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FAIR is a nonprofit public interest organization working to end illegal immigration and to set levels of legal immigration that are consistent with the national interest.



FEDERATION FOR AMERICAN IMMIGRATION REFORM

January 25, 2021

The Honorable William Smith, Jr., Chairman
Maryland Senate Judicial Proceedings Committee
2 East
Miller Senate Office Building
Annapolis, MD 21401

Dear Chairman Smith and other distinguished members of the Committee:

My name is Shari Rendall and I am the Director of State and Local Engagement at the Federation for American Immigration Reform (FAIR). FAIR is an non-profit, non-partisan organization of concerned individuals who believe that our immigration law must be reformed to serve our nation’s interests.

FAIR advocates for immigration policies that reduce the harmful impact of illegal immigrataion on national security, public safety, the economy, jobs, education, healthcare and the environment.

Founded in 1979, FAIR has three million members and supporters nationwide including approximately 12,300 in Maryland. On behalf of our members and supporters, I am writing to express FAIR’s opposition to Senate Bill (SB) 234. FAIR opposes the reckless lawlessness of sanctuary policies like those imposed by this bill.

Sanctuary policies place a greater emphasis on the welfare of illegal aliens than the well-being and safety of citizens and legal immigrants in their own communities by impeding the enforcement of federal immigration laws and blocking collaboration between state and local officials and federal immigration officials.

SB 234 requires state or local officials to deny immigration officials access to public records that contain the personal information or photograph of an individual for civil immigration enforcement or for criminal immigration enforcement without a judicial warrant. It also requires state or local officials to deny immigration officials the ability to search facial recognition databases for civil immigration enforcement or for criminal immigration enforcement without a judicial warrant.

This legislation conflicts with federal law. Specifically, 8 U.S.C. §1357 (g) (10) states that a formal agreement with the federal government is *not*



necessary for any officer or employee of a state or local agency to communicate with the Attorney General regarding the immigration status of any individual, including reporting knowledge that a particular alien is not lawfully present in the United States or to cooperate with the Attorney General in the identification, apprehension, *detention*, or removal of aliens not lawfully present in the United States.

Facial recognition technology and other biometric data is regularly used by federal, state, and local law enforcement officers. Department of Motor Vehicle records and other public records have long been a basic tool for law enforcement work. Moreover, SB 234 still permits state and local law enforcement to continue to access these databases for legitimate law enforcement purposes. Immigration enforcement officers should be no different. It is important for Immigration and Customs Enforcement (ICE) officials to be able to use facial recognition technology and other biometric data in the fight against terrorists, criminals, and violent international cartels. ICE officers must not be hampered in their ability to collaborate with other state and local officials to obtain information that may assist them in identifying and finding those who pose public safety and national security threats.

Further, sanctuary policies, like SB 234, deny ICE critical assistance to enable it to accomplish its statutorily mandated mission to identify and ultimately remove illegal aliens. Access to these databases is established procedure with other law enforcement agencies. ICE officials should be afforded the same access.

To ensure the safety of our communities, state and local law enforcement and governments should be encouraged—not discouraged—from cooperating with federal immigration authorities. For these reasons, FAIR opposes SB 234.

I thank you for the opportunity to provide my input. Please do not hesitate to reach out to me, if I may be of assistance. I may be reached by email at srendall@fairus.org or by phone at 202-328-7004.

Sincerely,

A handwritten signature in black ink that reads "Shari Rendall". The signature is written in a cursive, flowing style.

Shari Rendall