



Testimony in SUPPORT WITH AMENDMENT of HB1222
Public Safety - Immigration Enforcement (Maryland Values Act)

House Judiciary Committee
February 27, 2025

Dear Honorable Chair Clippinger, Vice Chair Bartlett, and Members of the Committee,

CASA supports House Bill 1222, with amendment. CASA is a national organization building power and improving the quality of life in working-class: Black, Latino/a/e, Afro-descendent, Indigenous, and Immigrant communities.

With a membership of over 173,000 members, CASA creates change with its power-building model blending human services, community organizing, and advocacy to serve the full spectrum of the needs, dreams, and aspirations of members. For nearly forty years, CASA has employed grassroots community organizing to bring our communities closer together and fight for justice, while simultaneously providing vital services to communities across the state and beyond.

The 287(g) program, which deputizes local law enforcement officers to enforce federal immigration laws, is not only ineffective but actively harmful to Maryland communities. Despite being misleadingly framed as a public safety measure by federal immigration officials, 287(g) agreements have consistently resulted in racial profiling, eroded trust between law enforcement and immigrant communities, diverted local resources from critical law enforcement functions, and exposed counties to costly legal liabilities.

CASA members have experienced the harm of 287(g) firsthand. CASA represented a member who was illegally racially profiled by officers in Frederick County for the “crime” of eating a sandwich outside her workplace. Even though Frederick's program is ostensibly limited to jailhouse enforcement, the officers detained her to question her about her immigration status. Over the next decade, she was forced to fight to remain in the United States with her family, including her U.S. citizen children, for no reason other than the fact that those law enforcement officers deputized themselves as immigration enforcement agents.

1. 287(g) Agreements Are a Betrayal of Maryland’s Values

Maryland has a long-standing commitment to protecting immigrant communities, keeping families together, and rejecting policies that promote fear and division. The 287(g) program is

inconsistent with these values. It perpetuates racial profiling, erodes trust in law enforcement, and advances the aggressive anti-immigrant agenda led by the Trump administration.

We have already taken decisive action in Maryland to sever ties with ICE. In 2021, we passed the Dignity Not Detention Act, ending Intergovernmental Service Agreements (IGSAs), which allowed local jails to detain immigrants on ICE's behalf. This legislation was passed in response to growing concerns about ICE's inhumane treatment of detained immigrants, the lack of oversight in detention facilities, and the devastating impact of family separation. The Dignity Not Detention Act reflected our state's recognition that private detention contracts and ICE partnerships do not enhance public safety but instead sow fear and distrust in immigrant communities. Ending 287(g) is a logical next step—it aligns with the same principles and the broader debate that led to this legislative victory.

2. 287(g) Undermines Public Safety and Erodes Trust

When law enforcement officers are seen as extensions of ICE, it creates deep and lasting distrust between immigrant communities and the police. This breakdown in trust discourages Black and brown immigrants from reporting crimes, seeking help, and cooperating with law enforcement—making communities less safe for everyone.

Latinos are 44% less likely to contact the police if they are victims of a crime due to fear that officers will question their immigration status or that of their loved ones.¹ This fear is only exacerbated in jurisdictions with programs like 287(g), where local law enforcement is electively taking on the job of ICE instead of focusing on their core mission to protect the people of their jurisdiction.

As immigration enforcement intensifies, fewer immigrant women seek protection from domestic violence by petitioning for legal status under the Violence Against Women Act.² When victims are too afraid to come forward, abusers remain unchecked, and communities suffer the consequences.

Studies have shown that 'Hispanic' residents reported lower levels of trust in the police after 287g implementation.³ Research indicates that this decline in trust is not limited to law enforcement but extends to other government agencies and service providers funded by the government. When entire communities are afraid to engage with public institutions, access to essential services declines, creating instability and further marginalization.

Under the current federal administration immigrants feel particularly vulnerable and hesitant to access services for which they are eligible, even including things like health care for their U.S.

¹ <https://www.americanprogress.org/wp-content/uploads/sites/2/2018/03/287gJurisdictions-report.pdf>

² https://conference.iza.org/conference_files/JuniorSenior_2019/arenas-arroyo_e24280.pdf

³ <https://ninercommons.charlotte.edu/islandora/object/etd%3A168>

citizen children. We hear from our members that they are afraid to go to medical appointments or to take their children to school. This fear is only heightened and validated when every police car they pass on the road is acting as an extension of federal immigration enforcement. During this time we should be focused on ensuring that people feel safe, not threatened.

When communities cannot trust law enforcement, public safety deteriorates. Survivors of domestic violence suffer in silence, and those who need help the most are left without support. Maryland cannot afford to maintain a program that erodes trust, endangers immigrant families, and undermines the work of local law enforcement. Ending 287(g) is not just a matter of immigration policy—it is a matter of public safety, racial justice, and human dignity. Maryland must stand firm in its commitment to protecting all residents and fostering trust between communities and law enforcement.

3. 287(g) Wastes Taxpayer Dollars and Drains Local Resources

Contrary to the stated goal of enhancing public safety, 287(g) agreements actually make communities less safe. These agreements divert resources from local law enforcement priorities and create fear among immigrant families, making it harder for police to build trust and effectively protect all residents.

