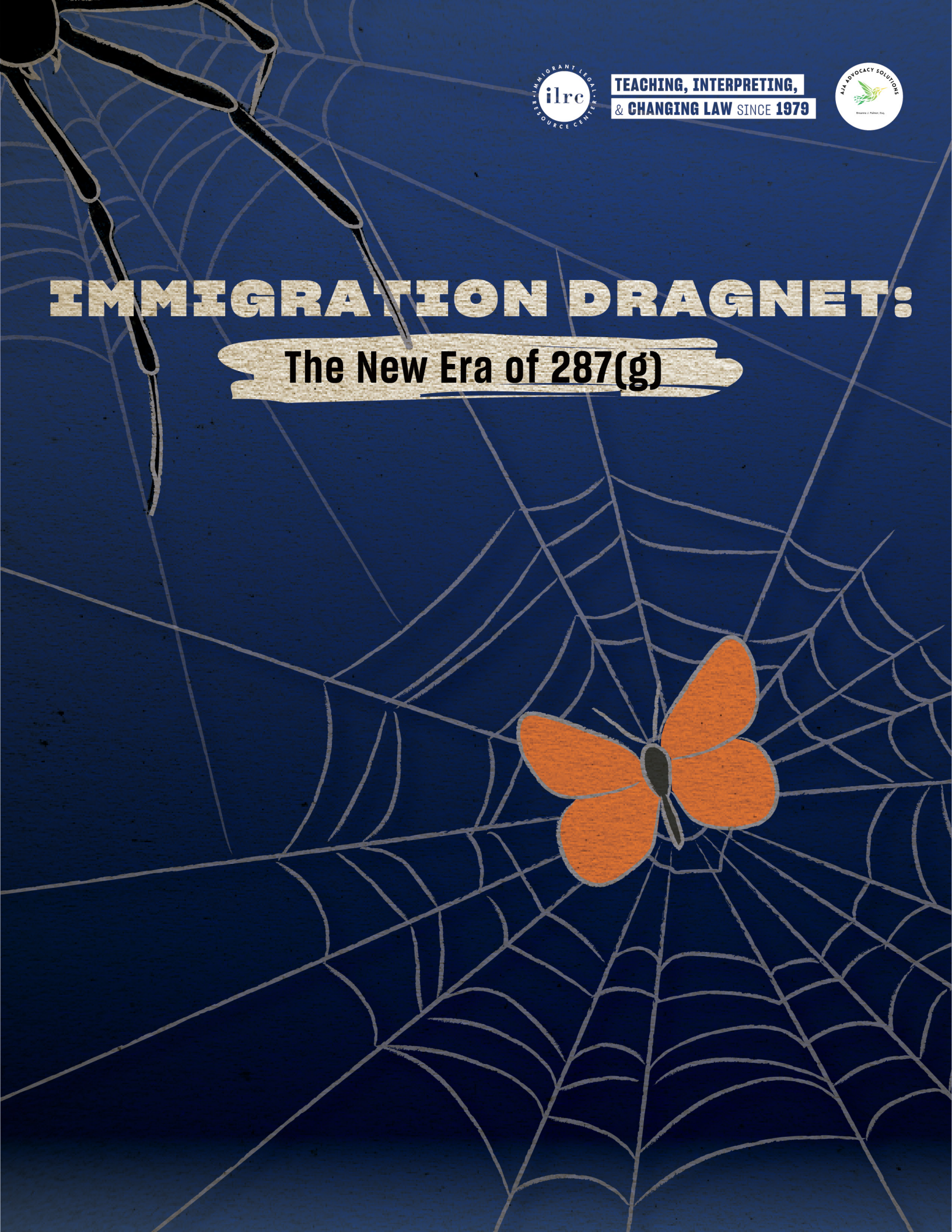
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AJA ADVOCACY SOLUTIONS
IMMIGRATION DRAGNET:
The New Era of 287(g)

INTRODUCTION

What if every single police encounter–from traffic stops to random searches–could result in deportation from the United States? The second Trump administration is using a legal tool to create an immigration dragnet that will blanket the country with law enforcement officers who are willing and able to impose and enforce immigration law on everyone, regardless of immigration status, based on dangerous assumptions about race and nationality.

Section 287(g) of the Immigration and Nationality Act ("INA") authorized the creation of a program that allows state and local law enforcement agencies to act as immigration enforcement agents. Under 287(g), Immigration and Customs Enforcement ("ICE") forms an agreement with a state or local agency, (most commonly with a county sheriff that runs a local jail). Depending on the type, the 287(g) agreement delegates some of ICE's immigration enforcement authority to specific law enforcement officers within the local agency. Through the 287(g) program, ICE finds ways to circumvent the Constitution's Supremacy Clause, which mandates all federal law enforcement (including immigration law) be executed by the federal government. More than ever before, 287(g) agreements extend the reach of the Trump administration's violent deportation machine by recruiting local law enforcement agencies to do ICE's work–almost always entirely at the expense of the local agency. These outsourcing agreements widen and lengthen the encounter-to-deportation pipeline, exacerbate rampant racial profiling, further aggravate the over policing and criminalization of everyday life, drain taxpayer dollars, and position law enforcement as permanently oppositional to communities–precluding any chance at building healthier more trusting relationships. Many communities thus have been rightfully campaigning for localities investing in public safety by resourcing local community needs rather than law enforcement.

