

IN SUPPORT OF HOUSE BILL 354

To: House Judicial Committee
From: Dorothy Stewart
Date: February 19, 2021
Re: Written Testimony in Support of House Bill 354

I, Dorothy Stewart, am submitting this written testimony in support of House Bill 354. I am a proud resident of the State of Maryland and constituent of Maryland's 2nd district. I am a noncitizen, who came to the United States from Jamaica at the age of 10 years old as a lawful permanent resident. I was eager to be of service to the United States, and, at 19, I enlisted in the U.S. Army. I served faithfully for approximately 7 years, where I spent my time completing tours in Korea and Germany. As an active soldier I worked hard to serve the United States and its citizens with the due diligence this country deserved. Throughout my service I was honored with Good Conduct Medal, Army Service Ribbon, Overseas Ribbon, Army Achievement Medal, NCO Professional Development Ribbon and selected to serve on the prestige Honor Guard team. Although my time in the military was filled with many positive moments, I also had to endure difficult times as I became depressive and suffered PTSD during my time in service. My untreated PTSD and major depressive disorder led me on a path, that I would not have taken otherwise, culminating in a related charge for possession with intent to distribute.

On March 15, 1990, on the advice of my attorney I pled guilty to the charge against me. I received a sentence of 5 years of incarceration, which was suspended in its entirety, and instead received 3 years of probation. I without fault reported weekly to my probation officer, completed a drug rehabilitation program, and complied with all other aspects of my probation. I was determined to turn my life around; being on drugs was not, and never has been me. Subsequently, my final sentence was reduced to Probation Before Judgment (PBJ). My allegiance lies with the United States, my entire family is here, which includes my only daughter and I have always hoped to be called a

citizen of this country. So, it was to my dismay when I applied for naturalization and was denied because of my probation before judgment. Unbeknownst to me, this PBJ designation although not a conviction under Maryland state law, is considered a conviction under federal law and prevented the approval of my naturalization application.

Today, I am 60 years old, and still eager to become a citizen of the United States. It has been frustrating and extremely disheartening to live with this probation before judgment which has prevented me from moving forward in my life. This probation before judgment has stripped my life away from me, as my life has been defined entirely by this one charge that occurred 31 years ago. I am remorseful for my past action, but it has been my only offense in nearly the 50 years I have been in this country.

If not for the Maryland PBJ making my disposition a conviction under federal law, I would have naturalized years ago. Instead, I've had to endure a multi-year battle of working with the state courts and federal agencies to reach a resolution in my case. I've spent the last 31 years of my life, living (if it can even be called living) in the shadow of my shame and guilt. As a result of my PBJ, I became deportable and have lived in fear of being ordered deported at any given moment. My entire life and the life of my U.S. citizen daughter has been limited by this conviction as I was precluded from many job opportunities that could have helped me provide her a better life. Furthermore, in February 2015, my mother (the only parent I knew and loved) passed away in my arms and her dying wish was for me to bring her body back to Jamaica. Unfortunately, because of my PBJ I could not travel to fulfil her wish but pray that one day I am able to.

Since my PBJ, I have been treated as a stranger in the country that I call home, the country that I was willing to die for, and sacrificed my life for. I support House Bill 354, because I hope it will prevent others from having their life stripped away and allow them to move forward.