



TESTIMONY FOR HB0559
**Probation Before Judgement – Probation Agreements – Probation Not
Deportation**

Bill Sponsor: Delegate W. Fisher

Committee: Judiciary

Organization Submitting: Maryland Legislative Coalition

Person Submitting: Cecilia Plante, co-chair

Position: FAVORABLE

I am submitting this testimony in favor of HB0001 on behalf of the Maryland Legislative Coalition. The Maryland Legislative Coalition is an association of activists - individuals and grassroots groups in every district in the state. We are unpaid citizen lobbyists and our Coalition supports well over 30,000 members.

The goal of this legislation is to protect our immigrant community from deportation for small offenses that would otherwise be the catalyst for deportation proceedings. Minor, first time infractions, such as speeding or failure to have their taillights working, can place a sentence on an immigrant's record, which can trigger deportation proceedings.

Under current law, a person must plead guilty to obtain a probation before judgement verdict and the judge makes a finding of 'guilt'. Because of the admission of guilt, a probation before judgement is treated as a conviction under federal law, although that is not what Maryland law intended.

This bill would bring the Maryland probation before judgement law in line with the original legislative intent and allow the person to plead nolo contendere to the facts of the case, which would not leave a sentence on their record, as long as they do not violate their probation.

We support this bill and recommend a **FAVORABLE** report in committee.