



May 14, 2021

**Testimony of Julia Brown, Immigrant Legal Advocacy Project  
In Support of LD 1478**

Senator Deschambault, Representative Warren, and distinguished members of the Criminal Justice and Public Safety Committee, thank you for the opportunity to write in strong support of LD 1478.

My name is Julia Brown, and I am the Advocacy and Outreach Director at the Immigrant Legal Advocacy Project (ILAP). ILAP is Maine's only statewide nonprofit provider of immigration law and related legal aid to Maine's low-income residents. Each year, ILAP serves over 3,000 individuals statewide, coming from approximately 100 countries around the world. On behalf of ILAP and our clients, I ask the Committee to vote "ought to pass" on LD 1478, otherwise known as "An Act to Decriminalize Homelessness."

Homelessness is a racial justice issue -- communities of color disproportionately experience poverty, homelessness, and the effects of COVID-19. This is true in Maine, where Black and African American people make up over a quarter of Maine's unhoused population but less than two percent of Maine's population. 94 percent of ILAP's clients are people of color, and many of our clients are experiencing homelessness.

Structural racism and white supremacy are a central part of our criminal laws and system, and thus our immigration enforcement system as well. This racial disparity extends to Black immigrants, who are more likely than other immigrants to be detained and deported due to an interaction with law enforcement.<sup>1</sup>

Criminalizing homelessness has a devastating impact on Maine's immigrant communities. Immigration laws are designed to prevent those who have interacted with the criminal legal system from gaining immigration status or even keeping status, like a green card.<sup>2</sup> Interaction with law enforcement due to laws that criminalize basic activities like sleeping, drinking, and

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<sup>1</sup> NYU School of Law Immigrants Rights Clinic and Black Alliance for Just Immigration, *The State of Black Immigrants, Part II: Black Immigrants in the Mass Criminalization System*, <https://www.sccgov.org/sites/oir/Documents/sobi-deprt-blk-immig-crim-sys.pdf>

<sup>2</sup> "Michael was a green card holder, a permanent resident whose relatives in Jamaica sent him to stay with his mother in the United States when he was just a kid. *The convictions he picked up when he became homeless were minor*. But immigration officials often consider even petty crimes to be "crimes involving moral turpitude." And *two such crimes* were all it took to render Michael not only deportable but subject to mandatory detention while he fought his case" (emphasis added). Das, A. (Apr. 14, 2020) *The Nation*, <https://www.thenation.com/article/society/immigration-prison-deportation/>

sitting outside could lead to a Mainer losing the opportunity to gain legal status or even ending up separated from their family and deported to a country where they may face persecution.

Many of our clients are survivors of trafficking or domestic violence. Because Maine's criminal laws punish homelessness, Maine immigrants experiencing homelessness are less likely to seek assistance from law enforcement if they are victims of or witnesses to serious crimes. Moreover, the current approach exacerbates the trauma many of our clients have already experienced either before or after they arrived to the United States.

Passing LD 1478 would spare many Mainers from deportation, keep families together, and be an important step toward ending the racially biased prison-to-deportation pipeline. LD 1478 would support those experiencing homeless by connecting them with crisis services, emergency and transitional housing, and case management. I urge you to vote "ought to pass" on LD 1478. Thank you.