This policy brief reviews the recent history of 287(g) agreements and how they've proliferated, describes the three 287(g) agreement models, examines a case study of escalating 287(g) programs in Florida, delves into the programs' dangers and harms, and provides some recommendations for local communities that want to stop 287(g) agreements in their tracks.

287(G) AGREEMENTS: THEN AND NOW

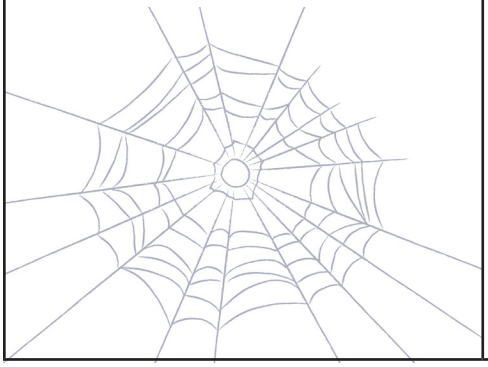
Section 287(g) of the INA, the federal law that authorizes these agreements, was enacted in 1996. In the 1990s, Salt Lake City, Utah considered entering into a 287(g) agreement with the legacy Immigration and Nationality Service ("INS"), later absorbed into the new Department of Homeland Security or ("DHS"). However, the agreement never came to be due to public concerns about racial profiling. In 2002, ICE signed its first 287(g) agreement with the Florida Department of

Law Enforcement, with a focus on training officers as part of regional task forces meant to "address perceived shortcomings in the state's ability to combat terrorism after 9/11." The number of 287(g) agreements increased significantly at the end of the second Bush administration and continued to increase during the Obama administrations. Many 287(g) agreements in the Bush and Obama eras were concentrated in the South with county sheriffs who run county jails, utilizing two models discussed below: the Jail Enforcement and Task Force Models.

The all-encompassing Task Force Model raised particular concerns with advocates and community members, who feared that wholly transforming local agencies into immigration enforcement units would lead to unlawful arrests and detentions, and exacerbate the racial profiling of Black and Brown communities and other racialized communities

287(G) AGREEMENT MODELS

Warrant Service Officer Model	Jail Enforcement Model	Task Force Model
Law enforcement officers can serve and execute immigration arrest warrants (often called "administrative warrants") or warrants of removal on noncitizens already in their custody and hold noncitizens for 48 hours or potentially more until transferred to an ICE facility. **This is the newest model and recently its scope has been dramatically expanded in practice.** ICE will not provide any funding for the state or local agency to carry out immigration enforcement duties under the agreement, including officer salaries, overtime, transportation, security equipment, or administrative supplies.	Law enforcement officers can screen and interrogate anyone already detained in their custody who they suspect lacks lawful status, check the immigration status of detainees, serve and execute arrest or removal warrants, honor ICE detainers (requests from ICE to law enforcement agencies to hold detainees for up to 48 hours before transfer to an ICE facility), issue immigration detainers to other agencies, take biometrics and conduct evidentiary interviews, prepare affidavits, sworn statements, and charging documents for ICE use, and transfer detainees to ICE facilities. ICE will not provide any funding for the state or local agency to carry out immigration enforcement duties under the agreement, including officer salaries, overtime, transportation, security equipment, or administrative supplies.	Officers can screen and interrogate anyone–detained or not–who they suspect lacks lawful status, arrest any noncitizen without a warrant for violations of immigration law or certain felonies, serve and execute arrest ("administrative warrants") or removal warrants, check the immigration status of detainees, take and maintain custody of noncitizens arrested by ICE, issue immigration detainers to other agencies, take biometrics and conduct evidentiary interviews, prepare affidavits, sworn statements, and charging documents for ICE use, and transfer detainees to ICE facilities. **This is the broadest of the three models.** ICE will not provide any funding for the state or local agency to carry out immigration enforcement duties under the agreement, including officer salaries, overtime, transportation, security equipment, or administrative supplies.



which were already subject to discriminatory policing practices. The Task Force Model was made infamous by Maricopa County Sheriff Joe Arpaio. In 2012, the Supreme Court decided *Arizona v. United States*, 567 U.S. 387 (2012), which determined the constitutionality of Arizona's infamous S.B. 1070 racial profiling law, a law directly inspired by Sheriff Joe Arpaio's heinous practices. The Supreme Court struck down three provisions of the law but left the most controversial provision in place: allowing Arizona to require police officers to demand immigration papers of anyone stopped, arrested, or detained. Following the decision and years of community organizing, DHS partially terminated one of the two existing 287(g) agreement models functioning in Arizona at the time. In Arizona, DHS terminated all task force 287(g) agreements–the most controversial model–but allowed jail enforcement agreements to remain in full force.

