

Written Testimony in Support of LD 1259 and LD 1971

Delivered to the Maine State Judiciary Committee

19 May 2025 | By Joshua Failé

Good afternoon, Senator Carney, Representative Kuhn, and honorable members of the Judiciary Committee,

Thank you for the opportunity to speak with you today. My name is Joshua Failé, I live and work in Bangor, and I am here to express my strong support for LD 1259 and LD 1971, which would prevent Maine local and state law enforcement from becoming entangled in federal immigration enforcement programs and actions, protecting Maine residents and workers.

Let me begin with the main reason I support this bill: immigrants are welcome, vital members of our community. Immigrants are not “illegal” people. They are our neighbors, coworkers, classmates, and friends. They are essential to the fabric of Maine’s society and economy. Our state is stronger, safer, and more vibrant because of them.

As an economist and data analyst with a particular expertise in demographic and economic modeling, I can also say with confidence that immigrants are indispensable to the future prosperity of our state. It cannot be exaggerated how crucial immigration is to addressing key challenges we are currently facing, including an aging population, labor shortages, and the need for economic revitalization.

Maine has the oldest population in the US, leading to a natural population decline and a shrinking working age cohort, which creates significant strains on our labor market, as well as public services funding. In 2024, the state's population grew by only 0.4%, almost entirely due to net migration, with international migration accounting for nearly half of this growth. As the US population itself ages, and the overall birthrate continues to fall, international immigration and internal migration will become increasingly necessary for merely maintaining the tax revenue required to provide current municipal, county, and state public services, much less any expansion of them.

This also means immigrants will continue to play a vital role in Maine's workforce. They constitute approximately 4.6% of the state's labor force, with over 75% being of working age—the latter figure is particularly beneficial due to our increasing elderly population. In strained sectors like home health care, immigrants represent one in five workers, a proportion only likely to increase in the coming years. They also hold significant positions in high-tech fields such as computer programming, biomedical research, and climate study and intervention, which are vital to maintaining a diversified economy and mitigating the impacts of climate change on Maine. Their contributions are essential in filling labor gaps, especially as the rate at which baby boomers retire rapidly increases.

Beyond just their contributions to addressing labor shortages, immigrants contribute significantly to Maine's economy through entrepreneurship, tax revenue, and consumer spending. In 2023, immigrants in Maine contributed an estimated \$626 million in taxes, comprising \$231 million in state and local taxes, and \$395 million in federal taxes. These figures encompass both “documented” and “undocumented” immigrants. And immigrant households held a combined \$1.6 billion in spending power in 2023, fueling local economies through purchases of property, goods, and services. Immigrants are also integral to Maine's entrepreneurial landscape. In 2023, 3.2% of Maine's entrepreneurs were immigrants, owning businesses that create jobs, bring cultural diversity, and contribute tax revenue. Statewide, immigrants owned over 2,300 businesses, employing more than 14,000 people, and generating nearly \$70 million in revenues. They are a prominent force driving economic growth in our communities and are vital to the future prosperity of our state.

And like all members of our communities—whether or not they are “economically productive”—immigrants are entitled to equal protection under the law and due process. These are not privileges for a select few. They are constitutional guarantees afforded to all people residing in the United States. Yet, time and again, federal immigration enforcement—especially under the Trump administrations—has trampled those rights in pursuit of a mass deportation agenda. Customs and Border Protection (CBP) and Immigration and Customs Enforcement (ICE), among other federal agencies, have detained individuals without proper due process, separated families, and operated with little accountability, often with the cooperation of local law enforcement, including right here in Maine.

Recently CBP—reportedly with assistance of other federal agencies—detained more than 40 immigrants across Maine (including here in Bangor). Many of the people arrested lived in other states and were here to work on various job sites. Most possessed valid work permits, had no criminal records, and were following lawful pathways to permanent resident status. These arrests of law-abiding immigrants have become so disruptive and concerning that, per a recent Maine Public article, immigration lawyers are advising their clients to avoid travelling to Maine altogether. I believe such (likely unconstitutional) actions are intended to not only help the Department of Homeland Security meet increasingly nonsensical deportation quotas, but to terrorize both our immigrant communities and negatively impact Maine's economy, by discouraging immigrants from migrating or travelling to the state. I think it has become very clear that the Trump administration is targeting our great state for “punishment” based on Governor Mills' honorable opposition to the administration's unconstitutional and illegal policies and actions.

Once more, the President of the United States has been openly discussing suspending Habeas Corpus and deporting lawful immigrants and *U.S. citizens* to foreign countries to be imprisoned indefinitely. And he is doing so while his Department of Justice argues in federal court that neither the lower courts nor the Supreme Court have the power to restrain his administration's law enforcement powers, nor to compel the Executive to return those “deported” without due process. In other words, the President is asserting that he can send *anyone* he chooses out of the country, and once they're gone, there's no legal mechanism to bring them back. That is not only unconstitutional, but also frighteningly authoritarian.

Perhaps most alarming, though, is the administration's willingness to ignore recent court rulings against it, including Supreme Court decisions holding that the Trump administration's invocation and application of the Alien Enemies Act to be unconstitutional.

This, to me, is a clear indication of an intensifying constitutional crisis, and is precisely why Maine must draw a firm line. We cannot allow our law enforcement officers to be deputized into federal actions that violate civil rights and flout the Constitution. We cannot put those tasked with protecting and serving our communities in a position of harming them. We cannot expose our municipal governments and law enforcement agencies to criminal and civil liability for illegal acts.

LD 1259 and LD 1971 are not about politics. These bills are about protecting the rule of law. They are about defending civil liberties. They are about keeping every member of our community—regardless of status—safe from illegal and unconstitutional abuse of power.

I urge you to vote in favor of LD 1259 and LD 1971, and send a clear message: in Maine, we do not collaborate with agencies that violate civil rights. We do not aid in deporting our neighbors without due process. And we do not compromise our values or abandon the Constitution for political expedience.

I believe, given the Trump administration's recent attempts to make our state an example of what happens if you prominently oppose their illegal and unconstitutional actions, the old political maxim can be true again: As Maine goes, so does the nation.

I sincerely hope you vote to show the nation which way it should go.

Thank you,

A handwritten signature in cursive script, appearing to read "Joshua Failé".

Joshua Failé

30 West Street
Bangor, ME 04401