

NDWA DMV Chapter Data Protection SB977 Senate (1).

Uploaded by: Allison Yunda

Position: FAV



Testimony in SUPPORT of SB 977

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

Senate Judiciary Proceedings Committee

March 24, 2025

SB: Dear Honorable Chair Smith, Vice Chair Waldstreicher, and Members of the Committee,

The National Domestic Workers Alliance is pleased to offer **a favorable testimony in strong support of SB 977- State and Local Agencies - Enforcement of Federal Immigration Law - Restrictions on Access to Information (Maryland Data Privacy Act).**

The National Domestic Workers Alliance (NDWA) works to win the respect, recognition, and labor rights of the nearly 2.5 million domestic workers—nannies, house cleaners, and homecare workers—who play a crucial role in caring for our families and homes. Domestic workers perform vital tasks that enable all other work to happen. They are the caregivers who look after our children, the cleaners who maintain our homes, and the care providers who help our loved ones live with dignity and independence. While the National Domestic Workers Alliance is a national organization, our DMV chapter is a local, membership-based organization covering the geographical area of Washington DC, Maryland, and Virginia.

Most domestic workers are at the heart of some of the nation's most significant issues due to their identities and roles: they are primarily women—many of whom are women of color, immigrants, mothers, and low-wage earners. Their lives are directly impacted by policies that shape the future of our economy, democracy, and society. And unfortunately, right now, many domestic workers are facing uncertainty and fear due to the federal attacks on immigrant communities.

We are hearing from many of our immigrant members in Maryland that they are living in fear daily. Many of our members have lived here for multiple decades without a path to a legal status. They have had children that were born in this country, they have taken care of other families through their professions- yet, now they feel more vulnerable than ever due to their immigration statuses.

In recent years, the erosion of data privacy protections has led to increased fear and uncertainty within immigrant communities. The Maryland Data Privacy Act **SB 977** takes critical steps to restore trust by ensuring that state and local agencies, as well as law enforcement entities, are prohibited from sharing personal information, facial recognition data, and access to public facilities with federal immigration authorities unless a valid warrant is presented.

If state and local agencies have the protections to safeguard sensitive data from ICE, our members will feel a bit of peace in our state where many of them have lived and contributed to for decades.

NDWA DMV Chapter stands with immigrant communities and supports the Maryland Data Privacy Act

because it will:

1. **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.
2. **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.
3. **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.
4. **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.

This legislation is crucial not only for protecting the privacy of all Maryland residents but also for fostering trust between immigrant communities and public institutions. By clearly delineating the boundaries of federal immigration enforcement within our state, we promote the values of dignity, safety, and fairness.

In 2021, this legislature took action to protect immigrants and safeguard their sensitive data. **NDWA DMV Chapter** once again calls on this legislature to act.

NDWA DMV Chapter **urges the committee to provide a favorable report on SB 977.**

data privacy act sb977 testimony.pdf

Uploaded by: Andrea Miotto

Position: FAV

Testimony in SUPPORT of SB977/HB1431 Maryland Data Privacy Act
Senate Judiciary Proceedings Committee and House Judiciary Committee
February 19, 2025

Dear Chair Smith, Vice Chair Waldstreicher, Chair Clippinger, Vice Chair Bartlett and Members of the Committees,

I strongly **SUPPORT SB977/HB1431 Maryland Data Privacy Act**. For 10 years, I worked as a chaplain at hospitals, nursing homes, and hospice care providers. I worked with elderly, sick, and dying people and their families in the DC/Baltimore metropolitan area and in small towns and rural areas in Pennsylvania. Many of the families I worked with were immigrants and refugees from around the world, and many were coping with severe vulnerabilities in addition to being sick: they were often seeking employment, working to learn English, and struggling to deal with gigantic medical expenses. Frequently, our patients and their loved ones had endured trauma in their home countries in the form of political repression, imprisonment, famine, harassment because of their religion or ethnicity, gang violence and assault, rape, and even torture.

Regardless of their immigration status, many of my patients had fear or anxiety regarding sharing personal information and interacting with authority figures because of these traumatic experiences. It is not easy to trust police or judges, and even medical professionals, after a lifetime of experiences with corrupt, violent, unjust, or bigoted systems. Immigrants frequently fear being exploited, cheated, or trapped by authorities because they do not speak the language. As a member of the clergy, clients who were immigrants often disclosed to me, and asked for prayer and comfort regarding, crimes that had befallen them. I have heard clients share about being victims of rape, armed robbery, assault, domestic violence, and other terrible crimes. It was often difficult to persuade them to report these crimes. Now that immigrants are being openly and aggressively targeted by the Department of the Homeland Security and law enforcement, as directed by the current presidential administration, their fear of being investigated themselves by the police has increased exponentially. Now they are often afraid just to come to hospitals and clinics for care they desperately need, even for their children. Health care professionals are having a much tougher time convincing their immigrant patients both to seek health care and to report crimes, because they might be picked up by ICE there, or their data shared. More communicable diseases are being left untreated, more criminals are remaining on the streets, and all Marylanders are less healthy and less safe.