Even before *Arizona v. United States*, at least two Department of Justice ("DOJ") investigations in the early 2010s found that 287(g) programs in local jurisdictions resulted in widespread racial profiling. In Maricopa County, Arizona, the DOJ determined that deputies of Sheriff Joe Arpaio engaged in a pattern and practice of violating the constitutional rights of Latinx community members after entering into a 287(g) agreement. This racial profiling manifested as police sweeps of Latinx neighborhoods, resulting in Latinx drivers being up to nine times more likely to be stopped than other drivers. As a result of the DOJ investigation, the Obama administration terminated its 287(g) agreement with Maricopa County. In Alamance County, North Carolina, a 2012 DOJ investigation found the county sheriff's office engaged in a pattern and practice of violating the constitutional rights of Latinx drivers. This racial profiling manifested as unlawful arrests and detainments, conducted via checkpoints at entrances to Latinx neighborhoods. After the investigation, the DOJ sued Alamance County Sheriff's Office for racial discrimination, resulting in the termination of the county's 287(g) agreement.

Frederick County, Maryland, was the first county in Maryland to sign a 287(g) agreement in 2008, and has maintained an agreement to this day. Notably, a local Latinx resident of Frederick County named Sara Medrano sued Frederick County Sheriff Chuck Jenkins over the county's 287(g) agreement, which led to her unlawful racial profiling and detainment over a broken tail light. In 2021, the county settled with Ms. Medrano, agreeing to pay her $25,000 in damages, issue an apology, and implement changes including training, reports on biased incidents, and more. In 2023, the DOJ indicted Sheriff Jenkins for crimes related to abuse of power–nonetheless, the Biden administration failed to terminate its 287(g) agreement with Frederick County. Gwinnett County, Georgia, signed a 287(g) agreement in 2009, leading to hundreds of Latinx drivers detained and transferred to ICE custody after traffic stops. In 2021, the county terminated its 287(g) agreement after more than a decade

of organizing and grassroots campaigning from the Georgia Latino Alliance for Human Rights (GLAHR) Action Network and aligned organizations canvassing voters and building political power.

287(g) vs. the New Sanctuary Movement

Significant and sustained immigrant justice organizing and power building in communities nationwide, paired with high-profile investigations into racial profiling practices in 287(g) jurisdictions, led to the Obama administration discontinuing all Task Force Model agreements in December 2012. As these national and local legal developments progressed, between 2012 and 2017 what eventually became known as the "New Sanctuary Movement" gained ground: nationwide, immigrant and faith communities coordinated resistance to ICE raids and deportation efforts, organized coalitions, offered to house noncitizens being pursued by ICE within houses of worship, and participated in local policy advocacy to extend immigrant protections. This movement spread, sparking efforts to create sanctuary jurisdictions, which limit cooperation with federal immigration authorities and prioritize using local resources to support community members of all immigration statuses. Although sanctuary policies and practices vary, some jurisdictions passed ordinances which prohibited 287(g) agreements explicitly.

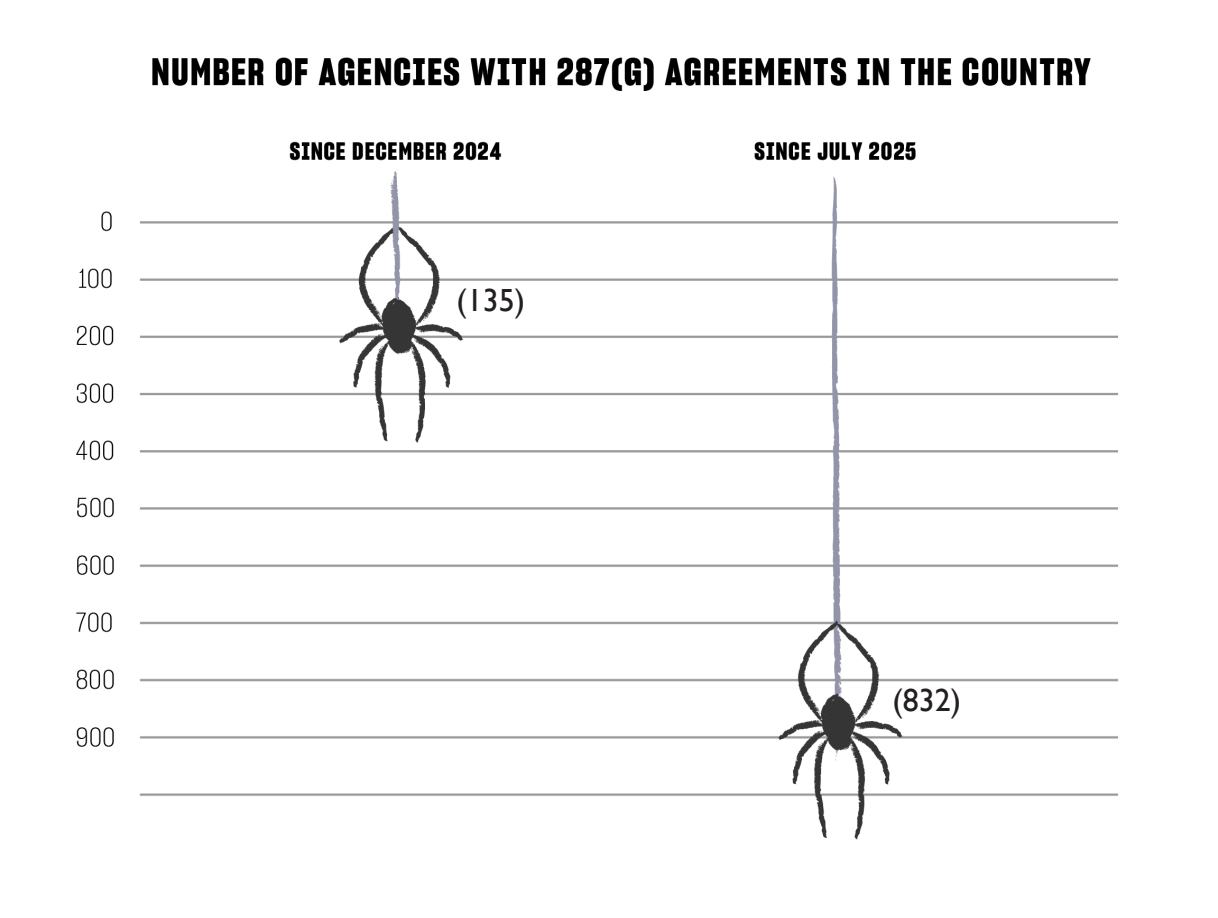
287(g) and the Trump Administrations: Agreements Skyrocket

