



MAINE ASSOCIATION OF CRIMINAL DEFENSE LAWYERS

P.O. Box 17642
Portland, ME 04112-8642
(207) 523-9869
mainemacdl@gmail.com

April 25, 2025

2024-2025 OFFICERS

President
Jeremy Pratt

President-Elect
Matthew D. Morgan

Vice President
Sarah E. Branch

Treasurer
Justin Andrus

Secretary
Luke Rioux

2024-2025 DIRECTORS

Jesse James Archer
Randall Bates
Dylan R. Boyd
Andrew Edwards
Daniel Dubé
Andrew Edwards
Benjamin T. Everett
Kristine C. Hanly
James Mason
Joseph Mekonis
Jennifer Rohde
Robert J. Ruffner
John Steed
Caitlyn Smith
Lisa Whittier

EXECUTIVE DIRECTOR

Tina Heather Nadeau

Senator Anne Carney, Chair
Representative Amy Kuhn, Chair
Joint Committee on Judiciary
5 State House Station, Room 438
Augusta, ME 04333

RE: LD 1656: An Act to Facilitate Compliance with Federal Immigration Law by State and Local Government Entities

Dear Senator Carney, Representative Kuhn, and Honorable Members of the Judiciary Committee:

The Maine Association of Criminal Defense Lawyers is a non-profit organization that has nearly 300 member attorneys who practice criminal defense across the state. Since 1992, MACDL has advocated for its members and the people we are fortunate to represent in courtrooms throughout Maine and at the State House.

MACDL presents this testimony **opposing** LD 1656.

The number of disastrous issues with this proposed legislation make it hard to know how to begin this testimony. As MACDL attorneys, we have represented thousands of people over the past several decades who have been ensnared in issues surrounding their immigration status. Our fears and concerns for our clients' safety and well-being—as well as all people's safety and well-being—has never been more acute.

We are living in scary times—and perhaps no one is more scared than people who are not American citizens but who are living in the United States. If the mandates of due process no longer exist at the federal level, if people can be kidnapped and held without even a hint of process or respect for basic human rights, then every single one of us should be terrified by the very real prospect that unchecked federal authority leaves no one protected. No one.

Municipal, county, and state law enforcement agencies are overburdened and under resourced. They, like so many agencies and organizations across this country, are trying to do too much with far too little. This bill would require local law enforcement to serve as puppets for ICE. It would force local law enforcement to do the bidding of ICE, do ICE's legwork for them, and enforce federal immigration law (such as anyone understands what any of that means at this point) to the detriment of local needs around public safety and public service.

To effectuate the millions of deportations that are envisioned by the current federal administration, they need to deputize all law enforcement in this country. That's how they get around directly paying for this travesty against human rights. They will make towns, cities, counties, and states fill in the enormous funding gaps created by these unfunded, unprecedented, indescribably ill-thought-out ostensible plans.

As defense attorneys, we don't want ICE going into jails and intimidating our clients. We don't want local jails to be required to provide incarceration status or other information to ICE; we don't want our local law enforcement beholden to ICE to provide assistance or cooperation for these sweeping inhumane mandates from above, straining overstretched resources.

This bill would prohibit and punish any local government entity from having the temerity to say "No!" to obeying commandments by ICE. It will also turn people within these entities against each other—requiring "ratting" for suspected noncompliance. What are we doing? The language in proposed section 26006 sounds incredibly hollow given the nightmare context in which we are now all forced to live.

Maine can and should be more protective of all people within its borders. We are not puppets of federal immigration enforcement. We should not prohibit local law enforcement agencies from refusing to comply with burdensome demands on their resources to enforce federal immigration laws. We are not turning on our neighbors.

For all these reasons, we ask that this Committee vote resoundingly ought **not to pass** on LD 1656.

Thank you for your consideration, for your attention to these important matters, and for allowing me to present this testimony on this bill to you all today.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tina Heather Nadeau", with a stylized, flowing script.

Tina Heather Nadeau, Esq.
MACDL Executive Director