In 2010, I worked as an enumerator for the U.S. Census Bureau. At that time, many respondents I sought to interview who were immigrants refused to talk to me or were very reluctant. This is because of the fears of authority figures I mentioned earlier, and concerns that data would be used against them. Without this bill to reassure and protect people who are immigrants and refugees, they will be even less likely to participate in the next Census, making it even less accurate than 2010 or 2020. As a result, Maryland as a whole will suffer because it will receive less representation and less funding.

Another motivation for me to support the passage of this bill is my faith as a Quaker (Religious Society of Friends). I am a member of Patapsco Friends Meeting in District 9A. Our values, which we call testimonies, include equality, community, integrity and peace. Hunting down immigrants using private data given to schools, hospitals, food security services and asylum courts violates the testimonies of community and integrity, because it tears at the bonds of common humanity which bind all people. It violates the testimony of equality because it creates a separate set of law enforcement rules and standards for one segment of our society. Finally, this practice violates the peace testimony because it divides communities and sets individuals and families against each other, creating conflict and destroying peace.

There is a reason people want to come to the United States: They seek safety, fairness, justice, compassion, and opportunity. I hope we can continue to be a place where people know they can find these principles here. **I urge the committee to provide a favorable report on SB977/HB1431 Maryland Data Privacy Act.**

Andrea Miotto, District 43A

SB977_Judiciary_AndrewMiller_FAV.pdf

Uploaded by: Andrew Miller

Position: FAV

March 26, 2025

Andrew J. Miller

Baltimore, MD 21209

Testimony on SB 977- POSITION: FAVORABLE

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

TO: Chair Clippinger, Vice Chair Bartlett, and Members of the Judiciary Committee

My name is Andrew Miller. I am a resident of District 11B, Chair of the Social Justice Advocacy Committee at Chizuk Amuno Congregation in Stevenson, MD, and Chair of the Synagogue Social Justice Roundtable, which has representatives from synagogue communities in Baltimore City, Baltimore County, and Howard County. I am submitting this testimony in support of SB 977.

Our sacred texts command us to love the stranger, as we ourselves were once strangers in the land of Egypt, and many of our families came to the United States to escape persecution. For me and for many in my community, protection of immigrants is therefore a sacred obligation. For the last several years our congregation and others have worked in support of Afghan refugee families fleeing the Taliban by providing direct support with the help of refugee relief organizations working in collaboration with the federal government. That collaboration has now been terminated.

Many of us have also worked over the last 8 years, together with immigrant support organizations, to protect the rights of other immigrants who arrived in our country to take refuge from oppressive conditions elsewhere in the world. The new federal administration is now working to undermine the asylum system and to deport millions of undocumented immigrants and is planning to remove existing protections for immigrants with legal protected status. Immigrants are important contributors to our economy and to our communities here in Maryland, where they make up 17% of the population. They are not criminals. But many are now living in fear that they will be accosted at their places of work, at hospitals, schools, houses of worship, and in courthouses, and that their families could be separated as has already started to happen. I wrote testimony on behalf of this bill earlier in this session. **Since that time, the concerns I express here have become even more dire as ICE proceeds to violate constitutional rights and mistreat people who are rounded up and deported without due process. Maryland must stand strong to protect rights that are being trampled on by the Federal government.**

In recent years, the erosion of data privacy protections has led to increased fear and uncertainty within immigrant communities. The Maryland Data Privacy Act **SB 977** takes critical steps to restore trust by ensuring that state and local agencies, as well as law enforcement entities, are prohibited from sharing

personal information, facial recognition data, and access to public facilities with federal immigration authorities unless a valid warrant is presented.

I stand with immigrant communities and support the Maryland Data Privacy Act because it will:

1. **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.
2. **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.
3. **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.
4. **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.

This legislation is crucial not only for protecting the privacy of all Maryland residents but also for fostering trust between immigrant communities and public institutions. By clearly delineating the boundaries of federal immigration enforcement within our state, we promote the values of dignity, safety, and fairness.

I therefore urge the committee to provide a favorable report on SB 977/HB 1431.

