



CASA Testimony in SUPPORT of House Bill 1431

State and Local Agencies - Enforcement of Federal Immigration Law - Restrictions on Access to
Information (Maryland Data Privacy Act)
House Judiciary Committee

February 19, 2025

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

CASA strongly supports House Bill 1431, the Maryland Data Privacy Act. CASA is a national powerhouse organization building power and improving the quality of life in working-class: Black, Latino/a/e, Afro-descendent, Indigenous, and Immigrant communities.

With a membership of over 173,000 members, CASA creates change with its power-building model, blending human services, community organizing, and advocacy to serve the full spectrum of the needs, dreams, and aspirations of members. For nearly forty years, CASA has employed grassroots community organizing and by ensuring that families can access essential public benefits that provide basic necessities.

The Maryland Data Privacy Act is a critical safeguard that builds on the progress made with the Driver Privacy Act of 2021 and addresses the gaps that still leave Marylanders vulnerable to warrantless surveillance and data exploitation. It is essential that Maryland fully closes the loopholes that have enabled federal immigration enforcement to misuse state-collected data, undermining public trust and exposing our communities to harm.

For years, Maryland has worked to ensure that all residents—regardless of immigration status—can safely engage with government services. However, ICE’s warrantless access to state agency data has eroded public trust, making entire communities, including U.S. citizens, DACA recipients, lawful permanent residents (LPRs), and asylum seekers, fearful of engaging with essential services. The chilling effect of ICE’s data exploitation means that many families feel forced to live in the shadows, afraid to seek healthcare, enroll their children in school, or even report crimes to local law enforcement. This bill is critical to rebuilding that trust by ensuring that Maryland does not participate in the unjust targeting of its residents.

HB1431 Builds on the Driver Privacy Act of 2021

In 2021, this legislature took a bold and necessary step by passing the Driver Privacy Act, which

restricted ICE's ability to access Motor Vehicle Administration (MVA) data without a warrant. That law was a direct response to reports of ICE agents misusing MVA records to target, detain, and deport Marylanders—many of whom had obtained driver's licenses in good faith, trusting the state's promise of safety and privacy under the Maryland Highway Safety Act of 2013. ICE targeted several CASA members through its use of the MVA database.

That bill successfully set a precedent by limiting ICE's ability to exploit Maryland's systems, but it did not go far enough. ICE and other federal immigration enforcement agencies continue to bypass these protections by purchasing personal data from third-party brokers and exploiting loopholes in data-sharing agreements with state agencies.

ICE's Data Exploitation Erodes Public Trust in Government Services

When Maryland residents interact with state agencies—whether to file taxes, seek medical care, report crimes, or access education and labor protections—they should not have to fear that their personal information will be misused by federal immigration authorities. **Allowing ICE unrestricted access to state-collected data undermines public trust and has a chilling effect on our entire community, discouraging people from engaging with critical government services that benefit all Marylanders.**

For example, immigrant families—including U.S. citizen children—may avoid Medicaid or public health services out of fear that their personal information will be used against them. This leads to lower vaccination rates, more untreated illnesses, and increased strain on emergency rooms. Similarly, workers fear reporting labor violations or unsafe conditions, emboldening bad actors who exploit immigrants for cheap labor, which drives down wages and protections for all workers. Even public safety is undermined when immigrants hesitate to call 911, report crimes, or cooperate with law enforcement, making our communities less safe for everyone. We see this in practice every day through the various CASA services we provide to immigrant families across Maryland.

The harm does not just fall on undocumented Marylanders—it extends to U.S. citizens, DACA recipients, TPS holders, lawful permanent residents, and mixed-status families who fear that any interaction with state agencies could put a loved one at risk. This fear-based deterrence has widespread economic and social consequences, pushing families deeper into poverty, worsening health disparities, and eroding trust in government institutions.

HB1431 Builds Public Trust

House Bill 1431 ensures that all Marylanders—regardless of immigration status—can safely

engage with government services without fear of warrantless surveillance. Specifically, this bill:

- Stops ICE from accessing Marylanders' data without a valid warrant, ensuring due process protections are upheld.
- Prohibits the sale of personal data to third-party brokers, closing a loophole that federal agencies have exploited to circumvent constitutional safeguards.
- Mandates transparency and oversight, requiring state agencies to report how often federal immigration authorities request personal data and how many individuals are affected.

To be clear, HB 1431 does *not* prevent law enforcement from investigating crimes, sharing data when legally required, or complying with federal mandates. The bill simply ensures that federal agencies follow the same due process requirements that apply to any other law enforcement action. This is about fairness, constitutional rights, and protecting Marylanders from government overreach.

Maryland has already taken steps to protect its residents from warrantless federal surveillance, but loopholes remain that leave thousands of Maryland families vulnerable. The Driver Privacy Act of 2021 was a crucial first step, but the job is not finished. ICE and other federal agencies continue to exploit weak data privacy protections to target Marylanders without judicial oversight.

For all the reasons listed above, CASA urges a favorable report on House Bill 1431.

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