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WRITTEN TESTIMONY

Senate Bill 234 (SB234) – Personal Information - State and Local Agencies - Restrictions on Access

Senate Judicial Proceedings Committee January 28, 2021

SUPPORT

Background: SB234 aims to limit access by federal officials or others seeking to enforce federal immigration laws to state and local databases that contain personal information or photographs. This would include prohibiting federal officials from using facial recognition software in state databases as part of immigration enforcement efforts. The proposed legislation would allow federal officials seeking this information access to those databases if they obtain a proper warrant. State and local agencies that receive requests from federal agencies seeking access to personal information would be required to make annual reports about those requests to the General Assembly.

Written Comments: In 2013, Maryland extended driving privileges to every qualified person regardless of immigration status. The intention of the legislation was to ensure that everyone who needs to drive can do so in a legal and regulated way – and helping ensure that that no one would end up in immigration court for driving without a license.

However, there are numerous reports of federal immigration officials accessing MVA databases for the sole purpose of trying to identify – and ultimately deport – immigrant families in the state. A report in the *Washington Post* in 2020 found that federal immigration officials have been allowed to conduct facial-recognition searches on millions of Maryland driver's license photos without first seeking state or court approval. This is believed to be access that goes far beyond what other states allow.

Though such actions may seem harmless in theory, they cross the boundary of public and private information and put the safety and sovereignty of Maryland citizens at risk. Court approval should be required before federal officials conduct such database searches.

The Jewish community is all too familiar with the risk this creates. Many of our ancestors were stopped in the street for their papers, harassed by local law enforcement, and forced to register in a database of fellow Jews. While these policies were framed as security measures, they resulted in irreversible damage

BALTIMORE JEWISH COUNCIL

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that cannot be forgotten. Maryland *must not* repeat this history by targeting the community members it swears to serve and protect.

With this in mind, the Baltimore Jewish Council urges a favorable report on SB234.

The Baltimore Jewish Council, a coalition of central Maryland Jewish organizations and congregations, advocates at all levels of government, on a variety of social welfare, economic and religious concerns, to protect and promote the interests of the Associated Jewish Federation of Baltimore, its agencies and the Greater Baltimore Jewish community.