Senate testimony data privacy.pdf

Uploaded by: Anna Preston

Position: FAV

March 24, 2025

Testimony in Support of Senate Bill SB0977:

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

To the Honorable Chair Clippinger, Vice Chair Bartlett, and Members of the House Judicial Proceedings Committee,

My name is Anna Preston, and I am writing to express my strong support for Senate Bill 0977. I am a medical doctor currently in residency here in Maryland. In my clinical work, I have the privilege of treating and getting to know patients of all ages, from all walks of life. Through all my clinical encounters, the ability to guarantee the privacy and security of the clinical space has been paramount to my ability to earn patient trust and practice good medicine.

The right to privacy is a foundational principle of our democracy and of healthcare. Health records are among the most personal and sensitive documents a person can possess, and laws and regulations that protect this information, including the Health Insurance Portability and Accountability Act (HIPAA), ensure individuals can seek medical care without the fear that their private information will be used against them.

However, in the current political climate, the threat of data privacy violations looms large, as does growing public concern that immigration agents may use health records to target, detain, or deport individuals based on their immigration status. This creates a chilling effect on individuals seeking necessary care, leading to delays in treatment, refusal of care, or avoidance of healthcare facilities altogether. It undermines the trust between patients and healthcare providers, which is essential to the provision of effective medical care.

The promise of privacy emboldens my patients to share sensitive symptoms that lead to a lifesaving diagnostic workup, to disclose social needs that then be acted upon, or to share stigmatized health information, such as alcohol use, that helps me better understand their health risks and overall wellness. This bill is a crucial step in protecting the privacy and dignity of *all* residents, particularly immigrant communities, who have the right to seek healthcare without fear of discrimination, detention, or deportation.

What's more, in a world of exploding data generation and access, it is imperative to have checks and regulations in place regarding the use of that data by individuals in power. This bill would ensure that sensitive health records are only accessible by law enforcement officers with a valid, specific warrant, providing essential safeguards against abuse. By preventing immigration agents from accessing these records without clear legal cause, this bill upholds the rights of individuals

to receive healthcare in an environment free from the fear of government overreach. It affirms that healthcare access should not be compromised by concerns about one's immigration status.

This bill is not only a matter of privacy; it is a matter of public health. Fear of deportation or detention should never deter individuals from seeking the medical care they need. When people avoid healthcare, it not only harms them but also jeopardizes the health of entire communities. Preventing immigration agents from accessing health records without proper legal procedures ensures that all individuals can seek medical care without fear, improving public health and fostering trust between healthcare providers and the communities they serve.

I urge you to support Senate Bill 0977 and stand in defense of privacy, fairness, and public health. By doing so, you will set a precedent of data security for all Marylanders and send a strong message that our state values the dignity of every person and prioritizes the health and safety of all its residents.

Thank you for your time and consideration.

Sincerely,

Anna Preston, MD, MPH
(860) 707-0867
annapreston49@gmail.com

SB977_Ann Rubin_FAV.pdf

Uploaded by: ANNA RUBIN

Position: FAV

Testimony in SUPPORT of SB 977

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

House Judiciary Committee

March 24, 2025

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

The Columbia Jewish Congregation (CJC) is pleased to offer **a favorable testimony in strong support of SB 977 State and Local Agencies - Enforcement of Federal Immigration Law - Restrictions on Access to Information (Maryland Data Privacy Act).**

The Social Justice Committee of CJC of which I am chair has supported immigrant rights since the 1980s, specifically the Soviet Jewry cause. Since the first Trump presidency, our committee has been very involved with other civic organizations and interfaith efforts to help our immigrant neighbors, many of whom have fled intolerable conditions in their home countries, as my father did over 100 years ago. In recent years, the erosion of data privacy protections has led to increased fear and uncertainty within immigrant communities. The Maryland Data Privacy Act (SB 977) takes critical steps to restore trust by ensuring that state and local agencies, as well as law enforcement entities and third-party data brokers, are prohibited from sharing personal information with governmental entities for the purposes of immigration enforcement unless a valid warrant is presented.

SB 977 provides critical safeguards against loopholes that entities can take advantage of to obtain personal immigration for the purposes of immigration enforcement. Data brokers hold tremendously detailed information about virtually every person in the country, including information about people's addresses, financial transactions, relationships, and detailed location from tracking people's phones and cars. This legislation is crucial not only for protecting the privacy of all Maryland residents but also for fostering trust between immigrant communities and public institutions.

By clearly delineating the boundaries of federal immigration enforcement within our state, we promote the values of dignity, safety, and fairness. In 2021, this legislature took action to protect immigrants and safeguard their sensitive data with the passage of the Driver Privacy Act, it did so again in 2024 with the passage of the Maryland Data Privacy Act (2024).¹² I once again call on this legislature to act to protect Marylander's data by providing a favorable report on SB 977.

