

## TESTIMONY FOR SB0211

### Probation Before Judgement – Probation Agreements

Bill Sponsor: Senator West

Committee: Judicial Proceedings

Organization Submitting: Lower Shore Progressive Caucus

Person Submitting: Jared Schablein, Chair

Position: FAVORABLE

I am submitting this testimony in favor of SB0211 on behalf of the Lower Shore Progressive Caucus. The Caucus is a political and activist organization on the Eastern Shore, unaffiliated with any political party, committed to empowering working people by building a Progressive movement on the Lower Eastern Shore.

This legislation is crafted to offer legal protection for our immigrant community from deportation over small offenses that would otherwise be the catalyst for deportation proceedings. Minor, first time infractions, such as speeding or failure to have their tail lights working, can place a sentence on an immigrant's record, which due to our broken immigration system can trigger deportation proceedings.

Under current law, a person must plead guilty to obtain a probation before judgement verdict and the judge makes a finding of 'guilt'. Because of the admission of guilt, a probation before judgment is treated as a conviction under federal law, although that is not what Maryland law intended.

This bill would bring the Maryland probation before judgment law in line with the original legislative intent and allow the person to plead nolo contendere to the facts of the case, which would not leave a sentence on their record, as long as they do not violate their probation. We support this bill and recommend a **FAVORABLE** report in committee.

