

MEMORANDUM

March 6, 2026

TO: Government Operations and Fiscal Policy Committee
Public Safety Committee

FROM: Ludeen McCartney-Green, Legislative Attorney

SUBJECT: Bill 3-26, Administration – Immigration Enforcement Guidance – Required
(The County Values Act)

PURPOSE: Worksession – to receive a committee recommendation

Expected Attendees

Dr. Earl Stoddard, Assistant Chief Administrative Officer
Luisa Cardoza, Assistant Chief Administrative Officer
Chief Yamada, Montgomery County Police Department
David Dise, Director, Department of General Services

Bill 3-26, Administration – Immigration Enforcement Guidance – Required (The County Values Act), Lead Sponsor Councilmember Mink, Co-Sponsored by Councilmembers Stewart, Jawando, Friedson, Evans, Sayles, Glass, and Council Vice President Balcombe was introduced on January 20, 2026. A public hearing was held on March 3, 2026, there were over 30 speakers who testified in support.

Bill 3-26 would:

- (1) require the County Executive to develop and publish certain guidance related to immigration enforcement action at County facilities;
- (2) require County departments to adopt certain policies consistent with the Executive's guidance;
- (3) limit access to certain areas for immigration enforcement, subject to certain conditions; and
- (4) generally amend the laws regarding County administration and immigration enforcement in the County.

PURPOSE

The purpose of this bill is to establish a County law that governs interactions with U.S. Immigration and Customs Enforcement (ICE) on County property and within County facilities. The Bill seeks to reaffirm the County's values of equity, inclusiveness, dignity, and justice, and to

maintain community trust by clearly separating County services from federal immigration enforcement.

BACKGROUND

Bill 3-26 seeks to align with Laws of Maryland, Chapter 718 of 2025, referred to as The Maryland Values Act.¹ The Maryland Values Act requires that: 1) public schools, public libraries, and certain units of the executive branch of State or local government that operate at a “sensitive location” to “deny access” to any portion of the sensitive location not accessible to the public to any individual who is seeking access “for the purpose of enforcing federal immigration law” unless: (1) the individual presents a valid warrant issued by a federal judge; or 2) exigent circumstances exist.²

The Act also directs the Office of the Attorney General to develop and publish guidance to inform the public and State agencies about certain topics related to immigration enforcement activities and sensitive locations, including complying with existing legal obligations. Proposed State Government Article (“SG”), § 6-111(b). Under the Act, public schools, public libraries, and units of the executive branch of State or local government that operate at a sensitive location must implement policies consistent with the Attorney General’s guidance by October 1, 2025.³

BILL SPECIFICS

Restrict ICE Access to Non-public Areas. Bill 3-26 (The County Values Act) would, among several things, restrict ICE access to: 1) non-public areas of County facilities unless there are a valid federal judicial warrant or exigent circumstances; and 2) prohibit the use of County-owned or County-controlled parking lots, garages, and vacant lots as a staging, processing, or operation area for civil immigration enforcement activities, with limited public safety and legal exceptions.

Require Signage for County-controlled/owned Property. The legislation directs the County Executive to identify and install clear signage at the entrance of County properties (parking lots, garages, or vacant lots) that have been or may be used for immigration enforcement operations, and implement physical barriers (gates, fence, etc.), where appropriate. The Bill also requires County employees to report unauthorized use of County property. Further, the County must provide template signage for businesses that choose to restrict ICE access in non-public areas.

Immigration Enforcement Guidance for County Departments. Additionally, the Act requires the County Executive, in coordination with the Office of County Attorney, to develop comprehensive immigration enforcement guidance for County departments, including training, procedures, signage, and model policies. Departments must designate officials to respond to ICE visits and ensure staff are trained on the guidance.

¹ House Bill 1222, “Public Safety – Immigration Enforcement – The Maryland Values Act.

² Maryland General Assembly. <https://mgaleg.maryland.gov/mgawebsite/Legislation/Details/HB1222/?ys=2025rs>

³ Attorney General Review Letter for House Bill 1222.

<https://mgaleg.maryland.gov/mgawebsite/Legislation/Details/HB1222/?ys=2025rs>

Compliance with Federal Law. The Act expressly preserves compliance with federal law and does not restrict the lawful exchange of information regarding immigration or citizenship status.

PUBLIC HEARING

The public hearing included nearly thirty speakers who testified in support of the Bill. The Council also received many pieces of written testimony in support of Bill 3-26. Written testimony can be found [here](#).

Specifically, support revolved around the themes of helping to keep our most vulnerable community members safe, holding federal agents to account, and standing in solidarity with our immigrant community. Many high-school students spoke to the fear that ICE raids create for them and their families, hoping the passage of Bill 3-26 would help mitigate some of that fear.

SUMMARY OF IMPACT STATEMENTS

Fiscal Impact. According to the Office of Management and Budget (OMB), it determined that, while the bill is not expected to affect County revenues, County expenditures are expected to increase by \$59,650 due to increased personnel and operating expenses in FY2026 only. OMB noted that the estimates may change based on scope and implementation timeline.

Economic Impact. The Office of Legislative Oversight (OLO) “anticipates that by strengthening the County’s sanctuary policies, Bill 3-26 would have a positive impact on the economic conditions in the County, as measured by the County’s priority indicators.” OLO argues that the bill will protect the financial health of local households by “serving as a safeguard against the detention and deportation of immigrant residents.” OLO further argues that “the Bill may provide support to local businesses, particularly in the construction and accommodation and food services/arts/entertainment industries, that are currently facing workforce disruptions.”

Racial Equity and Social Justice Impact. OLO “anticipates Bill 3-26 would have a positive impact on racial equity and social justice (RESJ) in the County. Restricting immigration enforcement activity on County property and training County staff on how to respond to immigration enforcement would strengthen the County’s existing trust policy and disproportionately benefit Black, Indigenous, and other People of Color (BIPOC) community members who are immigrants.” Due to the projected positive impact, OLO does not offer any RESJ related amendments to Bill 3-26.

Climate assessment. OLO “anticipates Bill 3-26 will likely have no impact on the County’s contribution to fighting climate change.” Therefore, OLO did not offer any climate-related amendments to Bill 3-26.

ISSUES FOR THE COMMITTEE'S DISCUSSION

1. Adoption of Promoting Community Trust Act requires amendments to the County Values Act to ensure consistency between the two laws.

On February 20, 2026, the County Council enacted Expedited Bill 35-25, County Administration – Immigrant Protections, also known as the “Promoting Community Trust - Immigrant Protections Act.” The Act codified certain protections, including limiting access to County buildings and ensuring that staff, equipment, and County facilities are not used for civil immigration actions without a valid judicial warrant or bona fide criminal law enforcement purpose. See, Section 2-160 (g) of the County Code (© 2).

Because this language is already covered under the Promoting Community Trust Act, Council staff recommends the Committee remove a similar provision under the County Values Act (lines 35-43). This would ensure consistency between both laws and there is no confusion with implementation.

Strike lines 35-43, as follows:

[[2-163. ICE access in County facilities – warrant requirement.

- (a) A County employee or contractor must not grant an ICE officer access or assist an officer in entering any portion of a County facility that is not accessible to the general public, unless:
 - (1) there are exigent circumstances; or
 - (2) the officer presents a valid warrant issued by a federal court.
- (b) Nothing in this Section authorizes a County employee or contractor to interfere with, restrict, or impede an immigration officer when access has been denied or consent to entry has been withheld.]]

Decision Point: Whether the joint committee wishes to strike Section 2-163 because a similar provision is already covered under the recently passed Promoting Community Trust Act?

2. Amendment by Councilmember Katz related to online public reporting.

Councilmember Katz may offer an amendment to provide an alternative approach for reporting incidents related to unauthorized use of County-owned/controlled property, unauthorized access to County facilities, or misconduct by an individual related to immigration enforcement. See, amendment at © 28.

Decision Point: Whether the joint committee adopts the amendments as presented by Councilmember Katz?

