

Written Testimony
Field Hearing hosted by U.S. Representative Greg Casar on ICE Attacks in Texas

Submitted by:
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Honorable Members of the Committee,

Thank you for having me here today and thank you for taking the time to visit our state and see what is happening in Texas.

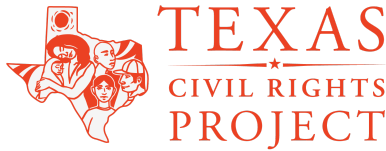
I am an attorney with the Beyond Borders team at the Texas Civil Right Project. Our work includes developing the Texas Habeas Project to teach lawyers from across the country how to file habeas suits here in Texas, representing the families of people who have died in immigration custody, defending the Texas DREAM Act, and suing to prevent border wall construction in Big Bend. I also represent Mr. Wilber Garces Perez in his habeas case. Our organization also covers Voting Rights, and Criminal Legal Reform, all of which intersect with the issues that bring us here today. Our recommendations today are informed by our work in each of these areas.

We are here today in Texas, the quiet epicenter of immigration enforcement nationwide. Texas leads the country in immigration arrests with roughly a third of the national total in July. Our detention centers house far and away the most detained immigrants.

Immigration enforcement has reached crisis levels for communities across the state in large part because local law enforcement is working hand in hand with ICE. My office regularly receives calls from communities reporting that local law enforcement is stopping cars and trucks driven by brown and black people for minor traffic violations. When anyone in the car appears to be from another country, either because they have an accent or present a passport, ICE is quickly on the scene and they disappear into the detention system. It is racial profiling, plain and simple, and it is happening systematically across the state.

A major driver of ICE's ability to co-opt local law enforcement is the 287(g) program. The 287(g) program allows DHS to delegate immigration enforcement power to state and local authorities.¹ With minimal training, a designated 287(g) officer can enforce federal civil

¹ I.N.A. 287(g); 8 U.S.C. § 1357(g).



immigration law, a notoriously complex legal framework. The result is rampant constitutional violations and terrorized communities.

Texas leads the nation in 287(g) agreements. Over 400 separate agencies have contracts with ICE and there are at least 300 Task Force Model agreements in our state.²

The 287(g) program has grown exponentially in Texas for two reasons. **First, in 2025 the state passed a law, SB 8, requiring most sheriffs to request an agreement from ICE.**³ Second, ICE has started paying local law enforcement to target immigrants. For example, in Fayette County, which has a population of around 24,000 people, the Sheriff's Office is on track to receive \$900,000 from DHS for 287(g) work.⁴ That is roughly one-eighth of all appropriations for the sheriff's office, dispatch operations, and the justice center in the county.⁵

The sheriff's office has spent \$119,000 of that money on thermobinoculars.⁶ The office has also relaxed its rules to allow deputies to work more overtime doing immigration enforcement because they will be reimbursed by the federal government.⁷ They are essentially moonlighting as immigration bounty hunters.

I offer amFayette County as one example, but I do not mean to single them out – this is happening across the state. Indeed, the Department of Public Safety's Highway Patrol even has a 287(g) agreement. In fact, they are very active in immigration enforcement in North Austin, near where Mr. Garces Perez was shot several weeks ago.

One result of the rampant enforcement and racial profiling is that people no longer trust their local law enforcement. Many are now afraid to call local authorities even when they are a victim of a crime. We have seen multiple cases of local police calling ICE on victims of domestic

² U.S. Immigration and Customs Enforcement, 287(g) Participating Agencies, <https://www.ice.gov/doclib/about/offices/ero/287g/participatingAgencies10142026.xlsx> (accessed Oct. 14, 2026).

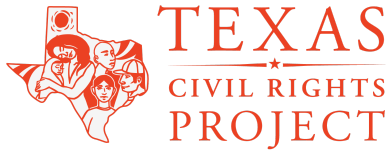
³ S.B. 8, 89th Leg., R.S. (2025).

⁴ Andy Behlen, "Sheriff's Deputies Could Get a Big Bump in Pay Thanks to Federal Immigration Program," The Fayette County Record (Jul. 27, 2026), <https://www.fayettecountyrecord.com/news/sheriffs-deputies-could-get-big-bump-pay-thanks-federal-immigration-program>.

⁵ 2026 Adopted Budget, Fayette County, Texas, at 39 (Jul. 25, 2025), <https://www.co.fayette.tx.us/upload/page/1720/docs/Financial/Budget/2026%20Adopted%20Budget.pdf>.

⁶ Andy Behlen, "Following the County's ICE Money," The Fayette County Record (Jul. 16, 2026), <https://www.fayettecountyrecord.com/news/following-countys-ice-money>.

