

February , 2025

Testimony on HB 1431
State and Local Agencies - Enforcement of Federal Immigration Law - Restrictions on Access to
Information (Maryland Data Privacy Act)
Judiciary Committee

Position: Favorable

Common Cause Maryland supports HB 1431, which would establish protections for sensitive information as Marylanders, specifically members of immigrant communities, access critical government services. This legislation blocks the U.S. Immigration and Customs Enforcement (ICE) from obtaining warrantless access to state and local agency databases during a time when the Trump administration is leading a mass deportation campaign meant to break up families, violate people's civil rights, and terrorize entire communities out of taking part in civic life.

Common Cause Maryland believes that immigrants are integral to this nation's foundation and success, contributing to its standing as the longest-lasting and most successful democracy in history. Yet, by forcing immigrants into the shadows, the Trump administration threatens to undermine the multiracial democracy and safe, thriving neighborhoods we all deserve. Disclosure of these individuals' personal information only helps the Administration accomplish its goals in Maryland.

In recent years, the erosion of data privacy protections has led to increased fear and uncertainty within immigrant communities. The Maryland Data Privacy Act (HB 1431) takes critical steps to restore trust by ensuring that state and local agencies and law enforcement entities are prohibited from sharing personal information, facial recognition data, and access to public facilities with federal immigration authorities without a valid warrant. Common Cause Maryland stands with immigrant communities and supports HB 1431 because it will:

- **Limit Access to Databases and Facilities:** Law enforcement agencies and state or local government units must deny access to sensitive data and facilities to individuals seeking to enforce federal immigration law without a valid court-issued warrant.
- **Protect Personal Information:** The Act prohibits the disclosure of personal data, photographs, and biometric information, such as facial recognition scans, to federal immigration authorities unless due legal processes are followed.
- **Provide Accountability and Transparency:** Agencies must maintain records of all access requests and submit annual reports to the Attorney General and the General Assembly to ensure compliance and transparency.
- **Ensure Enforcement and Penalties:** The Attorney General is empowered to enforce these protections, with civil penalties for violations and disciplinary actions for state employees who fail to comply.

These protections will help to limit potential raids that will silence voices not only at the ballot box but also in our own neighborhoods, which hurts all Marylanders. We all lose when members of our communities are too afraid to engage with the government, hold elected officials accountable, and access the services they need.

This legislation is crucial not only for protecting the privacy of all residents but also for fostering trust between immigrant communities and public institutions. Immigrants have made this country the oldest and most successful democracy, and we should ensure that this continues by clearly delineating the boundaries of federal immigration enforcement within our state.

We urge a favorable report on HB 1431.

