



SB 129/HB 114 - SUPPORT

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SB 129-SUPPORT

Access to Counsel in Immigration Proceedings Program

Senate Judicial Proceedings Committee/House Judiciary Committee

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Dear Chair Smith and members of the Judicial Proceedings Committee,

My name is John Payne and I am a core organizer with Sanctuary DMV and I am here today to express our support for SB 129. Sanctuary DMV supports and works with immigrants and immigrant communities through the Maryland, DC, and Virginia area. We are an entirely volunteer organization dedicated to helping immigrants and immigrant communities build power, standing with individuals and their families through immigration legal proceedings, and advocating for legislation that will ensure immigrants are treated justly and with the dignity and respect they deserve.

Sanctuary DMV believes that all people should receive equal and just treatment under the law and that our immigrant neighbors deserve to be part of a fair justice system that does not discriminate against them or put them in danger from being separated from their friends and family. It is these principals along with our experience supporting individuals in immigration proceedings that bring me here to support this bill.

Through our work, we have supported several individuals fight their cases from immigration detention and we have seen how zealous legal representation can make or break a case. For example, in 2020, a Maryland resident we accompanied to an ICE check-in was abruptly detained at the ICE office and told he was going to be summarily deported. Time being of the essence, we immediately contacted Capital Area Immigrants' Rights Coalition (CAIR Coalition) to find legal representation for the man, while also reaching out to local Congressmembers and ICE officials to request that ICE delay his deportation pending pursuit of legal relief. Thanks to a joint effort between CAIR Coalition, Sanctuary DMV, and other volunteers, we quickly secured pro bono legal representation for the man, who was able to win release from detention, return to his wife and children, and continue fighting his case from outside detention.

Unfortunately, this example is the exception in Maryland and far from the rule. Too often, Maryland residents do not happen to live in local jurisdictions with an access to counsel in immigration proceedings program and are forced to fight their cases alone. In fact, 81% of detained immigrants in Maryland have no legal representation. For each rare success story, Sanctuary DMV has seen other individuals spend months or even years in immigration detention without representation. Some of these individuals were eventually deported, permanently tearing them away from their family and friends. Additionally, these long periods of detention without representation are particularly concerning during the COVID-19 pandemic. Even as we see numbers from the Omicron variant fall, we continue to see deaths in detention centers across the DMV region.



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Every time an individual is detained or deported here in Maryland, communities are shattered, families are separated, and we lose another one of our neighbors. Access to counsel in immigration proceedings is one of the best ways Maryland can fight back against detention and deportation, ensuring that families stay together and that our criminal justice system treats all of our residents with dignity and fairness.

Sanctuary DMV urges a favorable report on SB 129.