



Testimony on Senate Bill 245 – Favorable

SB 245 – Public Safety – Immigration Enforcement Agreements – Prohibition
Senate Judicial Proceedings Committee

January 22, 2026

Dear Honorable Chair Smith, Vice Chair Waldstreicher, and Members of the Committee,

The Pretrial Justice Institute (PJI) offers favorable testimony in support of SB 245 – Public Safety – Immigration Enforcement Agreements – Prohibition.

The Pretrial Justice Institute is a national nonprofit organization dedicated to transforming pretrial justice systems so that they are fair, equitable, and grounded in evidence rather than wealth or status. For more than two decades, PJI has worked with state and local jurisdictions across the country to reduce unnecessary pretrial detention, advance policies that uphold the presumption of innocence, and strengthen community based approaches to safety and court appearance. PJI serves justice-impacted individuals and families, including immigrant communities, through a combination of policy advocacy, research, technical assistance, education, and cross sector community engagement. Our work is rooted in close partnership with courts, pretrial agencies, community organizations, and advocates, and we have longstanding experience addressing the ways that immigration enforcement practices intersect with pretrial decision making and harm community trust.

At its core, **SB 245** is about upholding Maryland's values - fairness, dignity, and justice for all. This bill affirms that our state should not be in the business of tearing families apart, undermining public trust, or diverting state and local resources into federal immigration enforcement. Instead, Maryland should remain focused on community safety, due process, and equal treatment under the law by prohibiting immigration enforcement agreements such as 287(g).

Consistent with national research and the experiences of pretrial justice practitioners across the country, the Pretrial Justice Institute understands that individuals impacted by ICE activity are significantly more likely to disengage from the justice system out of fear of detention or deportation. Studies and reports from legal advocates, researchers, and civil rights organizations have shown that collaboration between local law enforcement and federal

immigration authorities leads to reduced crime reporting, missed court appearances, and avoidance of pretrial services even when individuals are legally eligible for release or support. These outcomes undermine due process and public safety, while increasing the likelihood of unnecessary detention and family separation, particularly for people charged with low level offenses who would otherwise safely remain in their communities.

The 287(g) program has a documented history of racial profiling, discrimination, and wrongful detention. It diverts local law enforcement away from their primary role of protecting public safety and erodes trust between law enforcement and immigrant communities. When trust is broken, community safety suffers.

These enforcement practices directly undermine PJI's mission, which is grounded in advancing equitable, evidence-based pretrial systems that uphold the presumption of innocence, promote court appearance, and support community safety without unnecessary detention. When local jurisdictions entangle pretrial decision making with federal immigration enforcement, it becomes significantly more difficult for PJI and its partners to ensure that individuals are treated fairly and assessed based on risk and needs rather than immigration status.

Fear of ICE involvement discourages people from engaging with pretrial services, complying with court requirements, or accessing supportive resources that are designed to help them succeed while awaiting trial. This erodes the effectiveness of pretrial release programs, increases the likelihood of detention for low level charges, and destabilizes families and communities that PJI seeks to support. Ultimately, these practices compromise trust in the justice system, weaken public safety outcomes, and obstruct the implementation of fair and humane pretrial policies that PJI works to advance across jurisdictions.

For these reasons, upJIrges the Senate Judicial Proceedings Committee to issue a **favorable report** on **SB 245**.