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“Enhancing Federal, State, and Local Coordination in the Fight Against Criminal Illegal Aliens”

before the

***SUBCOMMITTEE ON FEDERAL LAW ENFORCEMENT
OVERSIGHT AND GOVERNMENT REFORM COMMITTEE
UNITED STATES HOUSE OF REPRESENTATIVES***

WASHINGTON, D.C.

March 11, 2025

Chairman Higgins, Ranking Member Lee, and members of the Sub-Committee, I am grateful for this opportunity to share with you my knowledge and experience regarding immigration law and to discuss the work that cities like Boston have done and continue to do to make their cities welcoming, safe and thriving. I bring a unique perspective today having worked for ICE, DHS as an immigration attorney, and as an immigration judge. I have seen immigration enforcement and advocacy through multiple administrations and angles since I became an immigration lawyer in 1993. I am here today to tell you that welcoming city policies work to keep residents safe and communities thriving. I also know that if Congress was truly focused on improving the safety of our communities, it would address our broken immigration system through reform.

I graduated from law school in 1993 and went to work as an immigration lawyer in both non-profits and the private sector. I then taught immigration law at Suffolk Law School and at University of Miami Law School. From 2021 to 2024, I served as the Principal Legal Advisor (PLA) for Immigration and Customs Enforcement (ICE). In this role, I oversaw the 1,500 plus attorneys and staff of the Office of the Principal Legal Advisor (OPLA). OPLA is the largest legal department within DHS and its attorneys represent the Department of Homeland Security (DHS) prosecuting cases in the nation's immigration courts every day. As PLA, I also worked closely with ICE leadership, providing advice and counsel to ICE's Homeland Security Investigations (HSI) and Enforcement and Removal Operations (ERO) at headquarters and in the field. In 2024, I was a Deputy General Counsel at the DHS Office of the General Counsel overseeing the immigration portfolio. Most recently, after a fourteen month process, I was hired as an Immigration Judge in the Chelmsford Immigration Court. Unfortunately, I was recently terminated as a "probationary" employee.

The opinions expressed herein are my own and are not intended to reflect the views or positions of DHS, OPLA, ICE or the Department of Justice (DOJ).

To understand why Boston's Trust Act works, you must first understand Boston. As Mayor Wu aptly explained, more than 700,000 people currently call Boston, a city of immigrants, home. Approximately 28% of Boston's residents were born in a country other than the United States, and Boston Public School students hail from 139 different countries and speak 88 languages.¹ As the full Oversight Committee heard last week, Boston is the safest large city in the country, in part due to its welcoming city policies and dedication to community policing².

¹ <https://oversight.house.gov/wp-content/uploads/2025/03/Wu-Boston-Written-Testimony.pdf>

² <https://www.economist.com/united-states/2024/09/08/how-boston-became-the-safest-big-city-in-america>

For many years, Boston has focused on community policing. Community policing is built on trust between city residents and the police. It allows women who are afraid for their safety due to domestic violence to dial 911 without fear of being arrested due to their own status. It allows witnesses in a murder case to report what they saw, appear in court to testify against the assailant, and promote justice regardless of immigration status. Simply put, it means the justice system works for everyone and the community knows and understands that.

Welcoming ordinances and Trust Act laws do not mean that cities violate federal or state law. It also does not mean that cities refuse to cooperate with ICE in all circumstances. Rather, cities regularly engage in joint task forces and cooperate in detaining immigrants with the most serious criminal charges³. Nor do they encourage violation of the law. A review of Denver, Chicago and Boston's policies all say unequivocally that the cities will follow federal law or educate city employees about the federal laws. Philadelphia and California's sanctuary policies have been upheld by the federal courts, as consistent with both federal law and the Tenth Amendment. The courts understand that the Tenth Amendment means, unequivocally, that the federal government cannot force states and cities to act in their stead. As you know, our system of government is federal where state and local jurisdictions make their own laws and enforcement as they see fit. State and local governments set their own priorities regarding what crimes cause the most damage in their communities and what resources should be deployed where. The Tenth Amendment makes clear that these are states rights, and these are priorities the states are able to set.

