work. Local law enforcement, of course, have the ability to execute criminal warrants or respond to crimes regardless of a person's citizenship or immigration status. If in the course of a traffic stop, local law enforcement in Maine are electing to hold someone on the side of the road for hours waiting for immigration officers to come, that means they are voluntarily holding them for civil immigration enforcement purposes, not because they are required or need to. Additionally, a lack of a 287(g) agreement has no impact on the ability of federal immigration officers to do their job – federal immigration officers can carry out immigration enforcement anywhere in the United States, whether there is a 287(g) agreement in place in an area or not. Accordingly, the only impacts of prohibiting 287(g) agreements are ensuring limited public safety resources are actually spent on matters of public safety – and not civil immigration enforcement – and preventing the well-known, largescale harms that happen in communities that have had these programs in place.

287(g) programs have been around since the 1990s, so there is a wealth of evidence about those harms. 287(g) agreements destroy public trust and make immigrant communities even more afraid to report crimes like domestic violence to law enforcement and to assist as witnesses in criminal cases.ⁱ ILAP's clients have already reported these types of fall outs in Maine, sharing that they did not call the police when they wanted to for their own safety and that they are scared to continue serving as witnesses in court. 287(g) agreements also promote racial profiling, waste taxpayer dollars, and have economic harms as immigrant communities relocate to places that prioritize the public safety of all residents.ⁱⁱ

In the current environment, it is also crucial that the Maine legislature consider the serious human consequences of needless local law enforcement participation in civil immigration enforcement, including that individuals being placed federal immigration custody may result in incarceration in a detention center and life-threatening

deportation without due process – including to places like Centro de Confinamiento del Terrorismo, or CECOT, a notorious work prison in El Salvador where the U.S. government currently has an arrangement to send people.ⁱⁱⁱ

Mass deportation and 287(g) agreements also have no legitimate underlying public policy basis. They are based on a false narrative that there is some kind of link between being an immigrant and criminality. No such link exists. We know this by common sense – because immigrants are simply human beings – and because of the numerous studies that have been done to prove this.

These include:

- A comparison of crime data to demographic data from 1980 to 2022 showing that as the immigrant share of the population of the U.S. has gone up, crime has fallen. This study also shows that there is no statistically significant correlation between the immigrant share of the population and the total crime rate in *any* state.^{iv}
- An analysis of policing and crime data in cities that received a significant number of migrants since the spring of 2022, showing no link between crime and an influx of immigrants. This analysis also shows the number of immigrants at the U.S.– Mexico border in recent years has not corresponded with an overall increase in crime.^v
- An analysis of incarceration data in the United States, which shows that undocumented immigrants are 33 percent less likely to be incarcerated than people born in the United States.^{vi}
- A study of criminal convictions versus immigration status, showing undocumented immigrants are 47 percent less likely to be convicted of a crime than citizens born in the U.S.^{vii}
- Public safety data reports from cities that have received large numbers of immigrants in recent years, showing that crime has decreased.^{viii}

III. There Are Already Serious Consequences Happening in Maine From Local Law Enforcement Voluntarily Diverting Public Safety Resources to do Immigration Enforcement and the Expansion of 287(g) Agreements Would Worsen This:

Studies show that over the last decade, 70 to 75 percent of Immigration and Customs Enforcement (ICE) arrests in the interior of the U.S. have been facilitated by local law enforcement.^{ix} This facilitation is currently playing out in Maine. In the past months, ILAP has confirmed that local law enforcement in Maine have handed at least ten people over to immigration officers based on immigration status alone. These individuals had no criminal record, had valid work permits, and were following lawful immigration processes. We believe there are *many* more.

The expansion of 287(g) agreements or similar programs in Maine would worsen this already serious situation.

Here are some of the stories of Maine residents who have been impacted:

Andres^x is a 17-year-old young man from Lewiston who was on his way to his first day of a new job in construction. His uncle was driving, and Andres was a passenger when the car was pulled over by Maine State Police. The stated reasons for the traffic stop included traveling in the passing lane and speeding. Maine State Police called immigration officers and handed Andres over to them despite him having no criminal record. Andres had also previously been processed and vetted through the federal government as an unaccompanied minor before he was reunited with his beloved mother and siblings here in Maine. He has now been incarcerated in a detention center, hundreds of miles from home, for more than two months.

