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To: House Judiciary Committee

From: Immigration Law Section Council

Date: January 27, 2026

Subject: **HB0444** – Public Safety – Immigration Enforcement Agreements - Prohibition

Position: **Support**

The Immigration Law Section Council of the Maryland State Bar Association supports HB0444 – Public Safety – Immigration Enforcement Agreements - Prohibition.

This bill would prohibit Maryland state and local governmental agencies from entering into Immigration Enforcement Agreements with the federal government.

The Immigration and Nationality Act provides the legal framework for immigration laws and immigration enforcement by the federal government. INA § 287(g) in particular allows local law enforcement agencies to enter into agreements with the federal government to be deputized as Immigration and Customs Enforcement (“ICE”) agents. These and other such Immigration Enforcement Agreements would be harmful to the residents of Maryland.

Immigration Enforcement Agreements primarily ask local law enforcement agencies to carry out civil law enforcement on behalf of the federal government. Local law enforcement is dedicated to carrying out criminal law enforcement and not engaging in civil law functions. Immigration Enforcement Agreements would require local agencies to carry out civil law functions they are not trained to do. Federal immigration law is among the most complex areas of law, which can be confusing even to judges and experienced attorneys. Asking local law enforcement agencies to understand and respect the limitations of federal immigration law creates potential liability for such agencies.

The difficulties associated with engaging in federal civil immigration law enforcement has proven to erode the trust between local police and the community. Victims of crimes and witnesses will hesitate to report crime or come forward to provide valuable information to police agencies. Victims of domestic violence will remain without assistance, injured people will not seek medical attention, and workers who are exploited will not be able to break free of their abuse. Maintaining trust in local people is vital for the people of Maryland.

Although the federal Department of Homeland Security is responsible for overseeing Immigration Enforcement Agreements, in the past year DHS has proven itself to be incapable of ensuring laws are followed. We have all seen that the federal government has been unable to control ICE and CBP officers and to ensure that the federal government does not violate the fundamental civil rights of all persons. We have seen warrantless search and seizures without probable cause, the unlawful use of force, and the arrest of young children. Even U.S. citizens have been subject to unlawful arrests. We cannot trust that the agency that is responsible for the deaths of U.S. citizens and foreign nationals without justification will carry out proper oversight of Immigration Enforcement Agreements. Our state and local law enforcement agencies cannot be subject to such lawlessness when the people of Maryland rely on them to make our communities safer.

END OF TESTIMONY