In one of the first Trump administration's January 2017 executive orders, DHS was instructed to revive the 287(g) program in full, framed as an all-out attack against sanctuary jurisdictions. Doing nationwide "sweeps" in so-called sanctuary jurisdictions by ICE to facilitate mass deportations became a signature goal of the first Trump administration's anti-immigrant agenda, alongside family separation and travel bans. In 2019, DHS created a new 287(g) model: the Warrant Service Officer Model. The Warrant Service Officer Model was explicitly framed as a way to circumvent sanctuary policies and other legal challenges to 287(g) programs. Prior to the emergence of the Warrant Service Officer Model, ICE signed approximately 80 Jail Enforcement Model 287(g) agreements; after the Warrant Service Officer Model emerged, ICE signed approximately 150 Warrant Service Officer Model agreements before the end of the first Trump administration.

Joe Biden campaigned on a promise to end 287(g) programs nationwide. Despite repeated calls from organizations and advocates to fulfill this promise throughout his administration, his DHS maintained an "equilibrium" of no new agreements with very rare terminations of existing agreements. This failure left ample room for states with governors aligned with the incoming second Trump administration to begin legislative efforts to spread 287(g) agreements and similar programs.

Accordingly, the second Trump administration has heralded an exponential increase in 287(g) agreements nationwide. In December 2024, ICE had 287(g) Jail Enforcement Model agreements with 60 agencies in 16 states and Warrant Service Officer agreements with 75 agencies in 11 states. In stark contrast, as of July 22, 2025, ICE has signed 832 agreements in 40 states. These include Jail Enforcement Model agreements with 117 agencies in 26 states, Warrant Service Officer agreements with 300 agencies in 35 states, and Task Force Model agreements with 415 agencies in 31 states. Local law enforcement agencies in Texas and Florida lead the pack in newly-signed agreements, with approximately 117 and 308 executed agreements, respectively. During the single week of February 24, 2025 alone, ICE signed 140 new 287(g) agreements. The scale and scope of 287(g) agreements are exploding across the country at an alarming rate. Notably, the Trump administration has revived the all-encompassing Task Force Model. which was previously discontinued after the model was credibly linked to racial profiling practices. This development is far from coincidental, given the administration's explicit endorsement of using physical appearance–racial profiling by another name–as a pretext to detain people suspected of lacking immigration status.

The proliferation of 287(g) agreements is compounded by the rise in recent years of state legislation or policies either mandating that local jurisdictions enter into 287(g) agreements or cooperate or assist with federal immigration enforcement; for example, SB



1808 in Florida (requiring localities operating county jails to enter into 287(g) agreements) and HB 1105 in Georgia (requiring local agencies to enter into 287(g) agreements or else lose access to state funding). Legislation with similar terms is pending in other states, like Arkansas. In Virginia, Governor Glenn Youngkin issued an executive order in February 2025 mandating that the Virginia State Police and Department of Corrections enter into 287(g) agreements, and encouraged local jails statewide to cooperate with ICE. As of July 22, 2025, the state of Virginia has executed 28 agreements with ICE, including with the Virginia Department of State Police, the Department of Wildlife Services, and the Marine Resources Commission.

