



Montgomery County

Office of Intergovernmental Relations

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HB 114

DATE: February 3, 2022

SPONSOR: Delegate Williams

ASSIGNED TO: Judiciary

CONTACT PERSON: Leslie Frey (leslie.frey@montgomerycountymd.gov)

POSITION: SUPPORT WITH AMENDMENTS

Access to Counsel in Immigration Proceedings Program

House Bill 114 would enable low-income Maryland residents who are in detention and facing an administrative or judicial proceeding to remove them from the United States to access legal representation. The legal representation would be provided by non-profit organizations contracted with the Maryland Legal Services Corporation and would be funded by an \$8M appropriation in the state budget. HB 114 provides for outreach and education related to immigrants' rights to be conducted by community groups.

Montgomery County strongly supports HB 114 as it closely aligns with current programming funded by the County to provide legal representation for County residents in deportation or removal proceedings. Montgomery County funds nearly \$1M annually for legal representation for residents facing deportation or removal. Many of these residents are children who arrive in Maryland unaccompanied by family members or other adults. Currently, the United States is expecting a 20-year high in the number of unaccompanied migrant and asylum-seeking children approaching the border. According to the federal Office of Refugee Resettlement, 1,045 unaccompanied children have been released to sponsors in Montgomery County between October 2020 and August 2021. Prince George's County received 1,439 unaccompanied children during the same period. Between 2014-2021, Prince George's County and Montgomery County were the 6th and 11th highest-receiving counties in the nation, respectively, for unaccompanied children released to sponsors. These young people are fleeing high levels of violence, crime, natural disasters, the effects of climate change, food insecurity, and poverty. However, it is important to note that not all immigrants qualify as refugees or asylees under federal law, which highlights the disparities in services and benefits immigrants will receive based on their legal status, although the underlying conditions that led them to flee to the United States are strikingly similar. Access to legal counsel, as provided for in House Bill 114, is critical for immigrants to secure legal status to remain in the United States and to access federal and state supports to ensure their successful welcoming into our schools, communities, and workforce.

Montgomery County respectfully offers the following amendments in order to strengthen the bill and extend its beneficial impact as widely as possible: 1) amend the definition of "covered individuals" to include Maryland residents not currently in detention, as many individuals otherwise covered by the

bill, including unaccompanied minors, are released from detention and placed in removal proceedings; 2) amend the bill language to clarify whether the Fund could be used for the education and outreach activities prescribed by the bill; 3) amend the bill to describe how the Program's funding and operations will be allocated across the State: as described above, Montgomery and Prince George's Counties are home to the vast majority of the State's immigrants who could benefit from the Program and we ask that the allocation of the bill's resources equitably reflect this need.

Montgomery County urges the Committee to adopt the above amendments and issue a favorable report.