

PRISON POLICY INITIATIVE

Testimony in Support of SB 791 and HB 1575: The Community Trust Act
Sarah Staudt, Director of Policy and Advocacy, and **Jacob Kang-Brown**, Senior Researcher
Prison Policy Initiative
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My name is Sarah Staudt, and I am the Director of Policy and Advocacy at Prison Policy Initiative. Prison Policy Initiative is a national non-profit research and advocacy organization that has produced extensive research on the various individual and public harms of incarceration. As part of that work, we focus on the collaboration between local jail officials and Immigration and Customs Enforcement (ICE). Our July 2025 report, [Hiding in Plain Sight: How local jails obscure and facilitate deportation under Trump](#),¹ specifically looks at the various forms of local law enforcement collaboration with ICE and notes the importance of examining not only formal 287(g) arrangements, but also informal coordination between jails and ICE. SB 791/HB 1575 provides vital protections for Maryland residents against both of these forms of coordination.

Informal law enforcement collaborations with ICE are funneling Maryland residents without criminal histories into the deportation system

President Trump’s policy of cruel and lawless mass deportations needs collaboration from local and state law enforcement to proceed effectively. Although only eight law enforcement entities in Maryland had 287(g) agreements with ICE when these were banned under HB 444 and SB 245,² many law enforcement agencies, county detention centers and jails allow ICE to make arrests at their facilities, fueling ICE’s ability to identify and remove Maryland residents from their families and communities.

Most ICE arrests in jails and other lock-ups occurring in Maryland are occurring not through formal 287(g) agreements, but through informal collaboration by local and state law enforcement with ICE. These collaborations are not targeting “dangerous criminals”, but everyday Maryland residents. We analyzed Maryland data from the [Deportation Data Project](#),³ a group which uses Freedom of Information Act requests to publicize data regarding ICE activities. We looked at Maryland data from the second Trump administration, from January 21, 2025 through October

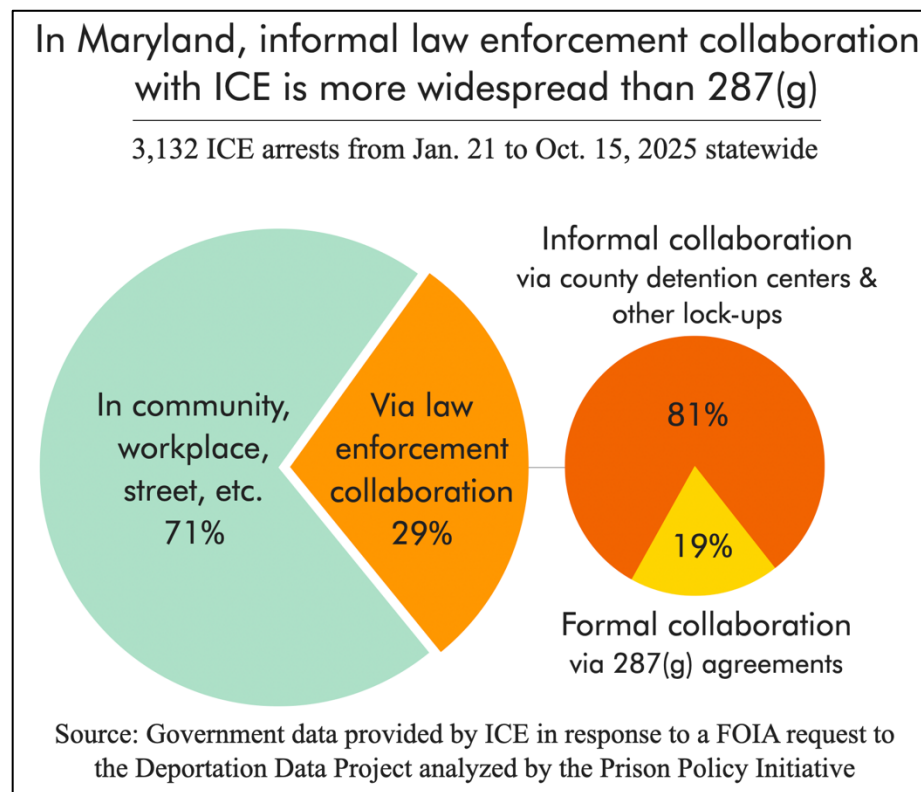
¹ Kang-Brown, Jacob, “Hiding in Plain Sight: How local jails obscure and facilitate deportation under Trump” Prison Policy Initiative, July 2025, available at https://www.prisonpolicy.org/reports/jails_immigration.html

² According to ICE’s website, these are the Sheriffs offices in Allegany, Carroll, Cecil, Garrett, Harford, St. Mary’s and Washington Counties, as well as the Wicomico County Correction’s Center. <https://www.ice.gov/identify-and-arrest/287g>

³ Deportation Data Project <https://deportationdata.org/index.html>

15, 2025 (the most recent data available) to gain a better picture of who is being arrested by ICE in Maryland and how.

In Maryland, a substantial proportion of ICE arrests happen because of collaboration with local law enforcement — and of those arrests, most arise from *informal* collaboration, rather than formal 287(g) agreements. About 1 in 3 ICE arrests (29%) during the second Trump administration occurred through jails or other lockups; of those, 81% are through informal ICE collaboration, and only 19% are through formal 287(g) agreements. Legislation that *only* addressed 287(g) agreements, therefore, would not address the bulk of the problem. SB 791/HB 1575’s focus on both formal and informal collaboration is vital to protect Maryland residents who are arrested from being channeled into the immigration system.



