



HB 1222 - Public Safety - Immigration Enforcement (Maryland Values Act)

MCAA Position: **SUPPORT W/ Amendments** TO: Judiciary Committee

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FROM: Ryan Ross, President
Lamonte Cooke, Legislative Committee
Mary Ann Thompson, Legislative Committee

The Maryland Correctional Administrator's Association (MCAA) **SUPPORTS HB 1222 WITH AMENDMENTS**. As written, the proposed bill language limits the autonomy of elected officials in local jurisdictions, specifically with respect to immigration enforcement agreements. Elected Sheriffs and County Executives are directly accountable to their constituents. As such, they must be empowered to make decisions based on the specific needs and priorities of their communities. Local governments must retain the flexibility to govern and address public safety matters effectively and in a way that is most appropriate for the unique circumstances of their jurisdictions.

The bill's language would prohibit local law enforcement agencies and governments from entering into new and maintaining established immigration enforcement agreements. This undermines the ability of local authorities to respond to public safety challenges in a manner that reflects the needs of their community and does not recognize the varying public safety concerns across Maryland counties.

MCAA urges amendment to redact language prohibiting new immigration enforcement agreements and the termination of existing ones, as it undermines local authority and flexibility in addressing community-specific public safety concerns.

MCAA applauds the General Assembly's recognition that mandating 48-hour detentions of covered individuals is the best interest of the individual, federal authorities, local law enforcement, and the broader community. A 48-hour detention gives federal authorities adequate time to prioritize and plan for the transfer of the individual, in a secure and manageable environment, avoiding unpredictable and potentially dangerous outcomes that could arise from apprehensions conducted in public spaces.

To further prevent the potential release of dangerous individuals back into the community, we recommend modifying the definition of "Covered Individual" to include individuals charged with any jailable offense and those with an existing immigration detainer issued by U.S. Immigration and Customs Enforcement (ICE). The addition of these amendments takes into account the rapid nature of pre-trial release as well as crimes of violence unknown to local authorities. It also avoids varying legal interpretations of immigration detainer authority that could be contrary to the spirit of the bill's 48-hour detention mandate.

The proposed amendments address the unique public safety needs and protects local agencies and governments from liability for a potential violation of an individual's constitutional rights. Accordingly, MCAA urges a **FAVORABLE WITH AMENDMENTS** report on **HB 1222**.