

Testimony of Council Chair Liz Walsh
Howard County Council, District 1
In Support of SB 478
Senate Judicial Proceedings Committee
February 10, 2021

Chairman Smith and Honorable Members of the Committee:

My name is Liz Walsh, and I am a member of the Howard County Council, currently its Chair. Howard County is one of only three in Maryland that contracts with ICE to imprison immigration detainees at our local detention centers, for profit. That practice is racist. It is immoral. It must stop.

I strongly support SB478.

Last September, I introduced CB51-2020 which would have prohibited Howard County from accepting into its custody any ICE detainees awaiting disposition of immigration-related—purely civil, not criminal—proceedings. Two of my five colleagues on the Howard County Council—Deb Jung and Christiana Mercer Rigby—joined me in voting for the bill one month later. A majority of our County Council passed CB51, only to be vetoed days later by the County Executive. My county, Howard County, continues to hold civil ICE detainees in our local prison to this day.

As the ACLU of Maryland has so aptly put—over and over again—Maryland’s counties’ contracts with ICE enhance that agency’s ability to detain whomever it wants by the number of beds we continue to make available to ICE; we enhance that agency’s system capacity, nationwide. We enable that agency’s demonstrated penchant to threaten, detain and harm, discriminatorily, persons who live, who work, who love family members, here in our State. That would be reason enough to pass SB478.

So would the risk of serious illness, or worse, inflicted on these purely civil detainees subject to congregate living in the midst of a global pandemic, where detainees are transferred in and out on the whim of ICE.

Howard County presents one further compelling reason to end these ICE contracts now: our own inhumane treatment of those civil detainees while in our custody. An October 28, 2020 report of the Department of Homeland Security’s Inspector General documented extensive “violations of ICE detention standards that threatened the health, safety, and rights of detainees” by Howard County in its local detention center. Notable was our County’s never-before-seen practice of commingling civil ICE detainees with our own criminal inmates. In doing so, according to Donald Trump’s DHS, Howard County “inappropriately applied policies and practices intended for those in criminal custody to detainees meant to be held in civil custody while their immigration court proceedings are pending.” Those policies and practices included lengthy terms of solitary confinement, 57 days in one case. Our local detention center could not evidence to the DHS Inspector General basic provision of meals to the civil detainees, or necessary medical care. Most disturbing, though, was what the Inspector General termed “excessive” strip-searching. Every single time an ICE detainee leaves his housing unit in our local detention center, and again upon his return, he is strip-searched: like before and after he goes to meet with his attorney, or read something at the law library, or when he attends religious services at the chapel. Howard County, by its own local policy, strip-searches him. Every single time, twice. We do that to this day—demeaning, “invasive,” inhumane. A copy of the DHS report *ICE Needs to Address Concerns about Detainee Care and Treatment at the Howard County Detention Center* can be found here: <https://www.oig.dhs.gov/sites/default/files/assets/2020-10/OIG-21-03-Oct20.pdf>

I do not understand how these practices can persist in my home county. I cannot reconcile the cruelty some of us still willingly condone at home with what we say we stand for, with what we all have borne witness to, endured, in this

heinous year. I cannot. The ICE contracts must end. They must end now. Thank you, Chairman Smith, for your leadership on this moral imperative.