



**Maryland General Assembly
Senate Judicial Proceedings Committee
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ADL (the Anti-Defamation League) is pleased to submit this testimony in **strong support of SB88, State and Local Governments – Participation in Federal Immigration Enforcement**, which will allow state and local law enforcement to prioritize public safety, rather than civil immigration enforcement, helping to build trust and ensure critical protections for all who call Maryland home.

ADL is a leading anti-hate organization committed to stopping the defamation of the Jewish people and securing justice and fair treatment for all. Representing a community that has experienced the plight of living as refugees throughout its history, ADL has advocated for fair and humane immigration policies since its founding, and has been at the forefront of exposing anti-immigrant and anti-refugee hate that has poisoned our nation's debate. As a leading non-governmental trainer of law enforcement, we remain steadfast in our support of policies that keep immigration enforcement at the federal level, allowing local law enforcement to put the needs of the communities they serve first.

The Trust Act is commonsense and urgent legislation that prioritizes community safety and the efficient use of limited public resources here in Maryland. Specifically, the bill will prevent local law enforcement from inquiring about an individual's citizenship, immigration status, or place of birth during routine police functions, transferring persons to ICE without a judicial warrant, detaining persons for the purpose of immigration enforcement without a judicial warrant, or notifying ICE about immigrants' whereabouts. These are bare minimum protections that must be in place to help restore faith and confidence that our state government is here to protect all Marylanders equally, regardless of immigration status.

Unfortunately, under existing law, many residents in our state, including survivors of domestic violence and victims of other violent crimes, including hate crimes, are increasingly unwilling to avail themselves of court or police protection for fear that they or their family members will be

reported to ICE. When immigrants fear that their interactions with law enforcement could lead to unlawful detention, family separation, or even deportation, they will not come forward when they have been the victims of a crime or have valuable information as witnesses. These dangerous effects are not limited to those who are undocumented: U.S. citizens and lawful permanent residents who have family members who are undocumented, live in communities where people are undocumented, or belong to ethnic groups that include many immigrants, similarly hesitate to report crimes or assist in the investigation of crimes.

These trends are particularly concerning at a time when members of immigrant communities are uniquely vulnerable to hate crimes, and the Latinx community is especially at risk—in 2019, for example, the FBI documented a 9% increase in “anti-Hispanic” hate crimes across the country, the fourth straight year of escalating numbers. Compounding the issue even further is the fact that, in recent years, there has been a notable decline in reporting of crime by members of the Latinx community,¹ and a corresponding decrease in reporting of hate crimes by law enforcement agencies across the state of Maryland.²

Crime only increases when members of the community fear turning to authorities for protection. One recent study by the Center for American Progress, for example, compared counties with policies that do not assist federal immigration enforcement officials by holding people in custody beyond their release date with counties that were similar on a broad range of demographic characteristics but had no such policy. The study concluded that “[t]here are, on average, 35.5 fewer crimes committed per 10,000 people in ‘sanctuary’ counties compared to ‘non-sanctuary’ counties.”³

¹ See, e.g., Sefano Camino, Giovanni Mastrobuoni, & Antonio Nicolo, *Silence of the Innocents: Illegal Immigrants’ Underreporting of Crime and Their Victimization*, IZA (Oct. 2016), <https://ssrn.com/abstract=2861091>; James Queally, *Fearing Deportation, Many Domestic Violence Victims Are Steering Clear of Police and Courts*, L.A. TIMES (Oct. 9, 2017), <http://www.latimes.com/local/lanow/la-me-ln-undocumented-crime-reporting-20171009-story.html>.

² For example, in 2019, of the 153 Maryland law enforcement agencies that participated in FBI hate crime reporting, only 9 (less than 6%) reported one or more hate crimes to the FBI.

³ Tom K. Wong, *The Effects of Sanctuary Policies on Crime and the Economy*, Ctr. for Am. Progress (Jan. 26, 2017), <https://www.americanprogress.org/issues/immigration/reports/2017/01/26/297366/the-effects-of-sanctuary-policies-on-crime-and-the-economy>.

While some local jurisdictions in Maryland have passed ordinances and policies ensuring that local resources are not used for immigration enforcement, these patchwork protections are not enough. By drawing a bright line between Maryland law enforcement officials and federal immigration enforcement agents, this bill will help protect fundamental rights to which all Marylanders are entitled, and ensure that public safety decisions are made and resources are spent to advance the interests of Maryland's communities—not the interests of federal immigration authorities. This, in turn, will help send a clear and unequivocal message—that Maryland is a state that strives to be safe and welcoming for all.

We urge the Senate Judicial Proceedings Committee to give SB 88 a favorable report.