287(G) IN TEXAS: INCREASING ESCALATION

Texas provides an illustrative example of what the escalation of state-level anti-immigrant efforts can look like:

- **March 2021:** Governor Greg Abbot launches Operation Lone Star ("OLS"), an unconstitutional and deadly Texas law enforcement scheme that wastes vital state resources to target migrants for arrest, jail, and deportation. Backed by $11 billion of Texas state funds as of 2024, OLS is designed to criminalize and rapidly deport migrants, many of whom are seeking safety in the United States. OLS violates the Constitution, promotes racial profiling, fuels the mass incarceration of people of color, and encourages toxic white supremacist rhetoric that is harmful to all Texans and the country at large.
- **May 2021:** Governor Greg Abbott issues a proclamation declaring that increased crossing of immigrants along the United States-Mexico border constitutes a disaster. Disaster declarations grant the governor broad powers, including the ability to suspend state laws or regulations that would stand in the way of disaster recovery, and to redirect and prioritize state funding and resources towards disaster relief. This disaster proclamation has cleared the way for exorbitant spending of taxpayer dollars on OLS activities like flooding the border with state troopers and members of the Texas National Guard, planning a military base, border wall construction, and installing razor wire and buoys in the Rio Grande to hinder crossings.
- **January 2025:** The Texas National Guard signs a Memorandum of Understanding ("MOU") with Customs and Border Protection ("CBP") authorizing active duty Texas National Guard members to enforce immigration law. This arrangement differs from traditional 287(g) agreements which are made with law enforcement agencies–not members of state armed forces. Under OLS, the Texas National Guard has been arresting people for "trespassing" and transferring people to CBP or the Texas Department of Public Safety for prosecution and/or deportation. Thus far, National Guard members under OLS have not been enforcing civil immigration law

explicitly. Now, National Guard members can make arrests based on suspected unlawful immigration status or violations of immigration law. This MOU represents a significant escalation in Governor Abbott's immigration enforcement machine in the border region.

- **March - June 2025:** Two controversial companion bills are introduced in the Texas House and Senate, HB 5580 and SB 8 respectively, require each county that operates a jail or contracts with a private vendor to operate a jail to enter into 287(g) agreements with ICE. Sheriffs who request to enter into 287(g) contracts with ICE, but are unable to for any reason, must continue to make requests annually, and must provide proof to the Texas Attorney General of attempted requests. These bills create a staggered grant program for counties to offset the dramatic costs of partnership with ICE, which bears none of the expenses incurred by local law enforcement agencies in fulfilling additional enforcement duties. The program grants only between $80,000 and $140,000 to be spent over a two-year period. Sheriffs who fail to enter into 287(g) agreements may be sued by the Texas Attorney General. In late June 2025, after passage through the Texas legislature, Governor Greg Abbott signed SB 8 into law. The final version of the bill mandates 287(g) agreements with at least 234 of the state's 254 counties.

FLORIDA: A 287(G) PROLIFERATION CASE STUDY

Despite the fact that more than a handful of states encourage or require that local law enforcement agencies enter into 287(g) agreements with ICE, Florida leads the way in embracing the harmful program.

As of July 22, 2025, Florida law enforcement agencies represent approximately 308 of the 832 active 287(g) agreements in effect with ICE. The Florida-based Community Justice Project maintains a map of 287(g) ICE collaborations throughout the state, tracking the exponential growth of 287(g). The 287(g) agreements go well beyond Florida county sheriffs' offices and city/municipal police departments; ICE has signed 287(g) agreements with twelve Florida college and university police departments or boards of trustees, the Florida Fish and Wildlife Conservation Commission, the Florida Gaming Control Commission, the Florida National Guard, the Florida State Guard, and the Florida Departments of Corrections, Environmental Protection, Financial Services, Highway Patrol, Highway Safety and Motor Vehicles, Law Enforcement, Lottery Services, Alcoholic Beverages and Tobacco.

In March 2025, the Florida Department of Highway Safety and Motor Vehicles updated their social media pages, boasting about 400 state troopers undergoing training as part of their 287(g) program, allegedly the "most officers trained nationwide." In April

2025, a weeklong coordinated effort by ICE, DHS, and Florida law enforcement known as "Operation Tidal Wave" reportedly led to more than 1,000 arrests. This sweeping sting has been characterized by Florida officials as "the new normal," and as the "prototype" for immigration enforcement across the country. Governor Ron DeSantis gleefully noted on social media that "Florida is leading the nation in active cooperation with the Trump Administration for immigration enforcement and deportation operations!" However, some jurisdictions in Florida have tried to oppose or decline to participate in 287(g) agreements. In at least one instance, a city council approved a 287(g) agreement only after Florida's Attorney General warned them that their initial vote against the program would make their jurisdiction a sanctuary city, which is not "tolerated or lawful."