The current administration's immigration policies directly conflict with the successful approach taken by cities like Boston to make their communities as safe as they can be. To quote my mayor again, "a scared city is not a safe city, a land ruled by fear is not the land of the free." Yet this administration's policies promote unbridled and debilitating fear. Recently, Chelsea, Massachusetts marked over 1,000 children absent from school due to rumors of ICE raids.⁴ Quincy, Massachusetts spent weeks coaxing families back to school after seeing unprecedented

³ Not only does community policing work, but we also know that many cooperation agreements with ICE that deeply entangle local police departments do not work. For cities and localities, including counties, that have sought closer cooperation with ICE, these arrangements have proven to be both highly expensive and ineffective. A 2010 report by the University of North Carolina at Chapel Hill found that the first year of operating a program cooperating with ICE in Mecklenburg County, North Carolina cost a total of \$5.3 million of non-reimbursable funding. Meanwhile, the first full year of operation in cooperation with ICE cost Alamance County, NC \$4.8 million. Other counties had similar experiences. The Brookings Institution found Prince William County spent \$6.4 million in its first year cooperating with ICE, forcing the county to raise property taxes, take money from its rainy day fund and to slash \$3.1 million from its budget, which included money allocated for the police. <https://www.americanimmigrationcouncil.org/research/287g-program-immigration#:~:text=Two%20additional%20types%20of%20287,for%20focusing%20on%20priority%20cases.%E2%80%9D>

⁴ <https://www.cbsnews.com/boston/news/massachusetts-schools-immigration-fears-absences/>

absences in January.⁵ Lynn, Massachusetts, a location that has had a number of ICE enforcement efforts, saw an estimated 20% drop in attendance. Non-profit advocates report families in Massachusetts are afraid to go to church together, and instead attend church separately - just in case one parent is arrested. It is critical for immigrant families to trust local government officials, local police or local support for community policing to work and for our cities to be safe. Forcing local police to cooperate with ICE directly undermines that trust.

This administration continues to lack law enforcement priorities, resulting in indiscriminate arrests and detention. Despite the Administration's promise to focus on criminal non-citizens, current ICE published statistics show an almost double increase in the number of immigrants without criminal convictions or criminal records arrested by ICE. The number of individuals in ICE custody without a criminal conviction is 49% - virtually half of those detained.⁶ The current pattern of ICE arrests mirrors the detention numbers. Recently, the administration boasted of arresting "almost 1200" people in one day in Chicago.⁷ Analysis of the records of this operation were consistent in showing that only half of those arrested were immigrants with criminal records. Additionally, the Cato Institute also documented that in the first Trump term, the administration needed to make room in ICE detention facilities for asylum seekers and separated families arrested by ICE. To do so, they released noncitizens with criminal records in order to hold asylum seekers and separated families.⁸ The current Trump administration appears to be making the same mistakes again.

As evidence of this, ICE has been directed to deport 75 people a day per field office, amounting to 1200 total arrests a day. In attempting to meet this quota, they have arrested United States citizens, veterans and most recently a 23 year resident of the United States with an extremely ill, wheelchair bound daughter undergoing cancer treatment. In the harrowing video, the mother is seen sobbing, crying and stating "they are going to take me" while the young daughter, who is undergoing chemotherapy wonders what will happen to her without her primary caretaker.⁹

Apparently knowing that it cannot fulfill these unreasonable numbers solely by pursuing criminal noncitizens, the Administration recently announced they would start a new operation to "target adults and minor children who entered the country together and have orders of deportation." After the families are arrested, agents will place them into detention before they are removed."

⁵<https://www.patriotledger.com/story/news/2025/02/20/quincy-ma-schools-immigration-ice-enforcement-fears-public-schools-absences-donald-trump-orders/79071645007/>

⁶<https://www.nytimes.com/interactive/2025/03/04/us/politics/trump-immigration-policies-deportations-data.html>

⁷ <https://www.nbcnews.com/news/latino/ice-trump-deportations-numbers-rcna188937>

⁸ <https://www.cato.org/blog/trump-released-criminals-so-he-could-jail-asylum-seekers>

⁹ [ICE detains mother and brother of El Monte woman battling cancer – NBC Los Angeles](https://www.nbc.com/news/ice-detains-mother-and-brother-of-el-monte-woman-battling-cancer)

The separation of families appears to be driving up fear in immigrant communities for documented, undocumented and United States citizens alike. The Center for Migration Studies determined that there were 3.3 million mixed-status households in the United States in 2014. Millions of families may be impacted by continued indiscriminate quota-driven enforcement, including separating mixed status families.

As a nation, we should be emulating Boston and not indiscriminately targeting immigrant communities and sweeping up citizens, documented immigrants and non-criminal noncitizens as well.