

Protect due process & public safety: End Maryland's local partnerships with ICE

President Trump is creating a national policing force to not only carry out mass deportations but also to undermine the rule of law and consolidate power. He deploys Immigration and Customs Enforcement (ICE) and other federal agencies to terrorize immigrants and entire communities of color. Marylanders watch in horror as masked agents roam the streets, kidnap neighbors and throw them into unmarked vans. Every day, at least ten immigrant families are violently separated, leaving thousands of children without a parent and tearing the social fabric of communities across Maryland.ⁱ

Trump's goal is to expel 20 million people, or over 5% of the US population. His deportation dragnet is sweeping up all immigrants, regardless of criminal record, and in some cases regardless of citizenship status. In Maryland since late May, when Stephen Miller set a quota of 3,000 daily arrests, 72% of those ICE arrested were not convicted of a crime, and 58% had never even been charged. For most, their only offense was the civil violation of unauthorized presence in the US.ⁱⁱ Nationally, immigration agents have held more than 170 U.S. citizens who were "kicked, dragged, and detained for days."ⁱⁱⁱ

Now that Congress approved \$75 billion more for ICE – over seven times the agency's entire budget last year – its inhumane and lawless tactics may increase significantly. Maryland must stop using its local law enforcement and taxpayer dollars to aid and abet Trump's campaign of terror against immigrants. We call on the Maryland General Assembly to ban all 287(g) partnership agreements during the 2026 legislative session!

What is 287(g)?

287(g) is a voluntary agreement between ICE and localities to deputize local law enforcement (LEA) to act as ICE agents after minimal training. These officers enforce federal immigration laws within their jurisdiction. As opposed to other forms of local cooperation with ICE, 287(g) turns local jails and police into extensions of ICE -- all at local taxpayers' expense. Added to the Immigration and Nationality Act in 1996 under the "tough on crime" agenda, 287(g) was designed to harm Black and Brown communities.

How Does 287(g) Work in Maryland?

Eight Maryland counties have entered into a 287(g) agreement, which is up from just three before Trump took office. There are three models of 287(g): Jail Enforcement (JEM), Warrant Service Officer (WSO) and the Taskforce Model (TFM). In Maryland, only the jail-based versions, JEM and WSO, exist. The most aggressive form of 287(g), the street-based TFM, allows local law enforcement to act like ICE agents in everyday policing. It was essentially outlawed by Maryland's 2021 Dignity Not Detention Act, but Frederick's Sheriff Jenkins who entered into a 287(g) agreement in 2008 says it's "not off the table."

287(g) embeds federal immigration enforcement into local policing, eroding public trust, diverting resources, and fueling racial profiling. Maryland's 287(g) programs, which operate in local jails, specifically ensure that anyone who is arrested for any reason can be funneled to ICE on charges alone. Jail-based 287(g) utilizes two unique tools:

- 1) **Screening** — and under JEM, interrogations and processing immigration cases — for immigration status at booking, to identify individuals not already on ICE’s radar; and
- 2) **Holding** those suspected of unlawful status for 48 hours *after* their release from jail, to give ICE time to take custody. (The Attorney General of Maryland has warned LEAs and detention officials that they risk legal liability for holding people beyond their release).^{iv}

Jail-based 287(g) leads to constitutional violations and racially disparate treatment

287(g) is designed to help ICE arrest people *upon release from local jails*. Most people released from local jails have been found not guilty, had charges dismissed, or served short sentences for minor offenses—yet under 287(g), they’re treated as criminals and handed to ICE before their day in court. Nationally, in FY 2024 more than three-quarters of people deported through 287(g) had *no criminal convictions*.^v In Maryland, from 2016 to ’23, 92% of the 287(g) detainees were for people with no criminal conviction or only the least serious "level 3" conviction (ex. traffic offenses).^{vi} 287(g) undermines due process and incentivizes racial profiling that disproportionately targets Black and Latine residents.

287(g) makes us less safe, at local taxpayers’ expense

According to Mike Hilliard, retired major of the Baltimore Police Department, “When that trust erodes, crimes go unreported, victims stay silent, and dangerous offenders remain on the streets.”^{vii} Data bears this out. For example, in Maryland, Prince George’s County does not have 287(g), yet between 2008-2016, it experienced a 57% drop in serious crime — nearly double that of Frederick County, which has the country’s longest continuous 287(g).^{viii} A CATO Institute Study concludes that 287(g) is “not an effective anti-crime tool.”^{ix} Additionally, 287(g) contracts in Maryland’s predominately white and less populated counties free up ICE to target more diverse urban centers. Any increase in street enforcement guarantees more ICE violence and lawlessness in our communities.

With Maryland's participation in 287(g) agreements, ICE doesn’t pay for enforcement -- counties are forced to cover all staffing costs amid ongoing shortages. And many 287(g) jurisdictions including Frederick, Maryland have settled costly lawsuits over unlawful holds and due process violations. 287(g) diverts resources from actual public safety solutions.

Lawmakers must act now to protect immigrant families and uphold the rule of law

Maryland’s immigrant families are an essential part our community — they are workers, business owners, neighbors, and civic leaders. They pay taxes and contribute to the local economy. Far from being criminal threats, data shows that immigrants commit crimes at lower rates than U.S.-born citizens. Regardless, they are entitled to equal protection under the law and deserve to be treated with human dignity.

Maryland has the power to stop enabling Trump’s cruel mass deportations and be a firewall against rising authoritarianism. Capitulating to federal threats does not work. This moment calls for us to be brave. Delaware recently passed a clean and comprehensive ban on all 287(g) agreements, and Maryland must do the same to defend due process, public safety, and justice for all Marylanders.

ⁱ <https://www.thebanner.com/politics-power/national-politics/trump-ice-immigration-arrests-VUHC5BGFJRF6TOX7XKUZZKFZZDI/>

ⁱⁱ <https://tracreports.org/immigration/quickfacts/detention.html>

ⁱⁱⁱ <https://www.propublica.org/article/immigration-dhs-american-citizens-arrested-detained-against-will>

^{iv} Maryland Office of the Attorney General, Guidance Memorandum, p. 5 (April 2025)

(https://oag.maryland.gov/FederalActionsResponse/Documents/pdfs/2025_Law_Enforcement_Guidance_Memorandum.pdf)

^v Transactional Records Access Clearinghouse's Immigration and Customs Enforcement Detainers Tool, available at https://tracreports.org/phptools/immigration/newdetain/about_data.html. These numbers were obtained by filtering by Fiscal Year Detainer Issued: 2024; Apprehension Method: 287(g) Program; and Seriousness Level of MSCC (Most Serious Criminal Conviction).

^{vi} Id. These numbers were obtained by filtered by State: Maryland; Apprehension Method: 287(g) Program; and Seriousness Level of MSCC (Most Serious Criminal Conviction).

^{vii} https://mgaleg.maryland.gov/cmte_testimony/2025/jud/1PG0VecDO8-ALre7leyl2UrOssrqd38T3.pdf

^{viii} <https://www.aclu-md.org/en/news/seven-truths-surrounding-287g-programs>

^{ix} <https://www.cato.org/blog/287g-does-not-fight-crime-it-does-increase-assaults-against-police-officers>