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**TESTIMONY IN SUPPORT OF SB0129: Favorable
Access to Counsel in Immigration Proceedings**

TO: Chair Smith, Vice Chair Waldstreicher, and members of the **Judicial Proceedings Committee**

FROM: Toby Ditz

My name is Toby Ditz, and I have lived in Baltimore City's District 40 for over thirty-five years. This testimony is in **support of SB0129: Access to Counsel in Immigration Proceedings**.

Many thanks to Senators Hettleman and Waldstreicher for taking the lead on this bill.

I am deeply committed to this legislation partly because I am the grandchild of Jewish immigrants. My grandmother, Helen, emigrated in 1919 from Russia in the midst of civil war in the company of her mother and younger sister; they fled across the closing Polish border to Amsterdam and then entered the US through Ellis Island. Had they tried to come here only ten years later, after US immigration policy choked off the flow of immigrants from Eastern Europe (and elsewhere around the world), I doubt I would be here today. I am profoundly grateful they made it. As the Torah teaches, we have the highest ethical obligation to welcome the stranger.

I also believe that all residents, not just citizens, have certain due process rights as a matter of US constitutional law and in virtue of our common humanity. Our ideal is that "justice is blind," meted out without regard to privilege, race, or wealth. Yet the evidence is overwhelming: people too poor to hire lawyers—whether at bail bond hearings, in landlord-tenant courts, or in immigration proceedings—are far more likely to suffer adverse consequences than those who have legal representation. Indeed, this is why we provide lawyers to citizens accused of crimes: the law in principle cannot tolerate depriving people of their physical liberty without due process.

We need to extend access to legal counsel to immigrants facing deportation. After all, protection from arbitrary, forcible separation from one's family and home is also basic to the meaning of liberty. Yet the expansion of ICE activities in recent years has created with good

reason a deep in the bone fear of deportation among so many hardworking immigrants in Maryland.

Let us welcome the stranger. Let's honor the humanity and due process rights of new immigrants just as we did my family.

I respectfully urge a favorable report on SB0129. Thank you.