

Ana Benitez, Testimony in SUPPORT of SB317

Office of the Attorney General - Right to Counsel in Immigration Proceedings Coordinator
Judicial Proceedings Committee

January 27, 2021

Dear Chairman Smith and Members of the Committee:

My name is Ana Benitez. I am a member of CASA and I have been living here in the United States for 22 years. I want to share my story to illustrate the importance of universal representation in Maryland. For one year now, my husband has been in ICE detention.

He was arrested by Baltimore County Police on the night before Christmas, December 24, 2019. That night changed everything. After he was arrested, he was held in the Towson jail for two months until ICE agents transferred him to Virginia, where he remains detained. The situation has been terrible for us, especially for my children because he was the one who provided financial support to our family. Now, I am the head of the family. I don't have that many hours of work, so I don't hear much and I can't afford to pay for the house. It has been very hard during the pandemic. Going through everyday life with a husband and father in detention is terrifying.

Our children are citizens. They were born in this country and they miss their dad very much. My 8 year old daughter wakes up at night crying, remembering when her father would come home from work and play with her. Since he was arrested we have not seen him in person. We had to find out through a video call that he got COVID-19 in detention. He tells us that he would like to be with us and regrets the situation that we are going through. He is very depressed.

Immigrants in detention do not have a right to a lawyer. When he first got arrested, I had to hire a private lawyer. It cost me \$6,000. It was so expensive that I could only pay for two months.

I fear for my husband's life if he were deported. El Salvador, where he is from, is not safe for him. Both his father and cousins were murdered there by gang members. Those same gang members attacked my husband and threatened to kill him before he fled to the United States. Without a lawyer, there is no chance for my husband to stay here and make his case for asylum.

Thank you for taking the time to read my letter. Having a lawyer could change whether my husband get out of detention or not. Please pass SB317 to keep families together. Everyone should be able to have a lawyer, even if they don't have the money. Thank you.