



February 24, 2021

**Testimony of Julia Brown, Immigrant Legal Advocacy Project
In Support of LD 417**

Good morning, Senator Deschambault, Representative Warren, and distinguished members of the Committee on Criminal Justice and Public Safety. Thank you for the opportunity to testify in support of LD 417.

My name is Julia Brown. I am the Advocacy and Outreach Director at the Immigrant Legal Advocacy Project (ILAP). ILAP is Maine's only statewide nonprofit provider of immigration law and related legal aid to Maine's low-income residents. Each year, ILAP serves over 3,000 individuals statewide, coming from approximately 100 countries around the world. On behalf of ILAP and our clients, I ask the Committee to vote "ought to pass" on LD 417, otherwise known as "An Act To Protect Maine's Drivers from Pretextual Traffic Stops."

Maine has a thriving and growing immigrant community. Over four percent of Mainers are immigrants, while 1 in 12 Maine residents is a native-born U.S. citizen with at least one immigrant parent.¹ Many members of Maine's immigrant community are subject to systemic racism as well as anti-immigrant rhetoric and policy.

Through our work, we have heard many reports that suggest racial profiling was involved in law enforcement encounters with members of the immigrant community. Because of these trends, we have been tracking cases in which there was some indicia of a pretextual stop and/or racial profiling. The following are examples of cases where individuals were arrested and detained by ICE after traffic stops for minor infractions or when no reason was provided:

- An individual was pulled over by police, with no reason provided. ICE arrived shortly after and arrested him after reviewing his documents. When ILAP staff visited him at Cumberland County Jail he expressed fear of being killed by gangs in El Salvador after he is deported.
- An individual was pulled over by police, who claimed one of his mirrors was not working although he claimed that it was working. He was turned over to ICE and arrested.
- An individual was pulled over by the police for making a wrong turn when pulling into a motel. He was turned over to ICE and arrested. When ILAP staff visited him at the Cumberland County Jail he expressed a fear of deportation because he was badly beaten by gangs in Mexico before coming to the United States.

¹ *Immigrants in Maine*, AMERICAN IMMIGRATION COUNCIL, 2020, https://www.americanimmigrationcouncil.org/sites/default/files/research/immigrants_in_maine.pdf.

- Police pulled over a 15-passenger van because the front occupants were not wearing seatbelts and the front windshield was broken. They were turned over to ICE.
- An individual was pulled over but not given a reason for the stop. He was arrested for driving without a license/registration and was turned over to ICE.
- An individual was pulled over for failure to wear a seatbelt and was turned over to ICE.
- An individual was pulled over because his lights were not on while his windshield wipers were operating. He was turned over to ICE.

Bias-based stops were also identified as a problem during community meetings ILAP held during the fall of 2018 and spring of 2019 with client communities in different areas of the state. During one meeting, at which all the attendees were from the Latinx community, the participants identified racial profiling by police as their greatest concern. Almost every person at the meeting, regardless of immigration status or citizenship, reported that they had been followed by police and/or stopped and questioned without cause.

Pretextual stops put immigrants at risk. I urge you to vote “ought to pass” on LD 417. Thank you for your time.