3. Clarifying amendments.

Council staff would recommend the following clarifying amendments (see double-underlined):

- a) Terms listed in the bill as “County employee or contractor,” “County staff and contractors,” “County staff,” “County employees and contractors,” and “staff” should be replaced with “County agents.” County agents would be defined as “any person employed by or acting on behalf of a County department, office, agency, board, committee, commission, or other body established by authority of County law.”
- b) Lines 37 refers to a “County facility.” Office of County Attorney recommends stating, “County-owned or County-controlled facility.”
- c) Lines 81-82 – “create and public immigration enforcement guidance for County [staff and contractors] agents that perform work in or at County-owned or County-controlled facilities.”
- d) Lines 102-103 – “ensure County [employees and contractors] agents that perform work in or at County-owned or County-controlled facilities are trained on the Executive’s policies and guidance.”
- e) OCA recommended clarification related to providing signage to private owners. (Lines 115-119):

The County Executive must develop and make available on the County’s website a signage template [available on the County's website for] that business owners and leaseholders [to] may use to lawfully notify visitors that the property may not be used for immigration enforcement by ICE. [The owner or lessee may choose to use the signage template to identify and lawfully restrict non-public areas in which they would prohibit activities related to civil immigration enforcement.]

Decision Point: Whether to adopt the above clarifying amendments?

Next Steps: Whether the joint committee adopts Bill 3-26, as amended, for enactment?

<u>This packet contains:</u>	<u>Circle #</u>
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Bill No. 3-26
Concerning: Administration – Immigration
Enforcement Guidance – Required
(The County Values Act)
Revised: 1/12/2026 Draft No. 3
Introduced: January 20, 2026
Expires: December 7, 2026
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: None
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: Councilmember Mink
Co-Sponsors: Councilmembers Stewart, Jawando, Friedson, Evans, Sayles, Glass, and Council Vice
President Balcombe

AN ACT to:

- (1) require the County Executive to develop and publish certain guidance related to immigration enforcement action at County facilities;
- (2) require County departments to adopt certain policies consistent with the Executive’s guidance;
- (3) limit access to certain areas for immigration enforcement, subject to certain conditions; and
- (4) generally amend the laws regarding County administration and immigration enforcement in the County.

By adding

Chapter 2, Administration
Article XV, Immigration Enforcement Guidance
Sections 2-160, 2-161, 2-162, 2-163, 2-164, 2-165, and 2-166

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

1 **Sec. 1. Article XV (Sections 2-160, 2-161, 2-162, 2-163, 2-164, and 2-165) of**
 2 **Chapter 2 is added as follows:**

3 **ARTICLE XV. IMMIGRATION ENFORCEMENT GUIDANCE.**

4 **2-160. Short Title.**

5 This Article is known as “The County Values Act.”

6 **2-161. Purpose.**

7 (a) The purpose of this Act is to uphold the County’s values of equity,
 8 inclusiveness, dignity, and justice for all;

9 (b) explain how County departments should respond to Immigration and
 10 Customs Enforcement actions;

11 (c) provide model policy language and guiding principles to help
 12 departments and facilities adopt consistent practices;

13 (d) maintain community trust by separating County services from federal
 14 immigration enforcement; and

15 (e) limit the use of County property for federal immigration enforcement
 16 purposes to enhance public trust, ensure equitable access to public
 17 facilities, and preserve County resources for local governmental
 18 purposes.

19 **2-162. Definitions.**

20 In this Section, the following words and phrases have the following meanings:
 21 County facility means a building controlled by the County that provides services
 22 to the public.

23 County-owned or County-controlled property means real property owned,
 24 leased, or otherwise under the control or management authority of the County,
 25 including parking lots, garages, and vacant lots.

26 Department means any executive branch County department, agency, division,
 27 or other body, or person established by authority of an order, executive order, or
 28 County Council order.

29 Immigration and Customs Enforcement (ICE) means the federal enforcement
 30 agency responsible for enforcing civil immigration law, which may also include
 31 any entity or personnel authorized to enforce civil immigration law.

32 Staging area means an area used to assemble, mobilize, deploy vehicles,
 33 equipment, materials, or personnel for carrying out civil immigration
 34 enforcement operations.

35 **2-163. ICE access in County facilities – warrant requirement.**

36 (a) A County employee or contractor must not grant an ICE officer access or
 37 assist an officer in entering any portion of a County facility that is not
 38 accessible to the general public, unless:

39 (1) there are exigent circumstances; or

40 (2) the officer presents a valid warrant issued by a federal court.

41 (b) Nothing in this Section authorizes a County employee or contractor to
 42 interfere with, restrict, or impede an immigration officer when access has
 43 been denied or consent to entry has been withheld.

44 **2-164. Prohibition on use of County property for ICE enforcement.**

45 (a) Any County-owned or County-controlled parking lot, garage, or vacant
 46 lot must not be used for ICE enforcement activities, including
 47 surveillance, staging, processing, detention, or vehicle storage, unless
 48 required by law or authorized by a valid judicial warrant.

49 (b) Any area or space identified under subsection (d) is not available to the
 50 general public for similar activities; in addition, federal, state, or local
 51 government entities or personnel will not receive special or enhanced
 52 access to County property for civil immigration enforcement operations.

- 53 (c) This section does not apply to:
- 54 (1) any temporary access necessary to address an immediate threat to
55 public safety; or
- 56 (2) publicly available areas open to the general public, where the
57 County lacks legal authority to restrict entry.
- 58 (d) The County Executive must identify all County-owned or controlled
59 parking lots, vacant lots, or garages that either have been used or are
60 likely to be used in the future as a staging area, processing location, or
61 operations base for civil immigration enforcement.
- 62 (e) The County Executive must ensure that all such County properties
63 identified under subsection (d) have clear signage stating:
64 “This property is owned or controlled by Montgomery County. It may
65 not be used for civil immigration enforcement as a: Staging Area,
66 Processing Location, or Operations Base.”
- 67 (f) The County Executive must ensure that, wherever appropriate, physical
68 barriers such as locked gates are used to limit access to County-owned or
69 County-controlled parking lots, vacant lots, or garages consistent with the
70 purpose of this Section.
- 71 (g) Reporting unauthorized use. A County employee who becomes aware of
72 the unauthorized use of County-owned or County-controlled property
73 must immediately report the violation to the employee’s department
74 director. A reported violation must include as much information as
75 possible, including time, location, and a description of what was
76 observed. Failure to report unauthorized use of property may result in
77 disciplinary action.

78 **2-165. Immigration enforcement guidance for County departments.**

79 (a) Guidance by the County Executive. The County Executive, in
80 consultation with the Office of the County Attorney, must create and
81 publish immigration enforcement guidance for County staff and
82 contractors. The guidance must:

83 (1) establish an immigration enforcement action plan that provides a
84 step-by-step process if ICE visits a County facility;

85 (2) indicate the process a facility should use when designating certain
86 areas for public or non-public use;

87 (3) include model policies and sample scripts covering various
88 scenarios involving potential ICE interaction;

89 (4) explain how to distinguish between different types of warrants and
90 civil detainers;

91 (5) include policies and practices for departments to guide interactions
92 between County staff and ICE officials, ensuring that immigration
93 enforcement activities are carried out in the least disruptive and
94 safest possible manner;

95 (6) include measures that would limit liability exposure for County
96 staff at County facilities; and

97 (7) include recommendations for complying with existing legal
98 obligations and limitations at County facilities while balancing
99 public safety and accessibility at those facilities.

100 (b) Responsibilities of each Department. Unless otherwise required by state
101 law, each department must:

102 (1) ensure County employees and contractors are trained on the
103 Executive's policies and guidance;

104 (2) designate a supervisor or manager to serve as the designated
105 official responsible for handling visits by ICE;

- 106 (3) provide a phone number for frontline staff to contact a designated
107 official at any time;
- 108 (4) where applicable, identify areas that are open to the general public
109 and post signage at the entrance that states: “Not open to the public.
110 You do not have consent to enter for civil immigration
111 enforcement purposes without authorization from a designated
112 official”; and
- 113 (5) include any other department-specific measures to assist County
114 staff in balancing the interaction with ICE.
- 115 (c) Signage for private use. The County Executive must develop a signage
116 template available on the County’s website for business owners and
117 leaseholders to use. The owner or lessee may choose to use the signage
118 template to identify and lawfully restrict non-public areas in which they
119 would prohibit activities related to civil immigration enforcement.
- 120 (d) Executive regulations. The County Executive may, under Method 3,
121 establish regulations and standards as necessary to accomplish the
122 purposes and intent of this Article. The regulations must be at least as
123 stringent and consistent as this Article.

