



Cumberland County

Commissioner Workshop

Meeting Agenda - Final

Meeting Location: Sebago Lake

Workshops are for Commissioner review; items are informational only unless otherwise directed by the Board. The public is welcome to attend; public comment will not be received unless invited by the Board.

Monday, September 29, 2025

5:30 PM

**27 Northport Dr
Portland, ME 04103**

**View online:
www.cumberlandcounty.org/live**

www.cumberlandcounty.org/live

Send public comments to gailey@cumberlandcounty.org

1. OPENING COMMENTS

- A. Purpose: To educate the Commissioners on the rights, rules and requirements for the housing of ICE prisoners.

2. CURRENT PROCESS AT JAIL

- A. [REV 25-13](#) Regulations and requirements accepting ICE arrests

Attachments: [State and Federal Statutes](#)

3. CONTRACTUAL OVERVIEW

4. PRESENTATIONS (Commssioners will ask questions after each presenter)

- A. No ICE in ME, Shelby Leighton
- B. Presente!, Crystal Cron and Maine Immigrants' Rights Coalition, Ruben Torres
- C. Deering High School, Mariela Jacome

5. PRESENTATIONS (Commssioners will ask questions after each presenter)

- A. Maine Department of Corrections
- B. Sheriff's Office

6. COMMISSIONER CLOSING REMARKS



Cumberland County

27 Northport Dr
Portland, ME 04103

Position Paper

File #: REV 25-13

Agenda Date: 9/29/2025

Agenda #: A.

Title For Agenda Item:

Regulations and requirements accepting ICE arrests

Background:

For reference, statutes regarding the requirements to accept arrested individuals.

Title 30-A: MUNICIPALITIES AND COUNTIES

Part 1: COUNTIES

Chapter 13: COUNTY JAILS AND JAILERS

Subchapter 1: OFFICIALS AND PERSONNEL

§1510. Definitions

For the purposes of this chapter, "prisoner" or "inmate" means an adult sentenced and committed to, transferred to or detained in the custody of a jail, including an adult in a community confinement monitoring program pursuant to section 1659-A ([./30-A/title30-Asec1659-A.html](#)). [PL 2015, c. 315, §1 (NEW).]

SECTION HISTORY

PL 2015, c. 315, §1 (NEW).

The Revisor's Office cannot provide legal advice or interpretation of Maine law to the public.

If you need legal advice, please consult a qualified attorney.

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Title 30-A: MUNICIPALITIES AND COUNTIES

Part 1: COUNTIES

Chapter 13: COUNTY JAILS AND JAILERS

Subchapter 2: PRISONERS AND THEIR CONDUCT

§1554. Federal prisoners

The keepers of the county jails shall receive and safely keep all prisoners committed under authority of the United States until discharged, under the penalties provided for the safekeeping of prisoners under the laws of this State. [PL 1987, c. 737, Pt. A, §2 (NEW); PL 1987, c. 737, Pt. C, §106 (NEW); PL 1989, c. 6 (AMD); PL 1989, c. 9, §2 (AMD); PL 1989, c. 104, Pt. C, §§8, 10 (AMD).]

SECTION HISTORY

PL 1987, c. 737, §2, C106 (NEW). PL 1989, c. 6 (AMD). PL 1989, c. 9, §2 (AMD). PL 1989, c. 104, §§8,10 (AMD).

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8 U.S.C. §§ 1373 and 1644



Quick results from the web:

8 USC 1373: Communication between government agencies ...

§1373. **Communication between...**


 House.gov · <https://uscode.house.gov>

8 U.S. Code § 1644 - Communication between State and local ...


8 U.S. Code § 1644 states that no state or local government c...


 LII | Legal Information Institute · <https://www.law.cornell.edu>

Understanding 8 U.S.C. §§ 1373 and 1644: Communication between government agencies and immigration authorities


8 U.S.C. §§ 1373 and 1644 are sections of the United States Code that address communication between government agencies and immigration authorities regarding an individual's immigration status. 

8 U.S.C. § 1373

This section, enacted as part of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, aims to prevent state and local governments from hindering information sharing between government entities and the federal Immigration and Naturalization Service (now primarily U.S. Immigration and Customs Enforcement - ICE) concerning the immigration status of individuals. 

Section 1373(a) and (b) broadly prohibit federal, state, and local entities from restricting the sending or receiving of information about an individual's citizenship or immigration status to or from federal immigration authorities or other government entities. Additionally, § 1373(c) requires federal immigration authorities to respond to inquiries from other agencies about an individual's immigration status. 

8 U.S.C. § 1644

Enacted as part of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, this section reinforces that state and local governments cannot be prevented from sharing information about an alien's immigration status with federal immigration authorities. 



Key aspects and considerations

- **Sanctuary Policies:** These sections are relevant to the discussion of "sanctuary cities," which may have policies that limit cooperation with federal immigration enforcement, potentially conflicting with §§ 1373 and 1644.
- **Tenth Amendment Challenges:** The constitutionality of these sections has been questioned based on the Tenth Amendment, though legal interpretations vary.

   7 sites

8 U.S. Code § 1373 | US Law | LII / Legal Information Institute

8 U.S. Code § 1373 - Communication between government agencies and the Immigration and Naturalization Service

 LII | Legal Information Institute · 



8 U.S. Code § 1644 - Communication between state and local governments and the Immigration and Naturalization Service

8 U.S. Code § 1644 - Communication between state and local government agencies and the Immigration and Naturalization Service

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In the Supreme Court of the United States

STATEMENT. 1. This case involves a constitutional challenge brought by t...

 Department of Justice (.gov) · 

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8 C.F.R. § 236.6 Information regarding detainees.

No person, including any state or local government entity or any privately operated detention facility, that houses, maintains, provides services to, or otherwise holds any detainee on behalf of the Service (whether by contract or otherwise), and no other person who by virtue of any official or contractual relationship with such person obtains information relating to any detainee, shall disclose or otherwise permit to be made public the name of, or other information relating to, such detainee. Such information shall be under the control of the Service and shall be subject to public disclosure only pursuant to the provisions of applicable federal laws, regulations and executive orders. Insofar as any documents or other records contain such information, such documents shall not be public records. This section applies to all persons and information identified or described in it, regardless of when such persons obtained such information, and applies to all requests for public disclosure of such information, including requests that are the subject of proceedings pending as of April 17, 2002.