Notably, Florida offered in-state tuition for undocumented students for a decade, allowing them to pursue college educations with some measure of affordability, as they are ineligible for federal financial aid or may not have work authorization. Not only have Florida lawmakers ended in-state tuition for undocumented students, but through 287(g) agreements the campuses of colleges and universities in Florida have been transformed into openly-hostile environments in which any encounter with law enforcement can lead to detention or deportation. Florida Atlantic University was the first to execute a 287(g) agreement with ICE in April 2025, shortly followed by other flagship institutions like the University of Florida, University of Central Florida, and University of South Florida. Other universities have followed suit. The number of 287(g) agreements in Florida will continue to grow, given the state's 2022 SB 1808 law mandates all agencies operating a county detention facility must enter into such agreements. In addition to mandating 287(g) programs, SB 1808 expanded the definition of "sanctuary policy" to include anti-287(g) policies that local jurisdictions might adopt, and bar any contracts with charter air carriers who would transport unaccompanied children or immigrants to shelters or detention facilities within the state of Florida, as part of contracts with the federal government. SB 1808 represents one of the most punitive and regressive 287(g)-focused pieces of legislation in the country.

In a recent development, ICE has begun sending 287(g) addenda to jurisdictions in Florida with Warrant Service Officer Model agreements. These addenda amend the agreements to delegate the power to actually transport detainees from local- or state-run detention to ICE-run facilities. This new delegation of power expands the formally-limited Warrant Service Officer Model authority to merely execute warrants of removal and hold noncitizens in local facilities until ICE transported them to ICE-run facilities. This expansion of 287(g) Warrant Service Officer Model authority coincides with the already-infamous and inhumane Everglades detention facility, which is run by the state of Florida. This state facility, built by the

Florida Division of Emergency Management, will operate in close coordination with ICE. Immigrants who are arrested by 287(g)-deputized Florida law enforcement officers will be transported to and detained within the facility. Given that the facility is located on the site of the Dade-Collier Training and Transition Airport, there are rumored plans to coordinate with ICE to conduct deportations directly from the facility. Reported conditions at the facility include worms in food, overflowing toilets leading to flooding wastewater, malfunctioning air conditioning, restricted ability to shower or maintain hygiene, overcrowding, and a lack of medical care. Without a doubt, the 287(g) program in Florida is facilitating the rapid expansion of an all-encompassing police state, and is removing logistical hurdles to rapidly deporting people from the country without a shred of due process.

NO MATTER THE MODEL, 287(G) AGREEMENTS LEAD TO WIDESPREAD HARM AND WASTE

Expanded 287(g) Programs Exacerbate and Encourage Racial Profiling

For more than 15 years, research reports have demonstrated that 287(g) programs exacerbate and encourage racial profiling practices in participating law enforcement agencies across the United States. As early as 2010, within the first decade of widespread use of 287(g) programs, the American Civil Liberties Union ("ACLU") of Georgia reported that "incidents of racial profiling in Gwinnett County have been particularly exacerbated after the implementation of the 287(g) program[...] Both before and after the implementation of this program, the ACLU of Georgia received complaints from drivers, pedestrians, and Gwinnett community members showing that police officers are targeting immigrants and people of color for stops, searches, and interrogations." In North Carolina, the DOJ charged Alamance County Sheriff Terry Johnson, a 287(g) participant, with systematically and unlawfully targeting Latinx residents for investigation, arrests, seizures, and traffic stops in 2012. A study on 287(g) arrests in Frederick County, Maryland, found that the program led to a "significantly higher number of arrests" of Latinx people "than would have occurred in its absence, indicating that attention was focused" on Latinx communities as a result of the program. Accounts of this unlawful, discriminatory behavior can be found in jurisdictions across the country.

A 2022 report from the ACLU examined the human rights and civil rights records of participating agencies with 287(g) agreements, calling racial profiling "endemic to collaborations between local law enforcement and federal immigration enforcement, particularly the 287(g) program." The report made troubling findings:

- At least 59 percent of participating sheriffs had records of anti-immigrant, xenophobic rhetoric, contributing to a continued climate of fear for immigrants and their families,

undermining public safety and contributing to the risk of racial profiling;

- At least 55 percent of sheriffs involved in the program made statements advocating inhumane immigration and border enforcement policies and promoting the misinformation and false claims on which they are based;
- At least 65 percent of 287(g)-participating agencies and 70 percent of participating sheriffs had records of a pattern of racial profiling and other civil rights violations, including excessive use of force;
- At least 77 percent of 287(g)-participating agencies were running detention facilities with serious and extensive records of inhumane conditions, a fact that implicates the 287(g) program because when the administration partners with these facilities, it tacitly sanctions these conditions.

Indeed, in the recent past, the impacts of 287(g) agreements on law enforcement agencies were felt even in jurisdictions without active agreements. Per the American Immigration Council, a 2022 study from Texas A&M University found that agencies that are geographically close to a 287(g) participating agency also conducted discriminatory racial profiling, disproportionately harming Black and Latinx communities. The unbridled expansion of 287(g) programs nationwide will further aggravate this ongoing problem, sanctioning the use of racial profiling during routine law enforcement activity at every level. With state 287(g) mandates on the rise, communities everywhere will encounter unlawful enforcement on the basis of perceived race and ethnicity.

