

**Viviana Westbrook testimony before the
Maryland House Judiciary Committee, HB 1222,
Public Safety – Immigration Enforcement
(Maryland Values Act)
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Position: Support with Amendments**

Position

As an immigration attorney who worked for several years in representing immigrants, particularly survivors of gender-based violence, in various organizations, I have seen how counties with 287(g) in Maryland create fear for immigrants to come forward and report crimes. Survivors end up seeing local law enforcement in these counties as an extension of immigration enforcement. Local law enforcement should not enter into 287(g) and other agreements with immigration enforcement that make it easier to put immigrants into the deportation pipeline without due process. Domestic violence survivors can end up in detention, removal proceedings, and with a criminal record that could preclude other relief in the future. If an immigrant is a security risk and priority for ICE, the agency can obtain a signed judicial warrant.

Because of this, I support, with Amendments, HB 1222, the Maryland Values Act.

Issues

- 1) 287(g) and other enhanced cooperation with immigration enforcement results in a chilling effect for victims of crime.
 - a. When local law enforcement agencies have agreements such as 287(g) or easily honor detainer requests without a signed warrant from a judge, immigrants begin to equate local police and sheriffs with immigration enforcement. The [Center for American Progress](#) noted the “pernicious effects that 287(g) programs can have on communities, as local residents lose trust in the very law enforcement agencies that are responsible for maintaining public safety.”
- 2) 287(g) puts immigrant survivors at risk as it deputizes local law enforcement agents to engage in immigration enforcement in their jails.
 - a. Unfortunately, many abusers will take advantage of the victim’s lack of knowledge of U.S. laws. Many immigrant survivors do not speak English and if the abuser does, they have the upper hand and can frame the narrative however they wish. This is how many survivors end up being arrested, especially if they defend themselves and leave any marks on their abuser.
 - b. The abuser will claim the survivor was the assailant and land the survivor in jail. Once there, 287(g) activates and law enforcement learns that the survivor has no lawful immigration status. This will land them in immigration court or in some cases, summarily deported.
- 3) When such vulnerable victims of crime are not coming forward to report these crimes, our communities are put in danger. This is about public safety.

- 4) 287(g) is leading to many immigrants with charges of misdemeanors to be put into the immigration system.
 - a. Since undocumented immigrants commit fewer crimes than native-born U.S. citizens, most arrests under 287(g) involve very minor offenses that would normally not lead to jail time. Fully 60% of the immigrant arrests in Frederick County involve traffic violations alone.
- 5) 287(g) can result in racial profiling.
 - a. Lawsuits were settled in [two racial profiling cases](#) where Frederick County Sheriff's Office broke civil rights laws, interrogating immigrants about their immigration status. The lawsuits ended with financial payouts to the victims and an apology.
 - b. The entire system is set up to target people who "appear" foreign born. County jails receive funds from U.S. Immigration and Customs Enforcement (ICE) to house immigrants facing deportation and fighting it in court. This [incentivizes](#) deputies to make pretextual arrests of people who might fall into that category. In Catholic social teaching, bishops say "the economy must serve the people, not the other way around." Here though, the county is profiting from incarcerating people for minor, civil offenses that should not involve any jail time and then sending deputies out to find more people to put in jail. The immoral cycle of prison-for-profit continues.
- 6) 287(g) contributes to the deportation pipeline.
- 7) 287(g) is a shortcut to get around probable cause. There should be no shortcut to fundamental rights.
- 8) This new administration has started up the [Task Force Model](#) of 287(g) again.
 - a. This program allows "local law enforcement officers to challenge people on immigration status in the course of routine police work."
 - b. Unlike the other models, this extends beyond the jail.

Solutions

- 1) End 287(g).
 - a. At its core, this bill is about upholding Maryland's values—fairness, dignity, and justice for all. The Maryland Values Act affirms that our state should not be in the business of tearing families apart, undermining public trust, or funneling state and local resources into a federal deportation agenda. Instead, Maryland should stand firm in its commitment to community safety, due process, and equal treatment under the law - by ending 287(g).
- 2) Do not allow other localities to enter into any such agreements.
 - a. Since we are seeing a return to the Task Force Model, it is an especially terrifying moment where our fellow Marylanders may find themselves separated from their loved ones and the communities they call home.

Amendment Recommendation

As part of the Maryland Immigrant Justice Table, we urge the removal of Sections 9-309(A), 9-309(B) and 5-104(5). These provisions mandate detention and transfer, which courts and the Maryland Attorney General have flagged as likely unconstitutional, exposing local governments to

potential liability. Holding individuals past their scheduled release for civil immigration matters violates individuals' constitutional rights, making it unlawful. In addition to being unlawful, delayed release and transfer result in wasted state resources. Maryland must uphold due process and disentangle immigration enforcement from the criminal justice system.”

Action

I urge you to vote for HB 1222, with amendments, because:

- 1) The 287(g) program has a well-documented history of racial profiling, discrimination, and wrongful detentions. It diverts local law enforcement from their primary duty of protecting public safety, forcing them to act as immigration agents rather than community protectors. This erodes trust, particularly among immigrant communities, making people less likely to report crimes or seek help when needed. Ending 287(g) ensures Maryland’s resources are used to foster public safety—not help the federal deportation agenda.
- 2) Because of 287(g), members of the community fear any contact with police, and families are being torn apart. Immigrants do not feel safe contacting the police when they are victims of crime. True community safety requires equal access to justice for everyone to seek help when they need it, regardless of their immigration status. It is about building bridges and acknowledging that our individual well-being depends on the well-being of everyone around us.

I appreciate your consideration and urge a favorable report for House Bill 1222.