



THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

Testimony in Support of HB 16
Dignity not Detention Act of 2021
Testimony by Delegate Vaughn Stewart
March 3rd, 2021 • Judiciary Committee

In 2019, Rockville resident José Ricardo Villalta Canales was helping his uncle cut down a dead tree when he was approached by police from Maryland’s Department of Natural Resources. The officers fined Mr. Villalta \$320 for the unlicensed removal of a tree.

After discovering that U.S. Immigration and Customs Enforcement (ICE) had filed a detainer against him, they held him until federal agents could arrive. Mr. Villalta was shackled and sent to an ICE detention center in Frederick County. He stayed there for three months.

To be certain, this was an especially absurd and depraved case. And yet, for ICE, absurd depravity is the norm.

Maryland need not be complicit in this depravity. That’s why we’ve reintroduced the Dignity not Detention Act, which would prohibit local governments from signing contracts with ICE or private prison companies for the purpose of immigrant detention.

The pandemic and the General Assembly’s shortened session stalled the bill last year. Since then, ICE has only ramped up its campaign of terror. COVID ravaged detention centers across the country, with total deaths in ICE custody tripling. In 2020, ICE detention centers also played host in “systematic” sexual assault, widespread medical neglect, and even forced sterilization. This month, a report revealed that guards threatened to expose asylum-seekers to COVID if they didn’t accept deportation.

The bill would also phase out our state’s three existing detention centers in Howard, Frederick, and Worcester Counties. All three existing MD detention centers are actually county jails that detain people on behalf of ICE through an intergovernmental services agreement (IGSA). At the moment, Worcester County holds by far the most bed space for detainees in their jail— 119 per recent reports— while Frederick County typically holds between 32 and 34, and Howard County now only holds around 16.

In the fall of 2020, the Department of Homeland Security cited the Howard County detention center for numerous legal violations, including excessive strip searches. Perhaps even more horrifyingly, the director of the jail shrugged off the scathing report, telling the *Washington Post* that he would not change any strip-search practices. Eliminating ICE's bedspace will mean fewer immigrants—including fewer of our constituents in Montgomery County—will be subjected to this kind of dehumanizing treatment.

The immigration industrial complex has been targeting Maryland for at least two years. In April of 2019, ICE announced its intention of opening a new center in the Baltimore area. A few months later, Immigration Centers of America (ICA)—a notorious private prison company—began to lobby a small town in Queen Anne's County for permission to build a detention center there. ICA's facility in rural Virginia is among the nation's most dehumanizing: In 2015, after detainees found worms in their food, the facility's administrators threatened to prosecute anyone who complained. The Dignity not Detention Act will stop ICA and its ilk from coming to Maryland to pad their profits by exploiting towns and tormenting immigrants.

President Biden recently signed an executive order phasing out the use of federal private prisons, but it did not extend to immigration detention facilities. With the latest announcement that the administration will in fact be re-opening detention facilities for migrant children previously closed under the Trump administration, state action is needed now more than ever to stop ongoing attempts by the federal government to undermine the wellbeing of immigrants across the country.

To protect our communities, we need to shut down these facilities. I urge a favorable report.