124 **2-166. Compliance with Federal law.**

125 No provision in this Article may be interpreted as preventing a law enforcement
126 agent from sending or receiving information from any local, state, or Federal
127 agency regarding the citizenship or immigration status of an individual in
128 accordance with applicable federal or constitutional law.



Fiscal Impact Statement

Office of Management and Budget

Bill 3-26

Bill 3-26, Administration - Immigration Enforcement Guidance - Required (The County Values Act)

Bill Summary

Bill 3-26 establishes a County law to govern interactions with U.S. Immigration and Customs Enforcement (ICE) on County property and within County facilities. The bill also directs how County departments respond to Immigration and Customs Enforcement actions, provides model policy language and guiding principles to help County departments and facilities adopt consistent practices, and limits the use of County property for federal immigration enforcement purposes.

Fiscal Impact Summary

The bill is not expected to impact County revenues. County expenditures are estimated to increase by \$59,650 in FY26 only, though these estimates may change based on scope and implementation timeline. The Department of General Services (DGS) and the Parking Lot Districts (PLD), anticipate that implementation of the bill will impact personnel costs and operating expenditures as described below. The impact on the Office of the County Attorney is indeterminate.

Fiscal Year	2026	2027	2028	2029	2029	2030	Total
Personnel Costs	\$11,600	\$0	\$0	\$0	\$0	\$0	\$11,600
Operating Expenses	\$48,050	\$0	\$0	\$0	\$0	\$0	\$48,050
Total Expenditures	\$59,650	\$0	\$0	\$0	\$0	\$0	\$59,650
Revenues	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Impact	(\$59,650)	\$0	\$0	\$0	\$0	\$0	(\$59,650)
FTE	0.00	0.00	0.00	0.00	0.00	0.00	

Fiscal Impact Analysis

Expenditures are expected to increase primarily due to the installation of building signage, distribution of laminated cards, signage for vacant county-owned land and public parking facilities.

DGS anticipates total expenditures of approximately \$35,400, which includes \$1,800 for 10,000 laminated pocket cards, \$12,000 for sign production and installation. Montgomery County Government owns 314 vacant parcels totaling 664 acres, each expected to require 2-4 signs mounted on posts; the estimated cost for installing signs on the vacant parcels is approximately \$21,600, which includes \$10,000 for 400 mounting posts (at about \$25 each) and \$11,600 in labor costs, based on 200 hours at \$58 per hour.

Additionally, the Parking Lot Districts estimates total expenditures at \$24,250 based on one sign and post per vehicle entrance in the parking facility. This includes \$15,750 for 75 laminated signs and mounting posts, \$8,500 for installation costs.

This analysis assumes that the impact on processing and staff time will occur before the end of FY26. If the bill takes effect earlier, or if implementation requires more or less time than anticipated, the start date may shift accordingly.



Staff Impact	DGS notes that potentially significant costs may arise from overtime requirements depending on the scope and implementation timeline.
Actuarial Analysis	The bill is not expected to impact retiree pension or group insurance costs.
Information Technology Impact	The bill is not expected to impact the County Information Technology (IT) or Enterprise Resource Planning (ERP) systems.
Other Information	
<i>Later actions that may impact revenue or expenditures if future spending is projected</i>	The bill does not authorize future spending.
<i>Sources of information</i>	David Dise, Director, Department of General Services; Pooja Kapoor, Division Chief, Department of General Services; Jose Thommana, Division Chief, Parking Lot Districts; Ed Lattner, Office of the County Attorney; Julie Knight, Fiscal and Policy Analyst, Office of Management and Budget; Payne Tarkenton, Fiscal and Policy Analyst, Office of Management and Budget; Alicia Singh, Fiscal and Policy Analyst, Office of Management and Budget
<i>Contributors</i>	



Economic Impact Statement

Montgomery County, Maryland

Bill 3-26, Administration – Immigration Enforcement Guidance – Required (The County Values Act)

Summary

The Office of Legislative Oversight (OLO) anticipates that by strengthening the County’s sanctuary policies, Bill 3-26 would have a positive impact on economic conditions in the County, as measured by the County’s priority indicators. To assess the likely economic impacts of this policy change, OLO drew its conclusions from a data analysis of labor market and economic well-being characteristics of undocumented residents and a literature review of empirical studies examining past immigration crackdowns in the United States.

In response to the Trump administration’s mass deportation campaign, the Bill may serve as a critical safeguard against the detention and deportation of immigrant residents. In doing so, it would help protect the financial health of local households. By reducing the risk of sudden loss of income and averting high out-of-pocket costs—such as legal fees and emergency childcare—the legislation would help support household incomes and prevent families from falling into deeper financial distress.

Furthermore, the Bill may provide support to local businesses—particularly in the construction and accommodation and food services/arts/entertainment industries—that are currently facing workforce disruptions. By preventing the loss of experienced workers, the Bill may help employers avoid the high costs of recruitment and training while maintaining consistent productivity and service quality. All else being equal, these impacts would prevent revenue and income losses.

Additionally, by mitigating the negative economic spillovers typically associated with large-scale deportations, the Bill may protect the wages of certain U.S.-born workers and sustain local economic activity.

Background and Purpose of Bill 3-26

Last May, the state adopted the Maryland Values Act in response to the Trump administration’s nationwide campaign of mass harassment and detainment of immigrants. Among other measures, the Act prohibits certain state and local schools, libraries, and other institutions from granting federal personnel access to areas not accessible to the general public and requires the Attorney General to publish guidance on immigration enforcement actions at sensitive locations.¹

Modeled on the Maryland Values Act, Bill 3-26 (“The County Values Act”) seeks to reaffirm the County’s values of “equity, inclusiveness, dignity, and justice for all.” It also seeks to safeguard community trust and equitable access to County services and facilities amid ongoing Immigration and Customs Enforcement (ICE) enforcement activity. The Bill aims to achieve these ends by:

- Restricting ICE officers from accessing non-public areas of County facilities without a valid federal judicial warrant;

¹ Maryland General Assembly, [HB 1222, Public Safety – Immigration Enforcement](#), 2025 Regular Session (effective June 1, 2025).

- Prohibiting the use of County-owned or-controlled parking lots, garages, and vacant lots for immigration enforcement activities while requiring County employees to report any unauthorized use of County property to their department directors; and
- Requiring the County Executive to provide detailed immigration enforcement guidance for County staff and contractors, while requiring departments to train staff on these guidelines.²

The County Council introduced Bill 3-26, Administration – Immigration Enforcement Guidance – Required, on January 20, 2026.

Information Sources, Methodologies, and Assumptions

As required by Section 2-81B of the Montgomery County Code, this Economic Impact Statement evaluates the impacts of Bill 3-26 on residents and private organizations, using the Council’s priority economic indicators as the measure. In doing so, it examines whether the Bill would have a net positive or negative impact on overall economic conditions in the County.³

In this analysis, OLO adopts a three-part methodological approach to assess the Bill’s likely economic impacts:

1. Uses available data to compare the labor market and economic well-being characteristics of undocumented residents with that of all County residents.

Undocumented immigrants are among the populations that the U.S. Census considers “hard to count.”⁴ One key reason is that undocumented residents have strong incentives to remain undetected, including fear of detention, deportation, and potential violations of their civil liberties and human rights.^{5,6} As a result, accurately estimating the size and characteristics of undocumented immigrants—especially at the sub-national level—is challenging, and some experts conclude that this population is systematically undercounted in available data sources.⁷

Despite these challenges, the Migration Policy Institute (MPI)—a think tank focused on international migration and refugees—has developed County-level estimates of undocumented immigrants for 135 jurisdictions with the largest undocumented populations, including Montgomery County.⁸ OLO uses these MPI estimates, together with American Community Survey (ACS) data, to compare the 2023 labor market and economic well-being characteristics of undocumented residents with that of all County residents. These data are presented in **Table A2** in the Appendix.

² See full bill text in Montgomery County Council, [Introduction Staff Report for Bill 3-26, Administration – Immigration Enforcement Guidance – Required](#) (January 20, 2016).

³ Montgomery County Code, “[Sec. 2-81B, Economic Impact Statements](#).”

