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CIRCUIT COURT  
JUDGE  
BALTIMORE COUNTY  
CHAIR

HON. RICHARD SANDY  
CIRCUIT COURT  
JUDGE  
FREDERICK COUNTY  
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## MARYLAND JUDICIAL COUNCIL LEGISLATIVE COMMITTEE

### MEMORANDUM

**TO:** Senate Judicial Proceedings Committee  
**FROM:** Legislative Committee  
Suzanne D. Pelz, Esq.  
410-260-1523  
**RE:** Senate Bill 977  
State and Local Agencies – Enforcement of Federal Immigration  
Law – Restrictions on Access to Information (Maryland Data  
Privacy Act)  
**DATE:** February 12, 2025  
(2/19)  
**POSITION:** Oppose

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The Maryland Judiciary opposes Senate Bill 977 to the extent it would apply to the Judiciary.

This bill would require the Judiciary to implement technology or other record keeping procedures to deny access to a courthouse to any individual who is or appears to be seeking access for the purpose of enforcing federal immigration law unless the individual presents a valid warrant. Other than for security purposes, court personnel do not routinely screen visitors entering courthouses or require proof of the reasons for their entry or review. Courthouses are public spaces and certain persons have a constitutional right to a public trial. To require the Judiciary to implement such procedures creates an operational concern and a strain on resources.

This bill could also require the Judiciary to implement technology or other record keeping procedures regarding requests from federal agents seeking access to MDEC or Secure Case Search to enforce federal immigration law. The Judiciary currently does not allow access to Secure Case Search by federal agencies. Requests from federal agencies

to the Judiciary would most likely be in the form of a request for access to MDEC or court records.

More concerning, however, is proposed Public Safety §3-529 (D) which states:

A Law Enforcement Agency Or A Unit Of State Or Local Government May Not Enter Into A Memorandum Of Understanding Or Similar Agreement That Requires Collaboration Or Information Sharing With A Federal Agency For The Purpose Of Enforcing Federal Immigration Law

The Judiciary has an existing Memorandum of Understanding (MOU) with the federal government for CJIS, whereby the Judiciary shares information with the federal government regarding criminal history records. The Judiciary does not have the ability to determine whether CJIS will be used for the purpose of enforcing immigration law by other governmental entities and, thus, it cannot know whether this existing MOU would put the Judiciary in violation of this provision.

cc. Hon. Clarence Lam  
Judicial Council  
Legislative Committee  
Kelley O'Connor