

## SENATE JUDICIAL PROCEEDINGS COMMITTEE

### Senate Bill 828: Immigration Enforcement—Sensitive Locations—Guidelines and Policies (Protecting Sensitive Locations Act)

**Date: March 4, 2024**

**Position: Support**

Disability Rights Maryland (DRM) is the protection and advocacy organization for the State of Maryland; the mission of the organization, part of a national network of similar agencies, is to advance the civil rights of people with disabilities throughout the state. DRM has joined the testimony of the Education Advocacy Coalition (EAC) in strong support of Senate Bill 828 but submits separate testimony to underscore the importance of this bill to individuals with disabilities who need access to schools, medical and health care facilities, and social services organizations without fear that immigration officials will arrest them as they seek the services and treatment that enable them to lead meaningful lives in the community.

As the EAC testimony notes, the United States Supreme Court ruled more than 50 year ago that all children, regardless of immigration status, have the right to public education. *Plyler v. Doe*, 457 U.S. 202 (1972). DRM represents a number of immigrant children and youth in special education matters to ensure that they have access to public education and, more specifically, to the free appropriate public education to which they are entitled under the Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq.*. The immigration status of the children we represent is irrelevant to our representation; our goal is to ensure that all children and youth with disabilities receive the specialized instruction and related services that will enable them to make educational progress and meet Maryland's lofty goal of that every student will leave school career and college ready.

Access to health and medical facilities is also essential to individuals, both children and adults, with disabilities. Including urgent care centers and community health centers in addition to hospitals and doctors' offices ensures that people with disabilities will be able to seek the care they need. DRM has been told of at least one situation in which an individual was arrested and detained without his medication when immigration officers went to a facility serving people who have been released from psychiatric hospitals. DRM hopes that if Senate Bill 828 is enacted, the guidelines developed by the Attorney General will make clear that supervised and supportive housing programs for people with disabilities are included within the definition of "sensitive location".

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DRM appreciates that Senate Bill 828 addresses foster children and youth; among the most vulnerable individuals with disabilities, they need the protection offered by the sensitive location designation of the places they live and the places where they may have supervised visitation with their parents or other relatives.

Senate Bill 828 is an essential component of ensuring that all Marylanders, including those with disabilities, have the ability to access the locations where they live their lives without being haunted by the fear that they or a loved one will be arrested and detained by immigration officials.

For these reasons, DRM strongly supports Senate Bill 828.

Contact: Leslie Seid Margolis, [lesliem@disabilityrightsmd.org](mailto:lesliem@disabilityrightsmd.org) or 443-692-2505.

Respectfully submitted,

Leslie Seid Margolis

Managing Attorney and Policy Counsel