⁴ U.S. Census Bureau, “[Counting Every Voice: Understanding Hard-to-Count and Historically Undercounted Populations](#),” Census.Gov, accessed February 13, 2026.

⁵ National Network for Immigrant and Refugee Rights (NNIRR), [Immigrant Undercount](#), July 16, 2019; Jonathan Feinstein and Edward Kaplan, “[Why Hidden Populations Are So Hard to Count](#),” *Yale Insights*, December 13, 2018.

⁶ International human rights organizations and experts have documented and condemned the Trump administration’s abuses. See, for example, Olivia Le Poidevin, “[UN Human Rights Chief Urges US to Uphold International Law in Immigration Crackdown](#),” *Reuters*, January 23, 2026; Amnesty International, [USA: New Findings Reveal Human Rights Violations at Florida’s “Alligator Alcatraz” and Krome Detention Centers](#), December 4, 2025; and Human Rights Watch, [US: Trump Administration’s Pervasive Attacks on Rights](#), February 4, 2026.

⁷ Feinstein and Kaplan, “Why Hidden Populations Are So Hard to Count.”

⁸ For the methodology, see Migration Policy Institute, “[MPI Methodology for Assigning Legal Status to Noncitizen Respondents in U.S. Census Bureau Survey Data](#),” Migrationpolicy.Org, October 25, 2019.

2. Reviews research examining the economic effects of past large-scale immigration crackdowns in the United States.

OLO identified the following literature review, published by University of New Hampshire’s Carsey School of Public Policy, that reviews empirical studies on the economic impacts of past immigration crackdowns as well as simulation studies of mass deportation scenarios for the future:

- Lynch and Ettlinger (2024), “[The Economic Impact on Citizens and Authorized Immigrants of Mass Deportation](#)”

Table A1 in the Appendix identifies the empirical studies reviewed in the literature review, the cases of past immigration crackdowns each study examines, their major findings, as well as the proposed mechanisms explaining why the crackdowns resulted in particular economic impacts.

3. Infers the Bill’s likely impacts based on (a) the labor market characteristics of undocumented residents and (b) major findings from the review of past immigration crackdowns, under the assumption the Bill would meaningfully constrain ICE activity in the County.

Specifically, the Bill strengthens the County’s sanctuary policies by restricting ICE activity on County property, requiring County employees to report unauthorized ICE activity, and training County staff and contractors on local immigration enforcement guidance. There is currently no empirical research on the effectiveness of local sanctuary policies against the Trump administration’s immigration crackdown.

Given this limited evidence, OLO’s conclusions in subsequent sections are conditional on the following assumption: That strengthening the County’s sanctuary policies would partially reduce ICE’s enforcement actions in County-controlled spaces or with County assistance, which may help prevent the detention and deportation of some immigrants who might otherwise be at risk.

Variables

The primary variables that would affect the economic impacts of enacting Bill 3-26 are the following:

- Number of County residents who avoid detention or deportation; and
- Share of protected residents who are in the local labor force.

Impacts

WORKFORCE ▪ TAXATION POLICY ▪ PROPERTY VALUES ▪ INCOMES ▪ OPERATING COSTS ▪ PRIVATE SECTOR CAPITAL INVESTMENT ▪ ECONOMIC DEVELOPMENT ▪ COMPETITIVENESS

Economic Effects of Immigration Enforcement

Lynch and Ettlinger review historical cases of immigration crackdowns to show that removing large numbers of undocumented immigrants has not delivered labor-market gains for U.S.-born workers. **Table A1** in the Appendix provides an overview of the studies reviewed. In addition to these retrospective case studies, the article also reviews analyses that project the economic consequences of future mass deportation scenarios.

Based on the review of retrospective case studies and projection analyses, the authors conclude that deporting substantial numbers of undocumented workers results in the following negative economic consequences for the broader economy:

Economic Contraction	<ul style="list-style-type: none"> • The U.S. economy contracts as undocumented workers are removed, reflecting the loss of their labor and spending. • This could be explained by employers cutting production when they lose complementary immigrant workers and by local demand falling as immigrant communities shrink.
Job Losses for U.S.-Born Workers	<ul style="list-style-type: none"> • Jobs for U.S.-born workers decline overall rather than expanding to replace deported workers. • This could be explained by employers reducing output, automating, or shifting crops and production processes instead of hiring additional U.S.-born workers.
Downward Pressure on Wages	<ul style="list-style-type: none"> • Wages for most workers face downward pressure as employment falls and the economy shrinks. • This could be explained by reduced overall labor demand when higher labor costs, lower consumption, and production cuts lead firms to create fewer jobs and restrain pay growth.
Reduced Tax Revenues	<ul style="list-style-type: none"> • Tax revenues decrease as workers and economic activity are removed from the formal economy. • This could be explained by fewer workers earning taxable income and lower levels of output, spending, and business activity subject to taxation.
Rising Inflationary Pressure	<ul style="list-style-type: none"> • Inflationary pressure rises as domestic production of goods and services declines. • This could be explained by supply constraints from reduced labor and output putting upward pressure on prices even as overall economic activity weakens.

Economic Profile of Undocumented Residents

The 2023 MPI/ACS data indicate that undocumented immigrants in the County play an important economic role locally but face heightened economic insecurity. Highlights from the data are presented below; for more detail, see **Table A2** in the Appendix. Based on these data, we can conclude the following:

Undocumented residents have higher labor force participation rates than all residents and are concentrated in the construction and accommodation and food services/arts/entertainment industries. Yet, their strong labor force engagement does not translate into economic security, as undocumented immigrants are more likely to live in poverty and less likely to have health insurance or own homes than all residents.

Size	<ul style="list-style-type: none"> In 2023, an estimated 119,000 total undocumented residents—primarily from Latin American countries—lived in the County, representing about 11 percent of the County’s total population of 1.05 million. About 78 percent of undocumented residents had lived in the U.S. for 5 years or longer, and 60 percent lived in the country for 10 years or longer.
Labor Force Participation and Employment	<ul style="list-style-type: none"> Undocumented residents ages 16 and older were more likely to be in the labor force (78 percent) than all County residents (70 percent), and less likely to be out of the labor force (22 percent vs. 30 percent). Nearly all undocumented adults who were in the labor force were employed (81,000 of 87,000 or 93 percent), which reflected real labor market engagement rather than higher unemployment.
Industry Concentration	<p>Undocumented workers were highly concentrated in construction (28 percent vs. 7 percent of all workers), as well as accommodation and food services/arts/entertainment (14 vs. 8 percent).</p> <ul style="list-style-type: none"> They were underrepresented in higher-paying industries such as professional, scientific, management, administrative, and waste management services (19 percent vs. 23 percent) and health and social assistance (8 percent vs. 21 percent).⁹
Poverty and Income	<ul style="list-style-type: none"> Undocumented residents were much more likely to live near or below the poverty threshold: 44 percent have incomes below 200 percent of poverty, compared with 18 percent of all residents. Even though a majority of undocumented residents are at or above 200 percent of poverty (56 percent), this share is far lower than for the overall population (82 percent).
Health Insurance Coverage	<ul style="list-style-type: none"> About half of undocumented residents were uninsured (51 percent), more than double the uninsured rate for all residents (24 percent). Only 49 percent of undocumented residents had health insurance, compared with 76 percent of all residents, indicating that employment for many undocumented workers did not come with employer-sponsored coverage.
Housing and Homeownership	<ul style="list-style-type: none"> Undocumented residents were predominantly renters (70 percent), whereas most County residents were homeowners (68 percent). The homeownership rate for undocumented residents (30 percent) was less than half that of all residents.

⁹ For recent wage data, see Quarterly Census of Employment and Wages (QCEW), “[Employment and Wages Data Viewer, Private, NAICS Sectors, Montgomery County, Maryland, 2025 Second Quarter, All Establishment Sizes](#),” U.S. Bureau of Labor Statistics, accessed February 14, 2026.

Residents

OLO anticipates that Bill 3-26 would positively impact certain residents in the County.

The economic impacts on residents depend on how effectively the Bill prevents the detention and deportation of immigrants who might otherwise be at risk under current practice. If the Bill is effective in doing so, it would primarily benefit two groups:

- Households with one or more members who otherwise would have been detained and potentially deported.
- Resident workers more broadly, through avoided “spillover” harms associated with immigration crackdowns.

