



Senate Bill 478

*Correctional Services – Immigration Detention – Prohibition
(Dignity Not Detention Act)*

MACo Position: **OPPOSE**

To: Judicial Proceedings Committee

Date: February 10, 2021

From: Michael Sanderson

The Maryland Association of Counties (MACo) **OPPOSES** SB 478 as it imposes stringent limitations on local government autonomy that have significant consequences on the ability to manage local jail operations.

MACo consistently opposes legislation that preempts local authority and autonomy via state law. It is our policy to oppose legislation that imposes a state standard upon local personnel practices, limits county land use authority, or requires counties to deliver (or not deliver) local services in specific ways. In each of these cases, and those similar to them, MACo believes locally elected officials are in the best position to respond to their community needs and are directly accountable to the communities they serve.

SB 478 limits the manner in which counties may operate their local detention facilities in regards to federal immigration detention. It would prohibit the continued operation of long held federal contracts and agreements that have been locally assessed and implemented. These arrangements, between levels of government, undergo appropriate local scrutiny for safety and potential community impact. Such management of county jail contracts and policies should be left to the discretion of those counties.

Counties recognize the difficult decisions the State faces regarding a range of immigration-related proposals, however, urge caution against passing legislation that may have other far-reaching consequences on the authority of local governments to manage their operations. For these reasons, MACo urges an **UNFAVORABLE** report on SB 478.