

For Hearing: Wednesday, 2/25 at 1:00pm

**Testimony on SB 791 – Favorable  
SB 791 - Correctional Services and Public Safety - Immigration Enforcement - Prohibitions  
Community Trust Act)**

Chair Smith, Vice Chair Waldstreicher and Members of the Senate Judicial Proceedings Committee:

Seekers Church is pleased to offer a favorable testimony in strong **support of SB 791 - the Correctional Services and Public Safety – Immigration Enforcement – Prohibitions (Community Trust Act)**. This critical legislation will help ensure that all Maryland residents feel safe, valued, and welcome in our communities while upholding civil and constitutional rights.

Most members of Seekers Church are Maryland residents. Seekers Church is a diverse, progressive, and affirming Christian family of faith working for peace and justice in our community and in the world. We are committed to “foster justice and be in solidarity with those in need,” and to “work to end all war, and violence, and discord.” In furtherance of that work, Seekers Church and members have: hosted trainings and impacted-community events related to supporting immigrants; provided financial and volunteer support to immigrant-focused local NGOs; taught English; provided direct immigrant support; accompanied neighbors to immigration and court hearings; advocated for statewide legislation; and participated in rallies to support legal protections for immigrants.

Today, Maryland is still voluntarily helping fuel President Trump’s deportation machine. While Maryland recently banned formal 287(g) agreements that deputize local officers as ICE agents, local law enforcement and jails across our state can still voluntarily notify, hold, and transfer people to ICE custody. Shockingly, 23 of 24 Maryland counties engage in this informal collaboration. In 2025 alone, more than four times as many Marylanders were transferred to ICE through these informal local arrangements as through a formal 287(g) program—and most of those individuals had no criminal convictions.

This is not a matter of federal mandate. Maryland has no legal obligation to assist ICE in immigration enforcement. Immigration enforcement is a federal responsibility, and ICE is already the most highly funded law enforcement agency in the world. Continued voluntary collaboration is a political choice—one that wastes Maryland taxpayer dollars and diverts local resources away from genuine public safety priorities.

The consequences are stark. Nearly one in three of the more than 3,300 Marylanders arrested by ICE in 2025 were transferred from local jails and lock-ups. Eighty-two percent of those

transfers were unrelated to 287(g) agreements. In other words, our local facilities have quietly become a central pipeline into federal deportation custody.

We must be clear about who is being caught in this net. Most people in local jails have not been convicted of any crime. Many are accused only of low-level offenses such as trespassing or disorderly conduct. Nationally, more than 80 percent of people held in jails have not been convicted—they are presumed innocent. Yet through voluntary collaboration with ICE, local jails are helping transfer legally innocent people into immigration detention and potential deportation. This practice undermines the presumption of innocence that is foundational to our justice system.

The Community Trust Act addresses this crisis in two essential ways.

First, it affirms that correctional facilities must have a signed judicial warrant to detain or prolong a person's detention in order to transfer them to ICE. Administrative warrants from ICE are not signed by judges. No Marylander should be held in jail beyond their lawful release date based solely on an administrative warrant.

Second, the bill stops police and correctional officers from proactively facilitating immigration arrests by directly reaching out to ICE with information about people who encounter local law enforcement. Nothing in this legislation prevents the federal government from enforcing immigration laws. The Community Trust Act simply ensures that Maryland will not act as an extension of ICE's civil enforcement arm.

Public safety also demands passage of this bill. When local law enforcement aids ICE, it erodes community trust and discourages victims and witnesses from coming forward. Families become afraid to report domestic violence, wage theft, or other crimes. Meanwhile, by relying on local jails as a pipeline, ICE agents are freed up to conduct more aggressive community arrests—bringing more fear and instability into our neighborhoods. True public safety depends on cooperation and trust between residents and local law enforcement, not on turning Maryland's local officers into immigration agents.

We should also learn from the experience of other states. In New Jersey, lawmakers banned formal 287(g) agreements but left open avenues for informal collaboration. Sheriffs exploited that loophole, and ICE arrests spiked both in jails and in communities—at a significantly higher rate than in states like Illinois and Oregon that ended all voluntary collaboration. Several Maryland sheriffs have already suggested they would seek new ways to funnel individuals to ICE even if 287(g) agreements are banned. The Community Trust Act closes those loopholes and ensures that Maryland's commitment to constitutional policing is meaningful and enforceable.

At its core, this legislation draws a clear and principled line: Maryland law enforcement officers are accountable to Maryland communities, not to a federal deportation agenda. By requiring a

judicial warrant for any extended detention and ending proactive information-sharing designed to facilitate immigration arrests, this bill protects constitutional rights, safeguards taxpayer dollars, reduces legal liability, and strengthens public safety.

Maryland can choose to uphold the rule of law. The Community Trust Act ensures that our state will not help funnel our neighbors into a system of mass detention and deportation. It is a necessary and urgent step to protect families, preserve community trust, and reaffirm our commitment to constitutional principles.

For these reasons, **Seekers Church strongly urges the Senate Judicial Proceedings Committee to issue a favorable report on SB 791.**

Submitted by Paul Holmes (D-19, Silver Spring)

For Seekers Church