Effective policing relies on strong relationships between law enforcement and the communities they serve. When residents fear that any interaction with the police could lead to deportation, they are far less likely to report crimes, serve as witnesses, or cooperate in investigations. As described above, programs like 287(g) create widespread distrust, making it significantly more difficult for immigrant families to work with law enforcement and undermining public safety for everyone.

Beyond damaging trust, 287(g) agreements force localities to divert critical resources toward immigration enforcement instead of focusing on pressing community needs. Local governments spend staff time and taxpayer dollars on tasks such as investigating immigration status, responding to ICE inquiries, collecting data for ICE, and notifying the agency about inmates' release schedules. These agreements shift law enforcement priorities away from addressing violent crime and public safety concerns, instead using local police as federal immigration agents. Our community's tax dollars should not be wasted on carrying out ICE's agenda at the expense of real public safety initiatives.

Law enforcement leaders across the country have voiced their concerns about local police involvement in immigration enforcement. The Major Cities Chiefs Association (MCCA)—which represents the largest law enforcement agencies in the U.S. and Canada—has warned against entangling local law enforcement in federal immigration matters. The Police Foundation found that due to Congress's failure to pass comprehensive immigration reform, states and localities

have been forced to take immigration enforcement into their own hands—diverting attention and resources from protecting communities against more serious threats⁴.

287(g) agreements are a failed policy. They do not improve public safety, they do not build trust, and they do not make communities stronger. Instead, they weaken law enforcement’s ability to do its job, waste taxpayer dollars, and make immigrant families live in fear. Ending 287(g) is a necessary step toward ensuring that Maryland’s law enforcement agencies are focused on keeping all residents safe—not acting as immigration enforcers for a federal agency.

4. 287(g) is Racially Biased and Opens the Door to Civil Rights Violations

There is overwhelming evidence that this program has been used to unfairly criminalize immigrants based on their appearance, language, and perceived nationality. By giving local law enforcement the power to enforce federal immigration laws, 287(g) widens the door to racial discrimination, eroding civil rights and public trust.

ICE’s influence in the criminal legal system actively undermines efforts to reduce biased policing. When local law enforcement officers are granted immigration enforcement powers, racial profiling becomes an incentive rather than an aberration. Police officers who know that an arrest can lead to immigration detention are more likely to stop or detain individuals who "look" or "sound" foreign, reinforcing systemic biases and making communities less safe.

Frederick County offers a stark example of how 287(g) fuels racial profiling right here in Maryland. A 2017 study found that the program led to a significantly higher number of arrests of Hispanic residents by the Sheriff’s Office than would have occurred otherwise.⁵ The case of *Medrano v. Jenkins*⁶ further exposed the discriminatory nature of 287(g). In 2018, Latina Frederick resident Sara Medrano was unlawfully stopped by two sheriff’s deputies while driving with her daughter and grandchildren. The deputies questioned her about her immigration status and attempted to detain her for ICE in clear violation of the Fourth Amendment. Medrano later discovered that her supposed “broken tail light” was fully functional—proving that she had been stopped simply for being Latina. The case was settled, awarding her damages and forcing Sheriff Jenkins to issue a written apology.

The Frederick County Sheriff’s Office has a documented history of harassing members of the RISE Coalition, unlawfully questioning Latinx residents— including U.S. citizens—on suspected immigration violations. Sheriff Jenkins himself has publicly expressed anti-immigrant rhetoric, going as far as calling DACA recipients “hardcore gangbangers.”

⁴ <https://immigrationimpact.com/2009/05/21/police-foundation-immigration-report-287g/>

⁵ <https://journals.sagepub.com/doi/abs/10.1177/233150241700500305>

⁶ <https://www.aclu-md.org/en/cases/medrano-v-jenkins>

The same racial biases that lead to the over-policing of Black communities are mirrored in 287(g) enforcement. Black immigrants are disproportionately arrested, charged, and incarcerated in the United States due to systemic racial biases in policing and sentencing. This overrepresentation in the criminal justice system significantly increases their likelihood of being targeted for deportation under 287(g). Although Black immigrants make up only 7.2% of the non-citizen population, they account for 20.3% of those deported on criminal grounds—an alarming disparity that exposes the racist nature of the program.⁷

Amendment - Removing Unconstitutional Detention and Transfer Mandates

CASA urges the removal of the proposed Sections 9-309(A) and (B) of the Correctional Services Article and Section 5-104(b)(5), as well as the addition to Section 5-104(b)(2), of the Criminal Procedure Article. These provisions mandate detention and transfer of individuals to federal immigration officials based on alleged civil immigration violations. Numerous courts and the Maryland Attorney General have flagged such detentions as likely unconstitutional, exposing the state and local governments to potential liability. 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 legal system.

We truly appreciate the opportunity to work with the committee to better understand the intent behind this language and make meaningful adjustments that address their concerns.

The 287(g) program is a relic of an anti-immigrant agenda that does not align with Maryland's commitment to justice and public safety. It has proven to be ineffective, costly, and harmful to community trust. Ending 287(g) will ensure that Maryland's law enforcement officers can focus on their primary duty: protecting and serving all residents. **For all of the reasons above, CASA urges a favorable report, with amendments on HB1222.**

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⁷ <https://baji.org/wp-content/uploads/2020/03/sobi-fullreport-jan22.pdf>