For households whose members gain greater protection under the Bill, they would face lower risks of losing earnings when a wage earner is detained or deported. It may also avert other out-of-pocket costs linked to detention and deportation, such as legal fees, childcare expenses, and transportation costs. As a result, the Bill would likely stabilize household incomes and prevent significant increases in household expenses.

Research on immigration crackdowns also finds they create negative spillover effects for U.S.-born workers, including job losses and wage declines. If the Bill is effective in preventing enough enforcement-related economic disruptions, other resident workers may avoid these job and wage losses, which would likewise help protect their household incomes.

Beyond these impacts, it is uncertain whether the Bill’s impact would be large enough to measurably affect residents’ outcomes on the Council’s other priority indicators.

Businesses, Non-Profits, Other Private Organizations

OLO anticipates that Bill 3-26 would positively impact certain private organizations in the County.

The economic impacts on businesses would also depend on the Bill’s effectiveness in preventing the detention and deportation of immigrants. If effective, the Bill would primarily benefit two business groups:

- Businesses that face workforce disruptions when workers are detained or deported; and
- Businesses more broadly, by reducing negative “spillover” effects associated with economic contraction.

Businesses currently experiencing workforce disruptions from the Trump administration’s crackdown are concentrated in industries with high levels of employment by undocumented immigrants, namely the construction and accommodation and food services/arts/entertainment industries. These disruptions can increase operating costs as employers recruit and train replacement workers and attempt to offset productivity losses. They can also reduce revenues when firms experience declines in productivity, service quality, or output. Preventing these cost increases and revenue losses would, all else equal, help stabilize business incomes.

Research on immigration crackdowns also indicates that they produce negative spillover effects for the broader economy, which include employment losses and reductions in overall economic output. If the Bill is effective in preventing enough enforcement-related economic disruptions, additional businesses may avoid income losses associated with economic contraction.

Beyond these effects, it is uncertain whether the Bill's impact would be large enough to measurably change businesses' outcomes on the Council's other priority indicators.

Net Impact

OLO anticipates that Bil 3-26 would positively impact economic conditions in the County. The Bill would have targeted impacts on certain households and businesses.

For households whose members gain greater protection under the Bill, the risk of losing earnings when a wage earner is detained or deported would be lower. The Bill may also avert other out-of-pocket costs linked to detention and deportation, such as legal fees, childcare expenses, and transportation costs, and thus is likely to help stabilize household incomes and prevent significant increases in household expenses.

Businesses currently experiencing workforce disruptions from the Trump administration's immigration crackdown are concentrated in sectors such as construction, restaurants, and related industries. These disruptions can increase operating costs as employers recruit and train replacement workers and attempt to offset productivity losses, and they can also reduce revenues when firms experience declines in productivity, service quality, or output. Preventing these cost increases and revenue losses would, all else equal, help stabilize business incomes.

Existing research on the economic impacts of immigration crackdowns indicates that they generate broad negative spillovers for U.S.-born workers and businesses, including job losses, wage declines, and reduced economic activity. If the Bill is effective in preventing enough enforcement-related disruptions, more resident workers may avoid job and wage losses, helping to protect their household incomes, and additional businesses may avoid income losses associated with economic contraction.

Beyond these impacts, it is unclear whether the protection provided to immigrant workers would be large enough to measurably impact the Council's other priority economic indicators.

Discussion Items

Not applicable

Caveats

Two caveats to the economic impact analysis conducted here should be noted. First, predicting the economic impacts of legislation is a challenging analytical endeavor due to data limitations, the multitude of causes of economic outcomes, economic shocks, uncertainty, and other factors. Second, the analysis performed here is intended to *inform* the legislative process, not determine whether the Council should enact legislation. Thus, any conclusion made in this statement does not represent OLO's endorsement of, or objection to, the Bill under consideration.

Contributions

Stephen Roblin, PhD (OLO) prepared this report.

Appendix

Table A1. Summary of Economic Studies on Immigration Crackdowns Reviewed in Lynch and Ettlinger (2024)

Episodes of Immigration Crackdown	Studies Reviewed (peer-reviewed or working paper)	Major Findings	Proposed Mechanisms (How and Why These Effects Occur)
<p>1929–1937 Mexican repatriations: large-scale deportation and coerced return of roughly 400,000–500,000 first- and second-generation Mexicans during the Great Depression, promoted as a way to free jobs for U.S.-born workers</p>	<p>Lee, et al. (2017). "The Employment Effects of Mexican Repatriations: Evidence from the 1930s." National Bureau of Economic Research</p> <p><i>Working paper (not peer-reviewed)</i></p>	<ul style="list-style-type: none"> • Small decreases in US-born employment • Increases in unemployment among US-born workers in cities and counties that repatriated more Mexicans • No evidence of improved outcomes for US-born workers and suggestive evidence of neutral or negative wage effects 	<ul style="list-style-type: none"> • Loss of complementary Mexican labor leading employers to cut related US-born jobs • Possible local demand contractions as Mexican communities shrank
<p>1964 Mexican Bracero exclusion: termination of the Bracero program that removed nearly half a million Mexican seasonal agricultural workers, with the stated goal of improving employment and wages for U.S.-born farm workers.</p>	<p>Clemens, et al (2018). "Immigration Restrictions as Active Labor Market Policy: Evidence from the Mexican Bracero Exclusion." <i>American Economic Review</i></p> <p><i>Peer-reviewed journal article</i></p>	<ul style="list-style-type: none"> • No detectable effect of Bracero exclusion on U.S. agricultural wages • No detectable effect on employment of US-born farm workers, despite the loss of nearly half a million Mexican seasonal workers • The higher wages and additional jobs policymakers expected for domestic farm workers did not materialize 	<ul style="list-style-type: none"> • Employers substituted toward less labor-intensive technologies (mechanization). • Shifts in crop mix and production processes reduced the need for additional US-born farm labor

Secure Communities (2008–2015): a police-based immigration enforcement program that expanded information sharing between local law enforcement and federal authorities, resulting in the deportation of more than 454,000 undocumented immigrants.

East, et al (2023). "[The Labor Market Effects of Immigration Enforcement.](#)" *Journal of Labor Economics*
Peer-reviewed journal article

- Secure Communities reduced the employment share of US-born workers by about 0.5%
- Secure Communities reduced the hourly wages of U.S.-born workers by about 0.6%
- Adverse employment effects were concentrated among men in medium-skilled occupations in sectors that rely heavily on undocumented workers, though US-born workers at all education levels experienced negative impacts
- Reduced labor supply of undocumented immigrants increased labor costs and reduced job creation, lowering overall labor demand
- Decreased local consumption following large-scale deportations reduced demand for goods and services, causing job losses for US-born workers across the skill distribution

Arizona anti-immigrant laws (2007–2008): state laws including the Legal Arizona Workers Act and related measures that mandated E-Verify and imposed sanctions on employers, prompting an estimated 40 percent of undocumented immigrants in Arizona to leave during and just after the Great Recession

Moody's Analytics (for *Wall Street Journal*), 2016. Analysis of Arizona's economy following 2007–2008 anti-immigrant laws, as reported in Bob Davis, "[The Thorny Economics of Illegal Immigration.](#)" *Wall Street Journal*

Bohn, et al(2015). "[Do E-Verify Mandates Improve Labor Market Outcomes of Low-Skilled Native and Legal Immigrant Workers?](#)," *Southern Economic Journal*
Peer-Reviewed Journal article

- Arizona's anti-immigrant laws and resulting exodus of undocumented immigrants reduced the state's GDP by about 2 percent per year between 2008 and 2015 (Moody's).
- Total employment in Arizona fell by about 2.5 percent as a result of these laws and the associated out-migration, net of recession effects (Moody's).
- The exodus "does not appear to have improved" labor market outcomes of low-skilled legal workers who compete with undocumented workers (Bohn et al.).
- Low-skilled U.S.-born white men in Arizona experienced lower employment (about 4 percentage points lower) and higher unemployment (about 2 percentage points higher) after the laws
- Large-scale departure of undocumented workers reduced the labor force in key sectors (e.g., construction, agriculture, services), constraining production and lowering economic activity
- Reduced population and household spending as undocumented immigrants left the state depressed demand for goods and services, contributing to GDP and employment declines.
- Employers did not systematically replace undocumented workers with low-skilled legal workers, so job losses among undocumented workers translated into fewer jobs overall rather than gains for competing US-born workers

