

## **HB 0114/SB 129- OPPOSE this Bill –Access to Counsel in Immigration Proceedings Program**

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According to Federal law, illegal aliens who wish to be represented by legal counsel are free to do so, but they must do so at no cost to the government (8 U.S.C. 1229a(b)(4); 8 U.S.C. 1362). The U.S. Constitution guarantees the right to legal representation only for criminal prosecutions. Most immigration proceedings, including removal proceedings, are civil, and therefore do not trigger the Sixth Amendment right to free counsel. The Supreme Court has ruled that deportation is not a punishment, but rather a civil administrative procedure whereby an alien is returned to their homeland.

Providing free representation to illegal aliens is unethical because it is unfair to citizens and legal residents who are required to pay out of pocket for their own civil proceedings. In addition, citizens and legal residents are paying through their taxes for illegal aliens to have this free service! Allowing one group of people to have something for free, paid for by another group of people who do not receive the service themselves, causes divisions by telling residents that certain segments of the population are more important than others.

According to HB 114, the State of Maryland would set aside \$8 million per year for this legal defense fund. This money would be added to the already high fiscal burden of illegal immigration in the United States, estimated at \$116 billion. This bill would also make Maryland a magnet for further illegal immigration to the state, and tells the world that our immigration laws are not meant to be taken seriously.

Providing taxpayer-funded legal representation to illegal aliens further strains the state's limited financial resources in the midst of the COVID-19 pandemic.

Providing legal representation to illegal aliens frustrates federal law which expressly prohibits the federal government from funding illegal aliens in removal proceedings. Aliens who wish to be represented by legal counsel are free to do so, but federal law requires that it must be offered at no cost to the government.

**Please vote NO on HB 0114 and SB 129**