



AMERICAN CIVIL LIBERTIES UNION
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**TESTIMONY OF MOLLY CURREN ROWLES, ESQ.
LD 1971 - Ought to Pass**

**An Act to Protect Workers in This State by Clarifying the
Relationship of State and Local Law Enforcement Agencies with
Federal Immigration Authorities**

Joint Standing Committee on Judiciary
May 19, 2025

Senator Carney, Representative Kuhn, and distinguished members of the Joint Standing Committee on Judiciary, good afternoon. My name is Molly Curren Rowles and I am executive director at the ACLU of Maine, a statewide organization committed to advancing and preserving civil liberties guaranteed by the Maine and U.S. Constitutions. On behalf of our members, we urge you to support LD 1971 because it will strengthen the constitutional rights of Maine residents and visitors and reflect our commitment to the rule of law.

Through anti-immigrant policies, threats to withhold or cancel federal funding, and a “mass deportation” agenda, the Trump administration is terrorizing immigrants and those perceived to be immigrants, regardless of their legal status. Here in Maine, more immigrants have been arrested by Border Patrol since January 20th than in all of 2024,¹ and ICE has expanded its use of ICE detainers asking local jails to hold immigrants even after they’ve served their criminal sentences. We have significant constitutional concerns with the escalating use of ICE detainers because the detainers are not supported by probable cause, often no notice is provided in advance of their issuance, and there are limited means to challenge extended detention. In addition, while CBP and ICE are conducting what they call “targeted enforcement,” independently and with the help of local police, they have been arresting and detaining people who have permission to be in the United States, have no criminal records, and are actively following the law.³ Immigration attorneys in other states are now advising people not to travel

¹ US Customs and Border Protection News Release, “Border Patrol conducts targeted enforcement operations in Maine,” May 5, 2005.
www.cbp.gov/newsroom/local-media-release/border-patrol-conducts-targeted-enforcement-operations-maine

³ “A teenager’s immigration arrest started with a Maine traffic stop” Callie Ferguson, Bangor Daily News, May 18, 2025. <https://themainemonitor.org/maine-teenagers-immigration-arrest>



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to Maine because of the way ICE and CBP have conducted enforcement activities here.⁴

The effect on Maine has been dramatic, as immigrants are terrified every day that they may be detained.⁵ Immigrants have played a critical role strengthening Maine's communities, growing our economy, and stabilizing our otherwise dwindling population. Many of our most important industries continue to rely heavily on immigrants, including construction, food service, child and elder care, and health care. Immigrants deserve to be able to safely call law enforcement for support if they witness or are victims of crimes. They deserve to visit the doctor, or to attend work or school, without fear. Our country needs immigration reform that is fair, consistent, and comprehensive. And targeting and terrorizing our neighbors and friends is unjust, unlawful, and wrong.

Between 2016 and 2020, ten states enacted measures to protect immigrants from unfair and unconstitutional law enforcement activities. In each of these states, officials put guardrails around how and under what circumstances local law enforcement spends time and resources on federal civil immigration enforcement. In line with federal law and prioritizing public safety, LD 1971 would give Maine a chance to do the same by preserving our state's limited resources for local needs.

If enacted, LD 1971 would:

- Align with the requirements of federal law, while providing a clear framework for Maine law enforcement to use its limited resources to support public safety.
- Preserves the ability of Maine law enforcement to respond to requests from immigration authorities for information about individuals' criminal history and give access to interview individuals in custody;
- Prohibit Maine law enforcement from stopping, investigating, interrogating, arresting or detaining a person solely for federal immigration enforcement purposes.
- Prohibit state employees other than law enforcement officers from inquiring into immigration status unless such inquiry is required by law or necessary to provide a requested service.
- Require Maine law enforcement to inform all those detained of their rights prior to an interview by an immigration authority.

⁴"Lawyers say border patrol in Maine is arresting people who are in lawful immigration processes," MainePublic, May 8, 2025: www.mainepublic.org/courts-and-crime/2025-05-08/lawyers-say-border-patrol-in-maine-is-arresting-people-who-are-in-lawful-immigration-processes

⁵"Maine immigrants, undocumented or not, 'walking on glass' as enforcement ramps up" John Terhune, Portland Press Herald, April 3, 2025



With our suggested amendments below, these guardrails will prevent significant harm to lawful residents and even citizens in Maine. It will allow Maine resources – already stretched thin by budget limitations and staffing challenges – to be used to support critical public safety needs. And it will demonstrate to our immigrant community that we honor the trust they placed in us, and in our Constitution, when they came to these shores seeking freedom for themselves and their families.

We urge you to vote *ought to pass*.

ACLU Suggested Amendments:

- Delete Section 2(f)
- Delete Section 3