Expanded 287(g) Programs Create a Pervasive, Ubiquitous Police State

The expansion of the 287(g) program to jurisdictions nationwide essentially blankets large swaths of the United States with law enforcement agents who are both authorized with unprecedented enforcement powers and have a mandate to wield them. Supercharging law enforcement agencies with immigration enforcement duties, especially those who have adopted broad Task Force Model agreements, erodes any hope for healthier relationships between law enforcement and communities of color. By their very nature, 287(g) agreements situate law enforcement as permanently in opposition to the communities they're meant to protect and serve. This coupled with the history of racialized policing in the United States has led many communities to understand that public safety comes from meeting the needs of community members rather than from law enforcement.

287(g) programs extend the existing arrest-to-deportation pipeline to an encounter-to-deportation pipeline, where any interaction with law enforcement–no matter how trivial–could lead to dire immigration consequences. In addition to the spread of the 287(g) Task Force Model, the expansion of "expedited removal" throughout the country will

certainly lead to rapid deportations without due process. "Expedited removal" allows the federal government to quickly remove people they believe lack legal status without seeing an immigration judge, except if they express a desire to seek asylum and go through additional processes. Prior to January 2025, expedited removal could be enforced against people who were within 100 miles of the border and within 14 days of arrival. Now, "expedited removal" can be used against anyone, anywhere in the country, if they cannot prove they've been in the United States continuously for two years. Law enforcement agents deputized under 287(g) agreements may be able to assist ICE in executing "expedited removals" of thousands of people with impunity.

Expanding 287(g) programs will further criminalize and overpolice racialized communities, especially those who are Black and Latinx. In practice, 287(g) programs can be compared to controversial "stop and frisk" policing practices. "Stop and frisk" refers to the practice of police using a lower legal standard than probable cause (the threshold required to make an arrest) to temporarily stop, detain, question, and physically "frisk" someone to specifically look for weapons. If officers have a "reasonable suspicion" that a crime has been or is about to be committed, they can stop anyone to search for a weapon. "Stop and frisk" interactions vary, ranging from quick stops to lengthy, physically invasive, or violent searches that go beyond searches for weapons. In jurisdictions where "stop and frisk" policies are active, community members report instances of perceived racial profiling, physical threats, and violence. Although these policies are legal, as are 287(g) agreements, some "stop and frisk" policies have been found to violate constitutional rights or were racially discriminatory. In notorious instances, encounters that started as "stop and frisk" turned into police killings, including the 1999 murder of Amadou Diallo in New York City, and the 2015 murder of Freddie Gray in Baltimore, Maryland.

In a similar fashion, law enforcement agencies with Task Force Model 287(g) agreements are incentivized to stop and question any person about their immigration status, whether or not they are suspected of criminal activity or already in criminal custody. Even without formal 287(g) agreements in place, research has shown that when law enforcement is deputized to enforce immigration law, the number of unnecessary traffic stops increases. Encounters with police will skyrocket as 287(g) expands, creating an inescapable police state that foments fear and possibly hinders police investigations. In the past, police associations have noted their dependence on community engagement and participation, regardless of immigration status, to help them solve crimes.

To compound the issues, federal oversight of 287(g) programs is insufficient, per a 2021 Government Accountability Office (GAO) report. The report found that ICE had not established measures to assess 287(g) program performance with participating law

enforcement agencies, like the percentage of agencies in compliance with annual training requirements. Accordingly, the GAO found that "ICE is not well-positioned to determine the extent to which the program is achieving intended results." The unfettered growth of 287(g) programs, paired with their historic lack of federal oversight and metrics to ensure legal and constitutional compliance, spells disaster for people who will be caught up in the 287(g) dragnet. No amount of oversight or transparency can remedy the deep flaws inherent in the 287(g) program.

Expanded 287(g) Programs Further Drain Local Taxpayer Dollars

In each 287(g) model, ICE bears none of the costs of enforcement and only some of the costs of training participating officers. Local law enforcement agencies must spend taxpayer dollars taking on additional immigration enforcement duties, potentially redirecting limited budgets away from routine or high-priority activity to fulfill their 287(g) contracts.

Multi-week training requirements can create law enforcement officer shortages, especially for smaller departments with fewer officers than large jurisdictions. Harris County, Texas, terminated its 287(g) agreement in 2017, which cost the county $675,000 annually and was draining $1 million every two weeks from taxpayers in overtime costs. Instead, Harris County redirected former 287(g) funding towards public safety priorities. Other Texas sheriffs have expressed concern about mandating participation in 287(g) programs without attendant funding. Prince William County, Virginia had to raise its property taxes and borrow from emergency funding to help fund their 287(g) program, which cost $6.4 million in its first year alone and $25.9 million over five years. For Mecklenburg and Alamance Counties in North Carolina, first-year costs for 287(g) programs in 2006 and 2007 ranged between $4.8 million and $5.5 million, respectively. For their 287(g) program startup costs, Gwinnett County, Georgia paid $3.7 million per year over eight years and Denver, Colorado, paid $1.5 million annually. The infamous Arizona Sheriff Joe Arpaio created a financial crisis in Maricopa County in 2007, creating a $1.3 million deficit through overtime spending via its early-stage, Task Force Model 287(g) agreement. Maricopa County's law enforcement overtime jumped from 2,900 overtime hours per pay period to 4,500 after signing its 287(g) agreement.