Most people arrested by ICE in Maryland do not fit the Trump administration’s assertion that they are arresting and deporting “dangerous criminals” — on the contrary, many people arrested by ICE, both inside lock-ups and in the community, have no criminal convictions at all. Only 36% of people in Maryland arrested by ICE overall, 44% arrested through informal collaboration with law enforcement, and 51% arrested through 287(g) had any criminal convictions — and those numbers include convictions for previous immigration offenses and for traffic offenses. Only 3% of people arrested by ICE in Maryland had criminal history that falls into the FBI’s standard definition of violent crime (Part I Violent Crime from the Uniform Crime Reporting program). In short, just because someone has been transferred to ICE via a jail does not mean they have any criminal history or pose any risk — on the contrary, the people victimized by

informal collaboration are often ordinary Maryland residents who have come in contact with the law through simple traffic stops and other commonplace interactions with law enforcement.

The experience of other states shows regulations on ICE collaboration can make a meaningful difference — but banning 287(g) agreements is not enough

States have taken three kinds of approaches to law enforcement collaboration with ICE. Some states, like Florida, actively encourage such collaboration; unsurprisingly, their rates of ICE arrests are very high.

Other states like New Jersey have taken a first step towards limiting ICE collaboration by banning 287(g) agreements.⁴ However, New Jersey did not ban *informal* collaboration with ICE, and as a result, some local New Jersey sheriffs continue to allow ICE to enter their lock-ups and make arrests. As a result, New Jersey has seen high levels of ICE arrests out of local jails and other lock-ups.

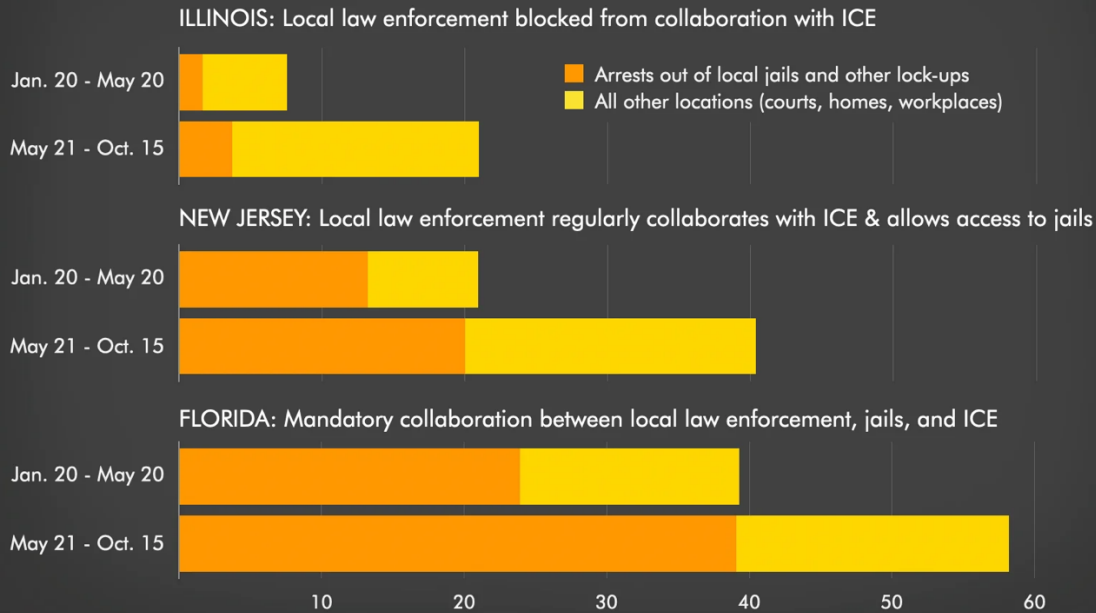
The most effective way to curtail ICE arrests is barring both formal 287(g) agreements and informal collaboration. Illinois' TRUST Act prohibits collaboration — [2025 guidance from the Illinois Attorney General](#) states that local law enforcement may not transfer people to immigration custody, may not give ICE agents access to any person in custody, may not permit ICE agencies to use facilities or equipment, including electronic databases, and may not “otherwise render collateral assistance” to ICE agents.⁵ Illinois' law works: they had lower rates of overall ICE arrests, and much lower rates of ICE arrests out of lock-ups, than did New Jersey.

⁴ New Jersey terminated all 287(g) agreements in 2019 via an executive order from the Attorney General.

⁵ Illinois Attorney General's Office, “Guidance: Illinois Laws Governing Law Enforcement Interactions with Immigrant Communities” June 2025, available at: <https://illinoisattorneygeneral.gov/Page-Attachments/ImmigrationLawGuidancetoLawEnforcement.pdf>

Policies blocking ICE access to jails have kept immigration arrest rates lower in some states

Number of ICE arrests per 100,000 residents in a 4-month period in 2025, by apprehension location



Calculated by the Prison Policy Initiative from the ICE arrest database tables from Jan. 20 - Oct. 15, 2025 published by the Deportation Data Project & the Census Bureau's Annual Estimates of the Resident Population for July 1, 2024

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By passing HB 1575/SB 791, Maryland has the opportunity to protect its residents against the harmful abuses of the immigration and deportation system that are rampant under the Trump administration.