

DAVID TRONE
6TH DISTRICT, MARYLAND
APPROPRIATIONS
COMMITTEE
BUDGET
COMMITTEE
JOINT ECONOMIC
COMMITTEE



2404 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-2721
30 W. PATRICK STREET, SUITE 505
FREDERICK, MD 21701
(301) 926-0300
TRONE.HOUSE.GOV
@REPDAVIDTRONE

September 8, 2023

The Honorable Alejandro Mayorkas
Secretary of Homeland Security
U.S. Department of Homeland Security
3801 Nebraska Avenue, NW
Washington, DC 20528

Re: Immigration Enforcement by the Sheriff's Office of Frederick County, MD

Dear Secretary Mayorkas,

I write to ask that you direct U.S. Immigration and Customs Enforcement to terminate its 287(g) Memorandum of Agreement with the Frederick County Sheriff's Office in Maryland. The American Civil Liberties Union (ACLU) and the ACLU of Maryland have filed an administrative complaint to request an investigation by the U.S. Department of Homeland Security's Office for Civil Rights and Civil Liberties (CRCL) into the propriety of continuing the 287(g) agreement between Immigration and Customs Enforcement (ICE) and the Frederick County Sheriff's Office. The numerous reports of civil rights violations, in addition to the complaint made by the ACLU and the ACLU of Maryland, make it inappropriate to continue delegating federal immigration enforcement authority to the Sheriff's Office.

Several of my constituents have reported being harassed due to their perceived race or ethnicity and subjected to unwarranted traffic stops by the Sheriff's Office, a pattern that local organizations have corroborated. A 2017 study of Frederick County's 287(g) program found that since the program began in 2008, it has led to increased arrests of Latino individuals— "11 to 13 more [Latino individuals] per month than would be expected without the program." The data indicates that the Sheriff's Office has focused more on the Latino community since the 287(g) program began.¹ The Sheriff's Office has also subjected Black people in Frederick to traffic stops at a rate almost double their population, according to the most recent data it reported to the state.²

¹ Michael Coon, "Local Immigration Enforcement and Arrests of the Hispanic Population," *Journal on Migration and Human Security* 5, no. 3 (August 8, 2018): 645–665, <https://doi.org/10.1177/233150241700500305>.

² See Governor's Office of Crime Prevention, Youth and Victim Services, "Race-Based Traffic Stop Data Dashboard," <https://goccp.maryland.gov/data-dashboards/traffic-stop-data-dashboard/> (data on Frederick County from 2021 to 2022)

In one case, deputies stopped Sara Medrano, a 13-year resident of Frederick who was driving with her grandchildren, allegedly for a burnt-out taillight. After questioning her about her immigration status, deputies claimed that immigration agents would be coming to get her, but after an hour they let her go. “I was so scared thinking that this stop would be the last moment I would have with my grandchildren and my daughter,” she said.³ Marylanders should never have to live in fear of arbitrary actions by those who have sworn to protect them.

In addition, the *Washington Post* has documented several recent deadly force cases involving the Sheriff’s Office. These include the case of Daniel Vail, who was shot at 18 times in his own apartment; Jarrel Gray, a Black man killed after a deputy deployed a stun gun twice on him; and a man fatally shot after threatening deputies with scissors.⁴

The Sheriff’s Office also oversees the local jail where, in March 2023, dozens of detained individuals complained that following a sewage system collapse, they were surrounded by human feces for hours. They described being forced to sleep in their own feces and locked into their cells, instead of being moved to another location.⁵ The jail also has a history of people dying by suicide or suffering medical crises while detained.⁶

³ The ACLU of Maryland sued and reached a 2021 settlement agreement with Jenkins requiring him, among other things, to publicly report incidents that involve racial or immigration profiling and apologize to Medrano. Nick Steiner, “Opinion: Maryland Police Must Stop Playing ICE,” *Washington Post*, February 5, 2021, www.washingtonpost.com/opinions/local-opinions/maryland-police-must-stop-playing-ice/2021/02/04/5b0f8646-5ff411eb-9430-e7c77b5b0297_story.html.

⁴ Michael S. Rosenwald, “Frederick County Sheriff Chuck Jenkins Is Loathed and Loved After Down Syndrome Death,” *Washington Post*, August 3, 2013, https://www.washingtonpost.com/local/frederick-county-sheriff-chuckjenkins-is-loathed-and-loved-after-down-syndrome-death/2013/08/03/8494e170-f54c-11e2-aa2e4088616498b4_story.html.

⁵ Rosbelis Quionez, “Inmates claim they slept in feces at Frederick Detention Center,” March 21, 2023, <https://www.telemundowashingtondc.com/noticias/local/reclusos-denuncian-que-durmieron-entre-heces-en-el-centro-de-detencion-de-frederick/2188152/>;

⁶ Elliot Henney, “Inmate Allegedly Hangs Himself at Frederick County Jail Wednesday,” WJLA, January 20, 2021, <https://wjla.com/news/local/inmate-hangs-himself-frederick-county-jail>.

“Female Inmate Found Dead at Frederick County Adult Detention Center,” WFMD, December 27, 2020, <https://www.wfmd.com/2020/12/27/female-inmate-found-dead-at-frederick-county-adult-detention-center/>.

Danielle Gaines, “Wrongful-death Lawsuit at Frederick County Jail Settled,” *The Frederick News-Post*, May 4, 2015, https://www.fredericknewspost.com/news/crime_and_justice/wrongful-death-lawsuit-at-frederick-county-jailsettled/article_fbb20a89-0110-536e-9471-feed4ca8e279.html. See ACLU and ACLU of Maryland, “Re: ICE’s 287(g) Agreement with the Frederick County Sheriff’s Office,” July 11, 2023, <https://www.aclu.org/documents/aclu-complaint-to-dhs-office-for-civil-rights-and-civil-liberties-on-frederick-county-sheriffs-office-and-287g-program>.

While I recognize that DHS places high value on its partnership with law enforcement agencies around the country, it should not delegate federal enforcement authorities to agencies that denigrate public trust by engaging in civil rights violations, such as the Frederick County Sheriff's Office.

As you recently noted in testimony before the House Judiciary Committee, when elected officials use anti-immigrant rhetoric, they contribute to the threat of hate-based violence in our communities. Although Sheriff Jenkins is free to disagree with current immigration policy and has the right to express his views, the federal government can, and should, refuse to grant federal immigration powers to individuals like Jenkins who use their platform to stoke hatred and fear of immigrants—and thereby undermine public safety for all.

As President Biden recently emphasized in remarks about police abuses: “The vast majority of Americans want the same thing: trust, safety, accountability.”⁷ In service of these values, I respectfully request that you direct the termination of ICE's delegation of federal immigration authority to the Frederick County Sheriff's Office immediately to ensure the safety, security, and just treatment of all Marylanders.

Sincerely,



David Trone
Member of Congress

⁷ “Statement from President Biden on Justice Department Findings on the Minneapolis Police Department,” June 16, 2023, <https://www.whitehouse.gov/briefing-room/statements-releases/2023/06/16/statement-from-president-biden-on-justice-department-findings-on-the-minneapolis-police-department/>