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HB 1222- Public Safety - Immigration Enforcement (Maryland Values Act)
House Judiciary Committee, February 27, 2025
Position: **Favorable With Amendment**

Dear Chair Clippinger, Vice Chair Bartlett, and Members of the Committee,

The Public Justice Center offers a favorable with amendment testimony in support of HB 1222- Public Safety - Immigration Enforcement (Maryland Values Act).

The Public Justice Center (PJC) is a not-for-profit civil rights and anti-poverty legal services organization which seeks to advance social justice, economic and racial equity, and fundamental human rights in Maryland. The PJC provides advice and representation to low-income clients, advocates before legislatures and government agencies, and collaborates with community and advocacy organizations; we actively incorporate anti-racism and racial equity goals into our advocacy work. Our organization frequently represents and partners with immigrants and immigrant communities impacted by this legislation. For example, we represent tenants who are often immigrants in eviction cases and cases seeking to hold their landlord accountable for dangerous conditions of disrepair, and we advance equitable access to school by representing students and families. We also represent workers whose employers are paying less than minimum wage, denying overtime benefits, or unfairly classifying them as contractors.

At its core, this bill is about upholding Maryland's values—fairness, dignity, and justice for all. The Maryland Values Act affirms that our state should not be in the business of tearing families apart, undermining public trust, or funneling state and local resources into a federal deportation agenda. Instead, Maryland should stand firm in its commitment to community safety, due process, and equal treatment under the law - by ending 287(g).

The 287(g) program has a well-documented history of racial profiling, discrimination, and wrongful detentions. It diverts local law enforcement from their primary duty of protecting public safety, forcing them to act as immigration agents rather than community protectors. This erodes trust, particularly among immigrant communities, making people less likely to report crimes or seek help when needed. Ending 287(g) ensures Maryland's resources are used to foster public safety—not help the federal deportation agenda.

The Public Justice Center is a 501(c)(3) charitable organization and as such does not endorse or oppose any political party or candidate for elected office.

The PJC frequently represents immigrant-clients who need assistance from local agencies and law enforcement to hold predatory actors accountable. **If local law enforcement and government agencies are likely to cooperate with ICE in any deportation, our immigrant clients will not hold predatory actors accountable – and those bad actors are then emboldened to prey on other community members.** For example, in our representation of immigrant-renters seeking to hold their landlord accountable, our clients will be much less likely to call local code enforcement to hold the landlord accountable for dangerous housing conditions. They will be much less likely to call the police or the sheriff or file a complaint with the District Court Commissioner even when the landlord is illegally evicting them if that interaction could lead to an ICE enforcement action. In our representation of immigrant-workers, our clients will be less like to report an employer who paid them below minimum wage if they think it could result in ICE enforcement actions. Unscrupulous employers and landlords will exploit these fears to prevent workers and tenants from speaking up for their rights.

Amendment Recommendation: As part of the Maryland Immigrant Justice Table, we urge the removal of Sections 9-309(A), 9-309(B) and 5-104(5). These provisions mandate detention and transfer, which courts and the Maryland Attorney General have flagged as likely unconstitutional, exposing local governments to potential liability. Holding individuals past their scheduled release for civil immigration matters violates individuals' constitutional rights, making it unlawful. In addition to being unlawful, delayed release and transfer result in wasted state resources. Maryland must uphold due process and disentangle immigration enforcement from the criminal justice system.

The Public Justice Center urges the committee to provide a favorable report with amendments on HB 1222.