Table A2. Labor Market and Economic Well-Being of Undocumented Residents Compared with All Montgomery County Residents, 2023

Measure	Undocumented residents		All residents	
	Count	Percentage	Count	Percentage
Labor Force Participation				
In the labor force	87,000	78%	594,106	70%
Employed	81,000	.	567,498	.
Unemployed	6,000	.	22,984	.
Not in the labor force	24,000	22%	254,353	30%
Total civilian population ages 16 and older	111,000	100%	848,459	100%
Industry				
Construction	22,000	28%	36,995	7%
Professional, scientific, management, administrative, and waste management services	15,000	19%	131,786	23%
Accommodation and food services, arts, entertainment, and recreation	11,000	14%	45,346	8%
Other services (except public administration)	7,000	9%	39,719	7%
Health services and social assistance	6,000	8%	120,758	21%
Employed population ages 16 and older	81,000	100%	567,498	66%
Household Income				
Below 50% of the poverty level	7,000	6%	42,835	4%
50-99% of the poverty level	9,000	8%	30,707	3%
100-149% of the poverty level	17,000	14%	59,763	6%
150-199% of the poverty level	19,000	16%	51,299	5%
At or above 200% of the poverty level	67,000	56%	865,256	82%
Total	119,000	100%	1,049,860	100%
Health Insurance				
Uninsured	61,000	51%	250,368	24%
Insured	58,000	49%	798,618	76%
Total	119,000	100%	1,048,986	100%
Homeownership				
Homeowner	36,000	30%	715,538	68%
Renter	83,000	70%	334,389	32%
Total	119,000	100%	1,049,927	100%

Sources: Migration Policy Institute, "[Unauthorized Immigrant Population Profiles: Montgomery County, Maryland](#)"; U.S. Census Bureau, American Community Survey (ACS) 1-Year Supplemental Estimates, Tables [K202301 \(Employment Status for the Population 16 Years and Over\)](#), [K202403 \(Industry for the Civilian Employed Population 16 Years and Over\)](#), [K201702 \(Ratio of Income to Poverty Level in the Past 12 Months\)](#), [K202702 \(Private Health Insurance Status\)](#), and [K202503 \(Total Population in Occupied Housing Units by Tenure\)](#), accessed February 12, 2026, for Montgomery County, Maryland (FIPS 24031), via data.census.gov

Climate Assessment

Office of Legislative Oversight

BILL 3-26: ADMINISTRATION – IMMIGRATION ENFORCEMENT GUIDANCE – REQUIRED (THE COUNTY VALUES ACT)

SUMMARY

The Office of Legislative Oversight (OLO) anticipates Bill 3-26 will likely have no impact on the County’s contribution to addressing climate change as it is proposing changes to how County employees engage with federal immigration officers.

BACKGROUND AND PURPOSE OF BILL 3-26

Last May, the state adopted the Maryland Values Act in response to the Trump administration’s nationwide campaign of mass harassment and detainment of immigrants. Among other measures, the Act prohibits certain state and local schools, libraries, and other institutions from granting federal personnel access to areas not accessible to the public and requires the Attorney General to publish guidance on immigration enforcement actions at sensitive locations.¹

Modeled on the Maryland Values Act, Bill 3-26 (“The County Values Act”) seeks to reaffirm the County’s values of “equity, inclusiveness, dignity, and justice for all.” It also seeks to safeguard community trust and equitable access to County services and facilities amid ongoing Immigration and Customs Enforcement (ICE) enforcement activity. The Bill aims to achieve these ends by:

- Restricting ICE officers from accessing non-public areas of County facilities without a valid federal judicial warrant;
- Prohibiting the use of County-owned or-controlled parking lots, garages, and vacant lots for immigration enforcement activities while requiring County employees to report any unauthorized use of County property to their department directors; and
- Requiring the County Executive to provide detailed immigration enforcement guidance for County staff and contractors, while requiring departments to train staff on these guidelines.²

The County Council introduced Bill 3-26, Administration – Immigration Enforcement Guidance – Required, on January 20, 2026.

ANTICIPATED IMPACTS

Community resilience includes housing, healthcare, infrastructure, and the well-being of community members – the more resources a community has, the better a community can respond to natural disasters and storms.³

Policies meant to protect immigrants, such as ensuring County employees will not allow federal immigration enforcement officials access to County buildings or share information about a County resident’s immigration status, can make County residents who are also immigrants feel safer. However, it has been noted by residents and nonprofits in other jurisdictions with similar immigrant protection policies, that immigrants, especially those who are facing insecure citizenship status, still face structural barriers in accessing government services that provide basic necessary resources like food, healthcare, housing, and stable employment.⁴

This is due in part, to anti-immigrant federal policy which causes hesitation amongst immigrant communities in interacting with government at any level.⁵ Local policies that promote safety and protection for immigrants can help immigrant communities feel safer but overall cannot regulate federal immigrant policy nor prevent immigration enforcement from entering a jurisdiction.⁶ Instead, local policies can build trust between local governments and immigrant communities and aim to increase access to local resources.⁷

FEMA asserts in its National Resilience Guidance that long-term strains on communities, such as food insecurity and social injustice, can impact a community’s overall resilience.⁸ While there is a link to community resilience and immigrant protection policies, the overall impact is unclear on how these policies affect immigrants’ access to vital resources, such as food, affordable housing, stable employment, and healthcare, which would increase their capacity to respond to natural disasters and storms.⁹

As the Bill proposes changes to how County employees engage with federal immigration officers, OLO anticipates Bill 3-26 will have no impact on the County’s contribution to addressing climate change, including the reduction and/or sequestration of greenhouse gas emissions, community resilience, and adaptive capacity.

RECOMMENDED AMENDMENTS

The Climate Assessment Act requires OLO to offer recommendations, such as amendments or other measures to mitigate any anticipated negative climate impacts.¹⁰ OLO does not offer recommendations or amendments as Bill 3-26 is likely to have no impact on the County’s contribution to addressing climate change, including the reduction and/or sequestration of greenhouse gas emissions, community resilience, and adaptive capacity.

CAVEATS

OLO notes two caveats to this climate assessment. First, predicting the impacts of legislation upon climate change is a challenging analytical endeavor due to data limitations, uncertainty, and the broad, global nature of climate change. Second, the analysis performed here is intended to inform the legislative process, not determine whether the Council should enact legislation. Thus, any conclusion made in this statement does not represent OLO's endorsement of, or objection to, the bill under consideration.

PURPOSE OF CLIMATE ASSESSMENTS

The purpose of the Climate Assessments is to evaluate the anticipated impact of legislation on the County's contribution to addressing climate change. These climate assessments will provide the Council with a more thorough understanding of the potential climate impacts and implications of proposed legislation, at the County level. The scope of the Climate Assessments is limited to the County's contribution to addressing climate change, specifically upon the County's contribution to greenhouse gas emissions and how actions suggested by legislation could help improve the County's adaptive capacity to climate change, and therefore, increase community resilience.

While co-benefits such as health and cost savings may be discussed, the focus is on how proposed County bills may impact GHG emissions and community resilience.

CONTRIBUTIONS

OLO staffer Kaitlyn Simmons drafted this assessment.

¹ Maryland General Assembly, [HB 1222, Public Safety – Immigration Enforcement](#), 2025 Regular Session (effective June 1, 2025).

² See full bill text in Montgomery County Council, [Introduction Staff Report for Bill 3-26, Administration – Immigration Enforcement Guidance – Required](#) (January 20, 2016).

