



## Testimony of CANDLE

Regarding House Bill 1222 the Maryland Values Act

Submitted by Birgit Sharp, February 25, 2025

Favorable with Amendments

This testimony is being submitted on behalf of CANDLE, the Community Action Network for Democracy, Liberties and Equality, based in Anne Arundel and Calvert counties.

Our organization supports House Bill 1222, the Maryland Values Act. Enacting this bill will mean that state law enforcement funding will go towards enhancing public safety rather than 287(g) programs that increase racial profiling and reduce the effectiveness of policing.

In our view, Maryland needs to draw a line between state and federal law enforcement responsibilities and policies. Reasserting states' rights is especially urgent for immigration policy. Sheriff departments in three Maryland counties currently are deputized as agents for the federal Immigration and Customs Enforcement (ICE) under "287(g)" agreements, which have a long and fraught history. Researchers and federal auditors have identified numerous problems with this ICE program, including the following significant issues:

- **Diverts taxpayer money, earmarked for Maryland public safety, to the enforcement of federal civil immigration laws:** The three Maryland counties, Harford, Cecil and Frederick, with 287(g) agreements, receive millions of dollars of state crime prevention grants each year. But it is clear from the large number of verified detainee days that much of this funding is siphoned off to pay for arbitrary and cruel immigration enforcement policies instead.
- **Reduces public safety:** 287(g) programs make legal immigrants and undocumented immigrants alike reluctant to cooperate with police, hindering crime-solving efforts.
- **Increases racial profiling:** Since its inception, the 287(g) program has been riddled with problems of racial profiling. Despite numerous efforts to create operational standards and requirements for closer federal supervision, egregious abuses have continued. For this reason, in 2022, the UN recommended ending programs like 287(g).
- **Incurs additional taxpayer costs when officers violate civil rights laws:** In *Medrano vs Jenkins* [i] the Frederick Sheriff's Department was required to pay \$125,000 in damages, costs and attorneys' fees when Miss Medrano's civil liberties were violated in their pursuit of detaining undocumented immigrants.

Please see Appendix A for more details about recommended amendment, and Appendix B about 287(g) programs.

CANDLE urges the Committee to issue a favorable report for HB 1222. This bill would end problematic 287(g) agreements in Maryland, and allow local law enforcement agencies to prioritize state and local resources for cases involving undocumented individuals convicted of violent crimes. Perhaps even more importantly, it would be stopping federal overreach in our communities at this point in our country's unprecedented cruel and unlawfulness.

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*Far better to light the candle, than to curse the darkness.*

## Appendix A

**Amendment Recommendation:** 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.

## Appendix B

**The inappropriate diversion of taxpayer money** - The Sheriff Offices in the three counties currently have 287(g) agreements with ICE under the Jail Enforcement Model of 287(g). Those counties have received millions of dollars in grants from the State of Maryland for crime prevention. [ii] However, federal data tells us that those state grant dollars are not exclusively spent to ensure safer communities for Marylanders, but also have been used to round up federal civil immigration law violators. [i] Moreover, ICE does not allocate any money for salaries or overtime, even during ICE's 4-week training period for the Sheriff's Office staff.

**Reduces public safety** - Studies from a variety of sources provide hard evidence that legal immigrants and undocumented immigrants alike are reluctant to report crimes that they know of, or were victims of, to the police. In a letter to Alejandro Mayorkas, Secretary of Homeland Security, 120 police officers, prosecutors, sheriffs, and other law enforcement professionals from 37 states and the District of Columbia said "the 287(g) program needs to end immediately in order to increase crime reporting and strengthen local law enforcement." And "This collaboration encourages crime in immigrant communities because victims and witnesses refuse to report crimes to the police to avoid immigration status interviews..."[iii]

**Increases racial profiling** - There is substantial evidence that 287(g) programs increase racial profiling, and this further costs Maryland taxpayers for the damage awards and court costs.[i] The UN's International Convention on the Elimination of All Forms of Racial Discrimination filed a report on the United States of America which specifically cited the 287(g) program as a source of racial profiling which should be eliminated.[iv] A 2017 study of the Frederick County Sheriff's Office's (FCSO) 287(g) program found significant increases in Latino arrests counterbalanced by a drop in arrests of white and black people following the program's implementation in 2008.[v]

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[i] Frederick County, Case 1:19-cv-02038-RDB Document 1 (Medrano Complaint) Filed 07/11/19:  
[https://www.aclu-md.org/sites/default/files/1\\_-\\_medrano\\_v\\_jenkins\\_compl.pdf](https://www.aclu-md.org/sites/default/files/1_-_medrano_v_jenkins_compl.pdf)

[ii] Governor's Office of Crime Prevention and Policy Grant Map - information for grant awards listed as active in GMS as of July 1, 2024: <https://gocpp.maryland.gov/grants/interactive-grant-map/>

[iii] <https://lawenforcementactionpartnership.org/immigrant-trust/>

[iv] United Nations Committee on the Elimination of Racial Discrimination, CERD/C/USA/CO/10-12, 21 Sept 2022:  
<https://docs.un.org/en/CERD/C/USA/CO/10-12>

[v] "Local Immigration Enforcement and Arrests of the Hispanic Population" by Michael Coon  
[https://www.researchgate.net/publication/319025127\\_Local\\_Immigration\\_Enforcement\\_and\\_Arrests\\_of\\_the\\_Hispanic\\_Population](https://www.researchgate.net/publication/319025127_Local_Immigration_Enforcement_and_Arrests_of_the_Hispanic_Population)