

Testimony in Support of LD 1259, “An Act to Enhance Public Safety in Maine by Defining the Relationship Between Local and Federal Law Enforcement”

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Good Afternoon, Senator Carney, Representative Kuhn, and members of the Joint Standing Committee on Judiciary. My name is James Myall and I am a Senior Policy Analyst at the Maine Center for Economic Policy. I’m here to testify in support of LD 1259, “An Act to Enhance Public Safety in Maine by Defining the Relationship Between Local and Federal Law Enforcement.” MECEP supports LD 1259 because it will prevent local law resources being diverted towards federal priorities that make our communities less safe, create a climate of fear, and ultimately harm Maine’s economy.

LD 1259 would prevent local law enforcement agencies in Maine from entering into agreements like those commonly known as 287(g) agreement with federal immigration agencies. Research has shown that when local police enter into these agreements, there are a series of negative consequences not only for the immigrants themselves, but also their wider communities. Many undocumented immigrants have been in the United States for decades, have committed no serious crimes, and have raised families and started businesses here. Yet these contributors to our society and economy are often the ones most impacted by local partnerships with federal law enforcement.

The primary duty of local law enforcement agencies is to make their communities safer. Yet entering into agreements with federal immigration officials often produces the opposite result. Studies of 287(g) agreements nationwide show that they do not reduce rates of violent crime in communities where they were in effect.¹ In fact, most activity under these agreements involves arresting noncitizens for minor infractions like traffic offences.² This is not surprising given that undocumented immigrants commit crimes at lower rates than native-born Americans,³ but it does call into question the fundamental value of such agreements.

While they are ineffective at deterring crime, these agreements do create a climate of fear within immigrant communities among our law-abiding neighbors and friends. Particularly in today’s context, where even immigrants on official visas or with legal permanent residency are being detained, we should not be adding to the anxiety felt by many New Mainers. Past research shows that 287(g) agreements make children more likely to miss school,⁴ and make undocumented immigrants less likely to access the health care they need.⁵ At the same time, such agreements actively harm the mental health of immigrants.

Immigrants are an essential part of our workforce, especially in a state like Maine, where the American-born population is increasingly of traditional retirement age. Overly aggressive enforcement of immigration laws leads to fewer workers to fill vital roles in our economy. One study of 70 counties with 287(g) agreements found that those counties had slower business growth than ones which did not partner with ICE.⁶ The effect is especially acute in sectors that rely on immigrant labor – one study found that increased immigration enforcement reduced the number of available farm workers, pushing up costs for farms and ultimately leading to fewer acres under cultivation.⁷ Elsewhere, stronger local immigration enforcement efforts have pushed up housing costs, as fewer construction workers are available.⁸

Finally, it's worth noting that the use of enforcement agreements does not typically lead to more undocumented immigrants leaving the United States or deciding not to come in the first place. However, it does make non-citizens (including those with documented status) more likely to move to other parts of the United States.⁹ These effects are most concentrated among college-educated immigrants, who are precisely the kind of high skilled workers Maine should be looking to attract, not drive away.

LD 1259 would ensure that Maine resources are not diverted towards a federal program that is immoral, counter-productive, and ultimately economically harmful. I urge you to vote "ought to pass" on the bill, and I'll be happy to take any questions.

Notes

¹Hannah Gill, and Mai T. Nguyen. "The Costs and Consequences of Local Immigration Enforcement in North Carolina Communities The 287(g) Program." *The Latino Migration Project*. 2010

https://casdev.unc.edu/migration/wp-content/uploads/sites/2/2019/10/287g_report_final.pdf and Joel A. Capellan and Evan T. Sorg, "Do Local-Federal Immigration Enforcement Agreements Reduce Crime? A Nationwide Evaluation of the Crime Reduction Benefits of Section 287(g) of the United States Immigration and Nationality Act." US National Criminal Justice Reference Service. Nov 2022.

² Randy Capps, Marc R. Rosenblum, Muzaffar Chishti and Cristina Rodríguez, "Delegation and Divergence: 287(g) State and Local Immigration Enforcement." Jan 2011.

<https://www.migrationpolicy.org/research/delegation-and-divergence-287g-state-and-local-immigration-enforcement>

³ Ran Abramitzky et al., "Law-Abiding Immigrants: The Incarceration Gap Between Immigrants and the US-born, 1870–2020." *NBER Working Paper* 31440 <https://www.nber.org/papers/w31440> and "Undocumented Immigrant Offending Rate Lower Than U.S.-Born Citizen Rate." *National Institute of Justice*. Sept 12, 2024.

<https://web.archive.org/web/20250118140931/https://nij.ojp.gov/topics/articles/undocumented-immigrant-offending-rate-lower-us-born-citizen-rate>

⁴ Laura Bellows, "The Effect of Immigration Enforcement on School Engagement: Evidence from 287(g) Programs in North Carolina." (EdWorkingPaper: 21-366). Retrieved from Annenberg Institute at Brown University: <https://doi.org/10.26300/3b23-4e84>

⁵ Ómar Martínez et al., "Evaluating the Impact of Immigration Policies on Health Status Among Undocumented Immigrants: A Systematic Review." *J Immigr Minor Health*. 2015 Jun;17(3):947-70. Doi: <https://doi.org/10.1007/s10903-013-9968-4>

⁶ Dipesh Shrestha and Genti Kostandini. "The Effects of Immigration Policy on Business Creation: A Study of the Effects of 287(g) Mandates." *Journal of Agricultural and Applied Economics* 56.3 (2024): 429–444. Doi: <https://doi.org/10.1017/aae.2024.23>

⁷ Jennifer Ifft and Margaret Jodlowski, "Is ICE freezing US agriculture? Farm-level adjustment to increased local immigration enforcement." *Labor Economics* Vol 78, Oct 2022. Doi: <https://doi.org/10.1016/j.labeco.2022.102203>

⁸ Troup Howard, Mengqi Wang, and Dayin Zhang, "Cracking Down, Pricing Up: Housing Supply in the Wake of Mass Deportation." *Social Scholars Research Network*. 7 Nov 2024. https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4729511

⁹ Tara Watson, "Enforcement and Immigrant Location Choice." *Federal Reserve Bank of Boston Working Paper* 13-10. 22 Oct 2014. Available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2512416