³ [National Institute of Standards and Technology, "Community Resilience", Accessed 1/7/2025.](#); [Federal Emergency Management Agency, "Community Resilience: National Risk Index", Accessed 1/7/2025.](#); [Federal Emergency Management Agency, "National Resilience Guidance: A Collaborative Approach to Building Resilience", August 2024.](#)

⁴ [Houston, A. R., Salhi, C., and Lincoln A. K., "Messaging inclusion with consequence: U.S. sanctuary cities and immigrant wellbeing", July 22, 2023.](#); [Bruce, B. and Crettex, L., "The Invisible Boundaries of Sanctuary Cities: Local Policies Towards Undocumented Migrants in Los Angeles During Covid-19", August 2, 2025.](#); [Nieri, T., et. al., "Sanctuary city policies and Latinx immigrant mental health in California", December 20, 2022.](#)

⁵ [Wong, T. K., et. al., "Fractured Immigration Federalism: How Dissonant Immigration Enforcement Policies Affect Undocumented Immigrants", April 3, 2019.](#); [Ortiz, R., "A Content Analysis of US Sanctuary Immigration Policies: Implications for Research in Social Determinants of Health", July 2021.](#); [Houston, A. R., Salhi, C., and Lincoln A. K., "Messaging inclusion with consequence: U.S. sanctuary cities and immigrant wellbeing", July 22, 2023.](#)

⁶ [Houston, A. R., Salhi, C., and Lincoln A. K., "Messaging inclusion with consequence: U.S. sanctuary cities and immigrant wellbeing", July 22, 2023.](#)

⁷ [Houston, A. R., et. al., "Challenging federal exclusion: Immigrant safety, health, and healthcare access in sanctuary cities", May 2022.](#)

⁸ [FEMA, "National Resilience Guidance: A Collaborative Approach to Building Resilience", August 2024.](#)

⁹ [Houston, A. R., Salhi, C., and Lincoln A. K., "Messaging inclusion with consequence: U.S. sanctuary cities and immigrant wellbeing", July 22, 2023.](#); [Fabi, R. and Cervantes, L., "Undocumented Immigrants and COVID-19: A Call for Federally Funded](#)

[Health Care", September 3, 2021.](#); [Kaiser Family Foundation., "5 Key Facts About Immigrants and Medicaid", February 19, 2025.](#); [Kaiser Family Foundation, "Understanding the U.S. Immigrant Experience: The 2023 KFF/LA Times Survey of Immigrants", September 17, 2023.](#)

¹⁰ Bill 3-22, Legislative Branch – Climate Assessments – Required, Montgomery County Council, Effective date October 24, 2022

Racial Equity and Social Justice (RESJ) Impact Statement

Office of Legislative Oversight

BILL 3-26: ADMINISTRATION - IMMIGRATION ENFORCEMENT GUIDANCE - REQUIRED (THE COUNTY VALUES ACT)

SUMMARY

The Office of Legislative Oversight (OLO) anticipates Bill 3-26 would have a positive impact on racial equity and social justice (RESJ) in the County. Restricting immigration enforcement activity on County property and training County staff on how to respond to immigration enforcement would strengthen the County's existing trust policy and disproportionately benefit Black, Indigenous, and other People of Color (BIPOC) community members who are immigrants.

PURPOSE OF RESJ IMPACT STATEMENTS

RESJ impact statements (RESJIS) evaluate the anticipated impact of legislation on racial equity and social justice in the County. RESJ is a **process** that focuses on centering the needs, leadership, and power of Black, Indigenous, and other People of Color (BIPOC) and communities with low incomes. RESJ is also a **goal** of eliminating racial and social inequities. Applying a RESJ lens is essential to achieve RESJ.¹ This involves seeing, thinking, and working differently to address the racial and social inequities that cause racial and social disparities.²

PURPOSE OF BILL 3-26

Last May, the state adopted the Maryland Values Act in response to the Trump administration's nationwide campaign of mass harassment and detainment of immigrants. Among other measures, the Act prohibits certain state and local schools, libraries, and other institutions from granting federal personnel access to areas not accessible to the public and requires the Attorney General to publish guidance on immigration enforcement actions at sensitive locations.³

Modeled on the Maryland Values Act, Bill 3-26 ("The County Values Act") seeks to reaffirm the County's values of "equity, inclusiveness, dignity, and justice for all." It also seeks to safeguard community trust and equitable access to County services and facilities amid ongoing Immigration and Customs Enforcement (ICE) activity. The Bill aims to achieve these ends by:⁴

- Restricting ICE officers from accessing non-public areas of County facilities without a valid federal judicial warrant;
- Prohibiting the use of County-owned or-controlled parking lots, garages, and vacant lots for immigration enforcement activities while requiring County employees to report any unauthorized use of County property to their department directors; and
- Requiring the County Executive to provide detailed immigration enforcement guidance for County staff and contractors, while requiring departments to train staff on these guidelines.

The Council introduced Bill 3-26 on January 20, 2026.

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This RESJIS builds on the ones for:

- Expedited Bill 26-24, Police - U visa Law Enforcement Certification Policy, published in December 2024;⁵
- Expedited Bill 30-25, Noise Control – Leaf Removal Equipment – Enforcement Procedures, published in October 2025;⁶ and
- Expedited Bill 35-25, County Administration - Immigrant Protection, published in January 2026.⁷

Please refer to the RESJIS for Bill 26-24 for background on undocumented community members and racial equity.

U.S. IMMIGRATION AND RACIAL EQUITY

From the nation’s founding, race has been a defining feature of U.S. immigration policy and how it has been enforced. The first immigration law in the U.S., the Nationality Act of 1790, created a pathway for “free White persons” to become naturalized U.S. citizens.⁸ Just over a decade later, amid the Haitian revolution, Congress passed the first anti-immigrant law banning free Black migrants from the U.S.,⁹ with several southern states subsequently passing laws that punished Black migrants with detention and enslavement.¹⁰ These foundational policies reflect the broader legacy of racial inequity in the U.S.’s approach to immigration, which has historically opened the doors of the country to White immigrants, while restricting and punishing BIPOC immigrants.

Before the late 19th century, the U.S. had relatively open borders¹¹. Laws such as the Homestead Act of 1862 actively sought to attract White immigrants from Europe to settle in the U.S.’s expanding territory, much of which was obtained through the forced removal of Indigenous people and land annexation from Mexico.^{12,13} Anti-immigrant sentiment started to emerge around the mid-1800s, as waves of Chinese immigrants arrived to the West Coast in search of jobs. White residents responded to this influx with intense backlash, organizing an anti-Chinese movement that targeted Chinese communities with racial violence, discrimination, and forced removal. In 1882, this movement led to Congress’ passage of the Chinese Exclusion Act, which banned most Chinese people from immigrating to the U.S.^{14,15}

The passage of the Chinese Exclusion Act in the late 1800s marked the beginning of an era of restrictive immigration policy in the U.S.¹⁶ In 1911, the Congress-backed Dillingham Commission published a 41-volume report on immigration.¹⁷ As noted in research from the Howard University School of Law, the report “differentiated between ‘desirable’ and ‘undesirable’ immigrants, based upon ethnicity, race, and religion, with [N]orthern European Protestants being favored over [S]outhern or [E]astern European Catholics and Jews, with non-European immigrants considered highly undesirable.”¹⁸ This report set the stage for Congress to pass a series of anti-immigrant laws culminating in the Immigration Act of 1924, “[o]ne of the most restrictive immigration laws in U.S. history.” This law permanently enacted a discriminatory national origins quota system, which, as noted by the Migration Policy Institute, ensured “that arriving immigrants were mostly from Northern and Western Europe” and “limited religious, ethnic, and racial diversity, and sharply reduced the size of the country’s foreign-born population for four decades.”¹⁹ The quota system remained in place until the Immigration and Nationality Act of 1965, a major piece of legislation achieved from the Civil Rights Movement, led by Black leaders and organizers to dismantle racial segregation and discrimination in the U.S.²⁰

The late 1800s also saw a major shift in immigration enforcement in the U.S. A few years after the Chinese Exclusion Act, Congress enacted the Immigration Act of 1891, which centralized immigration enforcement authority in the federal government.²¹ Since then, there have been three major iterations of federal agencies responsible for U.S. immigration enforcement: Immigration Bureau from 1891 to 1933;²² Immigration and Naturalization Service (INS) from 1933 to 2003;²³ and since 2003, Immigrations and Customs Enforcement (ICE). Across iterations, BIPOC communities have been the frequent target of immigration enforcement agencies and their most brutal operations. For example, in “Operation

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Wetback,” the largest mass deportation campaign in U.S. history, the INS “used military tactics and propaganda” to violently remove as many as 1.3 million people of Mexican descent,²⁴ resulting in “scores of deaths and shattered families.”²⁵

