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**Testimony on HB 1222 - Favorable with Amendments
HB 1222- Public Safety - Immigration Enforcement (Maryland Values Act)
Senate Judicial Proceedings Committee**

To: Chair Senator William C. Smith, Jr., Vice Chair Senator Jeff Waldstreicher, and members of the Judicial Proceedings Committee

From: Gabriel Maximilian Moreno, Esq.

Honorable Members of the Maryland General Assembly, my name is Gabriel Maximilian Moreno, Esq. I am the CEO of the Luminus Network headquartered in Columbia, Maryland, District 12, and a resident of District 13. For more than 40 years, Luminus has empowered immigrants by offering legal and social services to meet their goals. Every day, we witness the strength and contributions of immigrants—and the fear and disruption caused when local institutions are used to enforce federal immigration laws.

We offer this **favorable with amendment** testimony on **HB 1222**, also known as the **Maryland Values Act**. At its core, this bill is about affirming our shared values of fairness, dignity, and justice. HB 1222 would terminate 287(g) agreements in Maryland—an essential step toward ensuring our state no longer contributes to a federal deportation agenda that undermines community trust and safety.

287(g) Makes Us All Less Safe by Undermining Public Trust in Law Enforcement

Public safety depends on **trust between law enforcement and the communities they serve**. However, **287(g) agreements break this trust** by creating fear among immigrant residents—both

documented and undocumented—who may hesitate to report crimes, serve as witnesses, or seek police assistance.

- **A 2010 study by the Police Executive Research Forum** found that when local police enforce immigration laws, **Latino communities are significantly less likely to report crimes** out of fear of deportation.¹
- **The Major Cities Chiefs Association (MCCA)** concluded that without clear separation between local policing and immigration enforcement, the **“hard-won trust, communication, and cooperation from the immigrant community would disappear.”**²
- The **International Association of Chiefs of Police (IACP)** has stated that when immigrants fear **any contact with police**, they are **less likely to report crimes, even serious ones.**³

This breakdown in trust is not hypothetical. At Luminus, we work with many clients—including survivors of domestic violence and trafficking—who are reluctant to seek protection or justice because of fear that contact with police may lead to detention or deportation. We have heard from children afraid their parents will not come home from work. We have supported women who escaped abuse only to face ICE holds that prolonged their suffering. We have seen teenagers forced to take on adult responsibilities after a parent was detained. These are not isolated incidents—they are the consequences of policies like 287(g) that compromise community safety.

287(g) Primarily Targets Low-Level Offenders, Not Serious Criminals

Despite claims that **287(g) improves public safety**, research shows that the program **overwhelmingly targets individuals arrested for minor infractions rather than serious crimes.**

- Since 2008, **80% of detainees in Frederick County, Maryland** under 287(g) have been for **Level 3 misdemeanors**, and **60% for traffic violations**, not violent offenses.

¹ Debra A. Hoffmaster, et al., “Police and Immigration: How Chiefs are Leading Their Communities through the Challenges” (Washington, DC: Police Executive Research Forum, 2010), 39, <http://www.immigrationresearch-info.org/report/other/police-and-immigration-how-chiefs-are-leading-their-communities-through-challenges>.

² M.C.C. Immigration Committee, “M.C.C. Immigration Committee Recommendations for Enforcement of Immigration Laws By Local Police Agencies,” Major Cities Chiefs Association, June 2006, 6, <https://images.procon.org/wp-content/uploads/sites/40/recommendationsforenforcementofimmigrationlawsbylocalpoliceagencies.pdf>.

³ International Association of Chiefs of Police, “Enforcing Immigration Law: The Role of State, Tribal and Local Law Enforcement,” Police Chief 72, no. 4 (2005): 5, <http://www.markwynn.com/trafficking/enforcing-immigration-law-the-role-of-state-tribal-and-local-le-2004.pdf>.

- A 2011 Migration Policy Institute (MPI) analysis found that half of all detainees issued under 287(g) were for misdemeanors and traffic offenses.⁴
- A University of North Carolina study found that 57% of those detained under 287(g) in Gaston County, NC were charged only with traffic violations, confirming that 287(g) is not a tool for targeting serious criminals but instead a broad deportation mechanism.⁵

The data is clear: 287(g) is not a tool for addressing violent crime—it is a broad deportation mechanism that ensnares individuals who pose no threat to public safety. If Maryland truly values public safety, we must adopt community policing strategies that encourage victims and witnesses to come forward, rather than push entire communities into the shadows.

287(g) Encourages Racial Profiling and Discriminatory Policing

Though often described as a jail-based program, 287(g) still enables racial profiling. Local officers frequently use pretextual traffic stops to funnel individuals into the deportation system.

- Sheriffs and police departments have been documented using traffic stops to disproportionately arrest Latino and Black drivers for minor infractions in order to initiate immigration checks.
- A **2011 Department of Justice (DOJ) investigation** into the Maricopa County, Arizona Sheriff's Office found that Latino drivers were **up to nine times more likely** to be stopped than non-Latino drivers under 287(g). The investigation led to the termination of the county's 287(g) agreement due to civil rights violations.
- Similarly, a **2012 DOJ investigation** into Alamance County, North Carolina found that **Latino drivers were up to ten times more likely to be stopped and often arrested for minor violations** while non-Latino drivers received only citations. This led to DOJ litigation and DHS terminating the county's 287(g) agreement.⁶

⁴ Randy Capps, Marc R. Rosenblum, Cristina Rodríguez, and Muzaffar Chishti, "Delegation and Divergence: A Study of 287(g) State and Local Immigration Enforcement" (Washington, DC: Migration Policy Institute, 2011), 13-14, <http://www.migrationpolicy.org/research/delegation-and-divergence-287g-state-and-local-immigration-enforcement>.

⁵ Mai T Nguyen and Hannah Gill, "The 287(g) Program: The Costs and Consequences of Local Immigration Enforcement in North Carolina Communities" (Chapel Hill: University of North Carolina, 2010), https://www.academia.edu/31571070/The_Costs_and_Consequences_of_Local_Immigration_Enforcement_in_North_Carolina_Communities_The_287_g_Program_The_Latino_Migration_Project.

⁶ Isaac Groves, "Alamance Sheriff won't rejoin 287(g), but could still hold ICE detainees," The Times-News, November 16, 2018, <https://www.thetimesnews.com/news/20181116/alamance-sheriff-wont-rejoin-287g-but-could-still-hold-ice-detainees>.

This well-documented history of racial profiling shows that **287(g) is not just a jail-based program—it encourages discriminatory policing that disproportionately harms Latino and Black communities**. Maryland should not endorse or enable racial profiling under the guise of public safety.

Upholding Maryland's Values Means Ending 287(g)

At its core, HB 1222 is about aligning policy with our values—fairness, dignity, and justice for all. The Maryland Values Act ensures our state does not participate in tearing families apart, undermining public trust, or using local and state resources to further a federal deportation agenda.

As part of the **Maryland Immigrant Justice Table** and in partnership with CASA, Luminus **supports a clean bill that removes the amendments added in the House Judiciary Committee requiring notification and transfer to ICE. These additions undermine the very purpose of the legislation.**

Importantly, HB 1222 does **not** remove the discretion of local jurisdictions to cooperate with ICE if they so choose. It simply ends formal 287(g) agreements that make our law enforcement agencies extensions of federal immigration enforcement.

Ending 287(g) is a practical, evidence-based step that will improve public safety, restore trust, and reaffirm Maryland's commitment to justice.

We urge the Committee to issue a favorable report **with amendments** that restore the bill to its original intent: **to end 287(g) agreements in Maryland once and for all.**