



House Bill 1006
Family Law-Immigration Enforcement
("Protecting Sensitive Locations Act")
In the House Judiciary Committee
Hearing on February 27, 2025, at 1:00 PM
Position: FAVORABLE

Maryland Legal Aid (MLA) submits its written and oral testimony on HB 1006 at the request of Delegate Wilkins.

Maryland Legal Aid submits this testimony in support of HB 1006, a bill to prevent immigration enforcement actions in protected sensitive locations such as schools, hospitals, places of worship, and court houses. This bill mandates that the Attorney General develop guidelines to ensure that immigration enforcement actions do not occur at sensitive locations, except under exigent circumstances. It also requires state agencies operating at these locations to adopt and implement these guidelines or provide notice if they choose not to. This bill is essential to ensuring that survivors of violence and other vulnerable individuals can seek help without fear of deportation or retaliation.

Maryland Legal Aid (MLA) is Maryland's largest non-profit law firm. We provide free civil legal services to the state's low-income and vulnerable residents in each of Maryland's 24 jurisdictions. Our legal advocates represent immigrant survivors of domestic violence in a variety of civil legal cases in courts across Maryland. We deeply understand the importance of our client's unabridged access to local domestic violence shelters, hospitals, and courthouses where many of our clients file Domestic Violence Protective Orders. Currently, however, the fear of immigration enforcement deters many from accessing these critical resources.

Maryland Legal Aid represents survivors of domestic violence with different immigration statuses who have retaliatory criminal charges filed against them by their abuser. The Urban Justice Center's Domestic Violence Project reports that abusers may threaten to report their partner to immigration as a means of control.¹ Perpetrators often exploit legal mechanisms – including family law proceedings, child protections cases, and the criminal justice system to maintain their power over survivors². This weaponization of the legal system has taken on an even more alarming dimension with the passage of the Laken Riley Act in January 2025, which mandates that immigration personnel detain individuals based solely on an arrest or charge for certain offenses—before any due process is granted³.

¹"Urban Justice Center" *Domestic Violence Project* <https://dvp.urbanjustice.org/2024/10/10/how-abusers-weaponize-immigration-status/> (Feb. 25, 2025)

² Gutowski, Ellen and Goodman, Lisa. "Coercive Control in the Courtroom: the Legal abuse Scale (LAS)" *National Library of Medicine*. <https://pmc.ncbi.nlm.nih.gov/articles/PMC9119570/> (February 25, 2025)

³ Laken Riley Act 119th Congress (2025-2025) <https://www.congress.gov/bill/119th-congress/senate-bill/5> (Feb. 25, 2025)

In just these few short weeks since the enactment of the Laken Riley Act, our legal advocates have been inundated with concerns from our survivor immigrant clients regarding these retaliatory criminal charges that are now preventing them from leaving their houses and engaging in their daily routines. Families are afraid to send their children to school, seek medical treatment, and go to court due to the looming threat of immigration enforcement.

For survivors of domestic violence, this creates a chilling effect that discourages them from seeking legal protection, medical assistance, or justice through the courts. HB 1006 is critical to ensuring that survivors can access these essential services without fear of immigration enforcement.

House Bill 1006 will provide essential assurances to our clients regarding their safety when they need to access lifesaving resources at these sensitive locations. We are asking this committee to grant House Bill 1006 a favorable report and urge its ultimate passing.

A Maryland Legal Aid staff attorney with the Victims Assistance Project represented a client in a domestic violence Protective Order. This undocumented survivor suffered extensive physical abuse and injury at the hands of the father of her child. She went to the hospital then filed a report with the police who pressed charges against her abuser and arrested him. Subsequently, she went to a courthouse to file a Protective Order against him. In response, her abuser filed frivolous and retaliatory criminal charges against her and threatened to call Immigration Customs and Enforce (ICE). This survivor feared if she showed up to her final protective order hearing, she could be arrested and detained by ICE, lose custody of her child, and possibly be deported due to the pending charges against her. Consequently, she dismissed her protection order case. It is a denial of justice when an abuser successfully weaponizes the legal system against their victim.

The threat of immigration enforcement at sensitive locations punishes immigrant survivors and pushes them further underground, preventing access to the lifesaving resources they need to escape abuse.

HB 1006 does not prevent immigration enforcement officers from carrying out their duties or hinder investigations. It simply codifies into law a long-standing practice that prevents ICE from conducting enforcement actions in specific sensitive locations.

Since 2011, ICE has maintained protocols instructing their officers to avoid enforcement actions in sensitive locations such as schools, hospitals, places of worship, and certain ceremonies such as weddings or funerals.⁴ In 2021, the Biden Administration expanded this

⁴ Morton, John. "Memorandum for Field Office Directors Special Agents in Charge Chief Counsel. Subject- Enforcement Actions at or Focused on Sensitive Location." <https://www.ice.gov/doclib/ero-outreach/pdf/10029.2-policy.pdf> (February 25, 2025)

policy through the “Protected Areas Memo” which expanded the practice to include courthouses, places that provide disaster or emergency services, and public assistance offices such as domestic violence shelters.⁵ HB 1006 simply puts in place protections for Marylanders consistent with longstanding practices within US Immigration and Customs Enforcement. HB 1006 aligns Maryland’s policies with these established federal guidelines, ensuring consistent protections for vulnerable individuals.

All Marylanders—including immigrants—must have unrestricted access to essential community services, including medical care, schools, courthouses, domestic violence shelters, victim services program and places of worship, without the additional fear of immigration consequences. HB 1006 is a necessary step to uphold these fundamental protections.

Thank you for considering this written testimony. For these reasons stated above, MLA respectfully urge the committee to support HB 1006 to protect the sanctity of our state's sensitive locations and the well-being of all Maryland residents. If you have any questions, please feel free to contact me at sbarilone@mdlab.org or 443-571-3946.

⁵ Mayorkas, Alejandro. Memorandum ... Subject-Guideline for Enforcement Actions in or Near Protected Areas. https://www.dhs.gov/sites/default/files/publications/21_1027_opa_guidelines-enforcement-actions-in-near-protected-areas.pdf (February 25, 2025)