Since its inception, ICE has continued the legacy of targeting BIPOC in aggressive immigration enforcement. One study of early ICE raids in the 2000s found ICE agents racially profiled Latinx people in large-scale, military-style operations that involved “serious constitutional violations” and deeply traumatized families and entire communities.²⁶ Moreover, a 2022 study described how Black migrants were subjected to harsher conditions in ICE detention, including disproportionate instances of abuse and solitary confinement.²⁷ Another study found that Black migrants were deported at nearly four times their share of the population of people who are undocumented.²⁸

Today, ICE’s operations and targeting of BIPOC communities has been vastly expanded due to the Trump administration’s anti-immigrant agenda, massive increases in funding to ICE,²⁹ and a 2025 Supreme Court decision allowing ICE agents to racially profile community members.³⁰ ICE agents have employed violent tactics in raids throughout the country,³¹ resulting in many injuries and at least six fatal shootings since 2025.³² Further, in 2025, at least 32 people died in ICE detention amid growing warnings of increasingly dire and inhumane conditions in detention facilities.³³ Recent studies show how ICE’s escalation has disproportionately impacted BIPOC communities. Specifically, within the Latinx community, a study from the University of California Los Angeles (UCLA) found Latinx people accounted for nine out of ten ICE arrests during the first half of 2025.³⁴ Another recent UCLA study found within the first eight months of 2025, the number of Latinx people without a criminal record in ICE detention increased six-fold compared to the previous year.³⁵

ANTICIPATED RESJ IMPACTS

To consider the anticipated impact of Bill 3-26 on RESJ in the County, OLO recommends the consideration of two related questions:

- Who would primarily benefit or be burdened by this bill?
- What racial and social inequities could passage of this bill weaken or strengthen?

Community members who are immigrants, especially those who are undocumented, would benefit from restricting immigration enforcement activity in County property and County staff being trained on how to respond to immigration enforcement. As shown in Table A (Appendix), Asian and Latinx community members are overrepresented among community members born outside the U.S. They are also overrepresented among community members who are not U.S. citizens. Conversely, Black, Native American, and Pacific Islander community members are proportionately represented among community members born outside the U.S. and those who are not U.S. citizens, while White community members are largely underrepresented. As noted in the RESJIS for Bill 26-24, community members who are not U.S. citizens include community members who have legal status in the U.S. and undocumented community members who do not have legal status. Estimates from the Migration Policy Institute suggest undocumented community members in the County are disproportionately Latinx.^{36,37}

Aggressive immigration enforcement in the County and throughout the country has created a heightened state of fear within Black and Latinx communities as they have been targeted by indiscriminate and violent immigration enforcement.^{38,39} By further restricting the County’s involvement with immigration enforcement, Bill 3-26 would help strengthen the County’s current trust policy.⁴⁰ Trust policies (often referred to as sanctuary policies) aim to build trust by limiting the involvement of state and local jurisdictions in federal immigration enforcement.⁴¹ As noted in the RESJIS for Bill 35-25, adopting trust policies are a best practice for jurisdictions to strengthen trust, safety, and well-being among

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community members who are immigrants. According to the National Immigration Law Center, research shows that “state and local policies that welcome immigrants make our communities safer, healthier, and more prosperous.”⁴²

Therefore, OLO anticipates Bill 3-26 would have a positive impact on RESJ in the County.

RECOMMENDED AMENDMENTS

The County’s RESJ Act requires OLO to consider whether to recommend amendments to bills that could reduce racial and social inequities and advance RESJ.⁴³ OLO anticipates Bill 3-26 would have a positive impact on RESJ in the County. As such, OLO does not offer recommended amendments.

CAVEATS

Two caveats to this RESJIS should be noted. First, predicting the impact of bills on RESJ is challenging due to data limitations, uncertainty, and other factors. Second, this RESJIS is intended to inform the Council’s decision-making process rather than determine it. Thus, any conclusion made in this statement does not represent OLO’s endorsement of, or objection to, the bill under consideration.

APPENDIX

Table A. Community Members Born Outside of the U.S by Race and Ethnicity, Montgomery County

Race or ethnicity	% Born Outside of U.S.	% Born Outside of U.S. and not a U.S. Citizen	% County Population
Asian	31.6	25.7	15.4
Black	19.5	16.4	18.6
Native American	0.8	0.8	0.6
Pacific Islander	0.0	0.0	0.0
White	16.8	14.0	42.1
Latinx	32.2	44.1	21.0

Source: [Table S0501, 2024 American Community Survey 5-Year Estimates, Census Bureau.](#)

¹ Definition of racial equity and social justice adopted from [Marlysa Gamblin et al., “Applying Racial Equity to U.S. Federal Nutrition Programs,” Bread for the World](#) and [Racial Equity Tools](#).

² Ibid.

³ [HB 1222, Public Safety – Immigration Enforcement](#), Maryland General Assembly, 2025 Regular Session, effective June 1, 2025.

⁴ Bill 3-26, , [Introduction Staff Report for Bill 3-26](#), Montgomery County Council, introduced January 20, 2026.

⁵ [RESJIS for Expedited Bill 26-24](#), Office of Legislative Oversight, December 17, 2024.

⁶ [RESJIS for Expedited Bill 30-25](#), Office of Legislative Oversight, October 21, 2025.

⁷ [RESJIS for Bill Expedited Bill 35-25](#), Office of Legislative Oversight, January 12, 2026.

⁸ [Nationality Act of 1790](#), Immigration History, Immigration and Ethnic History Society.

⁹ [Ban on “Importation” of “Any Negro, Mulatto, or Other Person of Colour” \(1803\) \(Effective 1808\)](#), Immigration History, Immigration and Ethnic History Society.

¹⁰ [1790-1876: The Roots of Immigration Control](#), Mapping Deportations.

¹¹ [“Overview of INS History,”](#) U.S. Citizenship and Immigration Services History Office and Library, 2012, pg. 3.

¹² [“A Brief History of Civil Rights in the United States: Historical Overview – Immigration,”](#) citing T. Cieslik, et al., *Immigration: A Documentary and Reference Guide* (Greenwood Press, 2009), Vernon E. Jordan Law Library, Howard University School of Law, last updated January 15, 2026.

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- ²¹ [Immigration Act of 1891](#), Immigration History, Immigration and Ethnic History Society.
- ²² [Immigration Bureau Established \(1891\)](#), Immigration History, Immigration and Ethnic History Society.
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- ²⁵ K. Linthicum, [“The dark, complex history of Trump’s model for his mass deportation plan,”](#) Los Angeles Times, November 13, 2015.
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- ³⁰ E. Ryan, et al., [“The Supreme Court clears the way for ICE agents to treat race as grounds for immigration stops,”](#) NPR, September 13, 2025.
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- ³⁶ [RESJIS for Expedited Bill 26-24](#), pg. 2.
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- ⁴³ [Bill 27-19, Administration – Human Rights – Office of Racial Equity and Social Justice – Racial Equity and Social Justice Advisory Committee – Established, Montgomery County Council.](#)

**AMENDMENT
BY
COUNCILMEMBER KATZ**

Bill 3-26, Administration – Immigration Enforcement Guidance – Required
(The County Values Act)

Beginning on page 4 of the original bill, strike lines 71-77, and insert as follows:

1 (g) Reporting a violation or misconduct. A County agent, resident, or a
2 member of the public who witnesses any of the following incidents may
3 file a report through an online platform designated by the Executive
4 regarding:

5 (1) unauthorized use of County-owned or County-controlled property,
6 in violation of subsection (a) of this Section;

7 (2) unauthorized access to nonpublic spaces of County facilities; or

8 (3) harmful conduct by individuals conducting immigration
9 enforcement.

10 (h) A violation reported should include as much information as possible,
11 including time, location, and a description of what was observed.

12 (i) The information submitted through the online portal may be used by the
13 Office of County Attorney to assist in enforcing the law, and to make any
14 appropriate referrals to third parties, including other government
15 agencies.

16 * * *

17 **Sec 3. Implementation - required.** On or before the effective date of this Act, the
18 County Executive must develop and make available an online platform to implement
19 a public reporting system to receive information regarding incidents described in
20 Section 2-164(g).