

**Testimony FOR Expedited Bill 35-25**  
Immigrant Protections (Promoting Community Trust - Immigrant Protections Act)  
Montgomery County Council  
January 13, 2026

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Dear President Fani-González and members of the Council,

My name is Joanna Silver. While I am testifying in my personal capacity, I have worked for over twenty years as a Federal Public Defender in the District of Maryland, representing people caught in both the criminal and immigration systems.

From that experience, I can tell you that ICE's current practices are cruel, disregard due process, and undermine, rather than enhance public safety.

For example, I represented an individual who returned to the US after being deported because he was threatened with violence in his home country. While his criminal case for illegal reentry was pending, an immigration judge granted him protection from future deportation under the Convention Against Torture. He served his criminal sentence, was released, and was doing well under supervision. But after Trump took office, ICE arrested him again and deported him to a third country. Within weeks, that country sent him back to his home country; the very place an immigration judge had ruled he could not safely return to.

While we expected a sharp increase in illegal reentry prosecutions - particularly for people with serious criminal histories, that increase never came. Instead, ICE has been focusing its resources on deporting, rather than prosecuting, as many people as they can get their hands on, regardless of what their immigration or criminal history is.

In keeping with ICE's myopic focus on deporting as many people as possible, I have seen judges release people in their criminal case to await trial under supervision in the community, only for ICE to deport them immediately, before they can go to trial. To be clear: we have one federal agency, the Department of Homeland Security, undermining the work of another federal agency, the Department of Justice; with deportation prioritized over accountability for alleged criminal conduct.

Finally, in recent months I have seen a number of individuals arrested on the street by ICE with no probable cause — sometimes simply for standing near someone else who was being targeted - a “collateral” arrest. Amazingly, when those individuals resisted their unlawful arrest, they were

prosecuted federally, and the fact that their arrest was unlawful in the first place is not a defense to their charge.

These cases illustrate that ICE does not have the best interests of our local community in mind; they do not care about public safety, they care about terrorizing immigrants and meeting deportation quotas. These actions make our communities less safe and destroy trust in law enforcement. This County must stand with its immigrant residents. I urge you to pass the Trust Act.