



## MARYLAND LEGISLATIVE LATINO CAUCUS

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TO: Senator William C. Smith, Jr, Chair  
Senator Jeff Waldstreicher, Vice Chair  
Judicial Proceedings Committee Members

FROM: Maryland Legislative Latino Caucus (MLLC)

DATE: January 27, 2021

RE: SB317 Office of the Attorney General – Right to Counsel in  
Immigration Proceedings Coordinator.

### **The MLLC supports SB317 Office of the Attorney General – Right to Counsel in Immigration Proceedings Coordinator.**

The MLLC is a bipartisan group of Senators and Delegates committed to supporting legislation that improves the lives of Latinos throughout our state. The MLLC is a crucial voice in the development of public policy that uplifts the Latino community and benefits the state of Maryland. Thank you for allowing us the opportunity to express our support of SB317.

The right to an attorney is meant to protect people from an unfair trial and as affirmed by the Supreme Court of the United States, it promises an effective lawyer. When it comes to the immigration process, immigrants are only entitled to legal representation provided by the government. Sadly, this representation only covers individuals in extremely limited situations, which contributes to lack of representation that could eventually result in detention and even deportation.

According to the [American Immigration Council](#), access to counsel is very scarce and unevenly distributed across the United States. Nationally, only 37% of all immigrants and only 14% of detained immigrants secured legal representation in their removal cases. Immigrants from Latin America are among the least likely to have representation during their removal proceedings, especially individuals from Mexico, Honduras, Guatemala, Nicaragua, and El Salvador. Furthermore, immigrants from Mexico (78%), Honduras (60%), and Guatemala (58%) are the most likely to be detained. Given that immigrants with attorneys fare better at every stage of the court process, it is crucial that their right to counsel is permitted.

SB317 establishes that individuals have the right to counsel in certain immigration proceedings and creates a Right to Counsel in Immigration Proceedings Coordinator in the Office of the Attorney General. The Coordinator will operate with local organizations to ensure immigrants have an attorney during their cases. These are high-stake cases and circumstances for our community. It is a priority for us to keep our immigrant families together. If the legislature truly values due process and equality in the state, the passage of this bill will be a priority, as well.

The MLLC supports this bill and urges a favorable report on SB317.