⁷ Behlen, *supra* n.5.



violence.⁸ In one case, a five-year-old US citizen was deported with her mom after the Austin Police were called about a disturbance.⁹

People are also scared to leave their homes. Children are staying home from school. There was a seven percent decline in immigrant enrollment in Texas public schools last year.¹⁰

People are now afraid to go to work. Immigration enforcement has caused a dramatic slowdown in residential construction as workers fear getting picked up on their way to work or even on the job. In Hidalgo County there has been a 30% reduction in construction loans.¹¹ Meanwhile, 36% of Texas restaurant operators said they have lost employees because of immigration enforcement, while 26% reported a decline in customer visits due to enforcement.¹²

The past two years have exposed a long-standing truth: our system is irredeemably broken. The structures we have prioritize violence, family separation, and incarceration at the expense of community, due process, and fundamental rights. We cannot simply go back to the way things were. The following are our recommendations to start the long path toward reversal of these horrific policies and the start of a path forward.

Our primary federal recommendations start with something you all are doing today: **leverage your Congressional influence to advance local protections against ICE.**

For example, local officials in cities across Texas have been attacked by the Governor when they attempt to limit their cooperation with ICE. They need and will continue to need your support—narratively and politically—to advance policies that reduce local law enforcement’s role in immigration enforcement, and to encourage them to think innovatively about ways to assert local control within the rigid confines of state law.

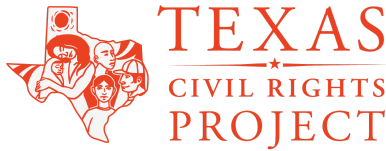
⁸ Eg., Dominic Anthony Walsh, “HPD called ICE on a woman reporting a violent threat — one of more than 100 calls from April through June,” Houston Public Media (Jul. 20, 2026), <https://www.houstonpublicmedia.org/articles/news/city-of-houston/2026/07/20/557565/hpd-ice-calls-houston-immigration-arrests/>.

⁹ Cristela Jones, “ICE deports 5-year-old US citizen from Texas to Honduras, group says,” MySA (Jan. 16, 2026) <https://www.mysanantonio.com/news/austin/article/ice-deports-austin-girl-honduras-21298653.php>.

¹⁰ Meghan Menchanca, “Texas schools reported losing 14,200 immigrant kids last year. The true number is likely higher,” Tex. Tribune (Sept. 30, 2026), <https://www.texastribune.org/2026/09/30/immigrant-students-enrollment-texas-schools/>.

¹¹ Steve Taylor and Daniela Capistran, “South Texas Builders: Construction loans in RGV down 30 percent,” Rio Grande Guardian, (Feb. 17, 2026), <https://riograndeguardian.com/stories/cuellar-gives-update-on-his-efforts-to-protect-immigrants-from-ice.57974>.

¹² Courtney Friedman, “New economic report shows Texas restaurants struggling with immigration enforcement, insurance costs,” KSAT (Aug. 26, 2026), <https://www.ksat.com/news/local/2026/08/25/new-economic-report-shows-texas-restaurants-struggling-with-immigration-enforcement/>.



These types of local policies include:

- Limiting unnecessary police interactions and data sharing that can trigger immigration consequences, regardless of immigration status. This means investing meaningfully in alternatives to policing for public safety goals to keep communities safe without relying on armed agents to act as first response to every emergency.
- Limiting local law enforcement aid to ICE agents, including assistance in repression of protest and dissent to federal enforcement.
- Protecting access to public services regardless of immigration status.
- Supporting local reporting requirements to increase transparency and oversight and eventual accountability.
- Resourcing local legal departments to support any subsequent legal battle over these constitutionally concerning policies.

More broadly, when it becomes possible, our federal policy recommendation is ultimately to dismantle the enforcement system, including both ICE and DHS, and build systems that support our people and our communities. Here are a few important steps in that direction:

- Claw back funding from the detention and deportation machine and re-invest those funds into the establishment of a new immigration system that creates meaningful pathways to citizenship, like outlined in the New Way Forward Act.
- Permanently shut down detention centers and end the private contracts that drive them.
- End the 287(g) program and cut all funding for participation in the program.
- Prohibit federal immigration authorities from sharing civil administrative warrants with local law enforcement.
- Prohibit the use of automated license plate readers and other mass surveillance devices in immigration enforcement.
- Create a federal reimbursement program for cities who lose grants from the state for perceived non-compliance with state requirements.
- Reconstitute the immigration court system so that immigrants receive fair hearings and due process before impartial judges.
- Invest in programs that welcome immigrants and help them build lives and support our communities, and reinstate immigrant legal service grants and programs.

Thank you again for your time.