Robbie is a 57-year-old man living with his wife and 10- and 16-year-old kids in Waldo County. He works multiple jobs to support his family. One night he received an urgent call from his nephew who had been pulled over by a sheriff for alleged speeding. His nephew needed his help – the sheriff had called immigration officers, and they were going to take both him and his wife away, despite his nephew having a valid immigration status and his nephew's wife being in a lawful process. When Robbie showed up at the scene to help his nephew by picking up his car, the sheriff inquired into Robbie's immigration status, too, and then held him and handed him over to immigration officers. In addition to no criminal record, Robbie had a valid work permit and pending immigration status but was held in a detention center in Massachusetts for months. When an immigration judge ordered his release on bond and Waldo County community members – who had raised the money to support their neighbor – showed up to pay the bond, immigration officials ignored the court order and refused to let him out. It took ILAP staff herculean efforts and resources to finally secure Robbie's release. But Robbie and his family's nightmare is far from over. Despite not meeting the requirements to be placed in a fast-track deportation process, the federal government

did it anyway, and Robbie remains at risk of deportation and his family at risk of being torn apart and losing him. During this ongoing situation, nearly 400 Waldo County residents who were horrified that their sheriff had handed over a member of their community to immigration officers simply based on his immigration status, delivered a letter to their sheriff, calling on him to commit to not entering a 287(g) agreement.^{xi}

Natalie was driving through Oxford County when she saw that there had been a car accident. Concerned for her fellow human beings, she stopped to help. When local police showed up on the scene, they profiled her and inquired into her immigration status and then called immigration officers. Natalie is an asylum seeker in a lawful process. She was held by local law enforcement and then taken by immigration officials from the side of the road and whisked to a detention center on the other side of the country.

In Greene County, Marcos was driving with his wife when he was pulled over – the officer said he was driving 40 mph in a 35 mph zone. He explained to the officer that was in the United States on a visitor’s visa and was in the lawful process of seeking asylum, as he feared persecution in his home country. It didn’t matter, local law enforcement called immigration officers anyways and Marcos was arrested and taken into detention.

IV. Conclusion:

These stories demonstrate the impacts of mass immigration enforcement in Maine, facilitated by local law enforcement, which would be worsened by the expansion of 287(g) and similar programs. This does not serve Maine in any way. Individual lives and families are destroyed, public trust in law enforcement – which is crucial for the safety of all of us – is further eroded, and Maine loses invaluable and essential members of our workforce and our communities.

Passing LD 1259 is crucial to safeguard the basic rights and dignity of Maine’s immigrant residents, to prevent the needless and harmful diversion of public safety resources, and to protect a better future for us all.

Thank you.

ⁱ *The 287(g) Program: An Overview*, American Immigration Council, (Jan. 20, 2025), <https://www.americanimmigrationcouncil.org/research/287g-program-immigration>.

ⁱⁱ *Id.*

ⁱⁱⁱ Vega, Celia, *U.S. sent 238 migrants to Salvadoran mega-prison; documents indicate most have no apparent criminal records*, CBS News (April 6, 2025), <https://www.cbsnews.com/news/what-records-show-about-migrants-sent-to-salvadoran-prison-60-minutes-transcript/>.

^{iv} *Debunking the Myth of Immigrants and Crime*, American Immigration Council (Oct. 2024), <https://www.americanimmigrationcouncil.org/research/debunking-myth-immigrants-and-crime>.

^v *What Crime Data Says About the Effects of Texas Busing Migrants*, The Marshall Project (Oct. 2024), <https://www.themarshallproject.org/2024/02/17/new-york-texas-immigrants-crime-fears>.

^{vi} *On the association between undocumented immigration and crime in the United States* Oxford Economic Papers, (January 2021), <https://academic.oup.com/oep/article-abstract/73/1/200/5572162?redirectedFrom=fulltext>.

^{vii} *Criminal Immigrants in Texas in 2017: Illegal Immigrant Conviction Rates and Arrest Rates for Homicide, Sex Crimes, Larceny, and Other Crimes*, The Cato Institute (Aug. 2019), <https://www.cato.org/publications/immigration-research-policy-brief/criminal-immigrants-texas-2017-illegal-immigrant>.

^{viii} For e.g., *NYPD Announces December 2023, End-of-Year Citywide Crime Statistics*, NYPD (Jan. 4, 2024), <https://www.nyc.gov/site/nypd/news/p00098/nypd-december-2023-end-of-year-citywide-crime-statistics>.

^{ix} *State Map on Immigration Enforcement 2024*, Immigrant Legal Resource Center (Nov. 8, 2024), <https://www.ilrc.org/state-map-immigration-enforcement-2024#:~:text=Over%20the%20last%20decade%2C%2070,detention%20and%20mass%20deportation%20system>.

^x All names in this testimony have been changed to protect identity.

^{xi} *In defense of due process in Waldo County*, Bangor Daily News (April 26, 2025), <https://www.bangordailynews.com/2025/04/26/opinion/opinion-contributor/in-defense-of-due-process-in-waldo-county-joam40zk0w/>.