Local agencies participating in 287(g) agreements also bear the high costs of detaining immigrants for ICE in local jails, or in ICE facilities. In 2012, Los Angeles County, California taxpayers spent $26 million annually to detain immigrants for ICE, and California taxpayers statewide paid $65 million per year for the same. In Virginia, in 2016, the Rockingham-Harrisonburg Regional Jail had an average operating cost of $88.58 per detainee per night, compared to the jail's federal per diem income being only $72.12–meaning ICE covered only 41 percent of the cost of detaining immigrants in Virginia.

As all three 287(g) program models require enhanced immigration enforcement, the risk of violating civil or constitutional rights increases–exposing agencies to the enormous costs of litigation brought by victims, the ongoing costs of court-ordered compliance and monitoring, and the costs of settling suits. Blurring the lines between honoring ICE detainers and executing administrative arrest warrants has led to legal liability in the past. In 2012, Lehigh County, Pennsylvania, settled a lawsuit for $95,000 in damages and attorney's fees, and agreed to no longer honor ICE detainers without a court order. Maricopa County's notorious 287(g) enforcement scheme, and resulting litigation against it, amassed $150 million in legal and court-ordered monitoring fees. Settlements between law enforcement agencies and victims of unlawful immigration enforcement in Los Angeles County and San Francisco, California, San Francisco, Spokane, Washington, and San Juan County, New Mexico in 2017 and 2018 ranged from $49,000 to $300,000.

In short, the relentless expansion of the 287(g) program allows the Trump administration to take financial advantage of local jurisdictions to enforce presidential priorities, outsourcing the enforcement of immigration law–a purely federal responsibility–to states, counties, and cities at the expense of the everyday taxpayer. Instead of using taxpayer funds to address the needs of communities, law enforcement agencies with 287(g) programs will continue to spend exorbitant amounts to arrest, detain, and transfer community members directly into harm's way.

RECOMMENDATIONS FOR LOCAL COMMUNITIES

In the past, many years of sustained local organizing led to the termination of 287(g) agreements in places like Alamance County, North Carolina, and Gwinnett County, Georgia. These coalition-driven campaigns included activities like: monitoring and tracking 287(g) activity and due process violations; collecting community testimonials of 287(g) encounters; endorsing sheriffs who oppose 287(g) programs; making 287(g) a central issue in local political campaigns; canvassing to raise community awareness of 287(g) and how to end it; pursuing litigation where viable and demanding federal investigation into potentially unlawful practices; and much more.

More recently, the Camden Police Department in Delaware became the first in the state to sign a Task Force Model 287(g) agreement with ICE in April 2025. The agreement was signed without fanfare or any public discussion. Approximately one week later, on May 5, 2025, local community members found out about the agreement after a local ally confronted the Camden Town Council about the agreement. The ACLU of Delaware and the Delaware NAACP State Conference of Branches released a letter to the chief of police, mayor, and Town Council members outlining the risks and harms 287(g) programs pose, and promised to file a Freedom of Information Act (FOIA) request for underlying communications and

negotiations regarding the agreement. In addition, the ACLU of Delaware published an action alert, setting off a rapid response campaign urging the public to contact those same leaders to express fierce opposition to the agreement. On May 6, 2025, the Camden Police Department announced they had rescinded their 287(g) agreement. Although the rescission was in direct response to public outcry, ACLU of Delaware reports that Camden leadership told ICE it was interested in re-entering an agreement and only paused to prevent the passage of legislation that would ban 287(g) agreements in Delaware. Multiple bills have been introduced into the Delaware legislature that would prohibit 287(g) agreements in different ways, a handful of which await consideration on the Delaware House floor and another which has not yet gone through the committee process but has already garnered support from the ACLU of Delaware. Delaware House Bill 182 would "prohibit law enforcement agencies from entering into agreements with federal immigration enforcement authorities to enforce immigration violations or share immigration enforcement related data," but "is not intended to prevent a law-enforcement agency from working with the federal government on other public safety efforts."

Communities that want to resist the unchecked spread of 287(g) programs in their state can look to these success stories, and should emphasize the importance of community tracking and recordkeeping of all 287(g) activity by ICE and local law enforcement agencies. This data collection will inform all types of organizing and bolsters advocacy with facts from the ground. Additionally, communities can contact elected officials to propose legislation that would ban 287(g) agreements in totality, even in states where they have been mandated. In the face of the Trump administration's desire to deputize every law enforcement agency in the country to enforce immigration law, local communities and states can push back against 287(g)–and win.

TO LEARN MORE ABOUT 287G, PLEASE VISIT:
www.ilrc.org/practitioners/national-map-287g-agreements