Sincerely,

Dr. Anna Rubin, Chair Social Justice Committee, Columbia Jewish Congregation

¹ 2024 [Legislation - HB0567](#), [Legislation - SB0541](#)

² 2021, [Legislation - HB0023](#)

Support- Jud- SB 977- MD Data Privacy Act - Undocu

Uploaded by: Ashley Egan

Position: FAV



Unitarian Universalist Legislative Ministry of Maryland

Testimony to Support - SB 977- State and Local Agencies - Enforcement of Federal Immigration Law - Restrictions on Access to Information (Maryland Data Privacy Act).

To: Delegate Luke Clippinger, Chair, and Members of the Judiciary Committee
From: Jim Caldiero, Immigration Lead Advocate,
Unitarian Universalist Legislative Ministry of Maryland
Date: March 26, 2025

Dear Delegate Clippinger and members of the Judiciary Committee, thank you for the opportunity to offer testimony IN SUPPORT OF **SB 977- State and Local Agencies - Enforcement of Federal Immigration Law - Restrictions on Access to Information (Maryland Data Privacy Act)**.

In recent years, the erosion of data privacy protections has led to increased fear and uncertainty within immigrant communities. The Maryland Data Privacy Act SB 977 /HB 1431 takes critical steps to restore trust by ensuring that state and local agencies, as well as law enforcement entities, are prohibited from sharing personal information, facial recognition data, and access to public facilities with federal immigration authorities unless a valid warrant is presented.

The Unitarian Universalist Legislative Ministry of Maryland stands with immigrant communities and supports the Maryland Data Privacy Act because it will:

1. **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.
2. **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.
3. **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.
4. **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.

This legislation is crucial not only for protecting the privacy of all Maryland residents but also for fostering trust between immigrant communities and public institutions. By clearly delineating the boundaries of information sharing with federal immigration enforcement, we promote our values of dignity, safety, and fairness.

In 2021, this legislature took action to protect immigrants and safeguard their sensitive data. The Unitarian Universalist Legislative Ministry of Maryland once again calls on this legislature to act.¹

My faith, which I share with more than 4000 Unitarian Universalists across the state, calls me to promote and affirm justice, equity and compassion in human relations, a value that is inherent in protecting the right of privacy and to be secure from unwarranted intrusions and searches as stated in Article 46 of the Maryland Declaration of Rights.

I encourage the committee to provide a favorable report on SB 977/HB 1431.

Thank you.

Jim Caldiero

4128 Lotus Circle,
Ellicott City, MD 21043,
cell: 443-520-1568

¹ 2021, MGA HB 23

Support- Judiciary- SB 977- MD Data Privacy Act -

Uploaded by: Ashley Egan

Position: FAV

**Testimony to Support -
SB 977- State and Local Agencies - Enforcement of Federal Immigration Law -
Restrictions on Access to Information (Maryland Data Privacy Act).**

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

I would like to offer a favorable testimony in strong support of SB 977– State and Local Agencies - Enforcement of Federal Immigration Law - Restrictions on Access to Information (Maryland Data Privacy Act).

In my last 15 years of professional life, I worked in direct services to the Latino/-a population in Southeast Baltimore. People I worked with felt safe coming to our facilities as well as to their school-age children's schools and to health facilities in Baltimore. We did not ask their immigration status, as our goal was to help them raise healthy, educated children. However, in recent years, the erosion of data privacy protections has led to increased fear and uncertainty within immigrant communities.

The Maryland Data Privacy Act SB 977 /HB 1431 takes critical steps to restore trust by ensuring that state and local agencies, as well as law enforcement entities, are prohibited from sharing personal information, facial recognition data, and access to public facilities with federal immigration authorities unless a valid warrant is presented. this will help our neighbors feel safe in utilizing the services their families need.

Thank you.

Marilyn Carlisle
Senate District 43

SB0977 - Maryland Data Privacy Act crossover_BH.pd

Uploaded by: Barbara Hauck

Position: FAV

Dear **Members of the Judiciary Committee,**

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with CASA de Maryland. I am a resident of District 45. I am a voter, homeowner, and active community member. **I am testifying in support of SB0977, the Maryland Data Privacy Act.**



Showing Up for Racial Justice

President Trump's cruel attack on immigrants has already begun, and it is incumbent upon Maryland to protect the people that he is dedicated to demonizing: our friends, our neighbors, hard-working people who help build our communities and don't deserve to live in fear. Federal immigration authorities have a history of abusing state-held databases containing personal information in order to help them target immigrants: after Maryland allowed undocumented immigrants to apply for driver's licenses in 2013, ICE began using MVA data in this way. In 2021, the General Assembly passed the Driver Privacy Act over the governor's veto to shut down this tactic. However, many other agencies in Maryland maintain databases of personal information that can include immigrants, and those databases are still open to ICE scrutiny. With the federal government on a mission to imprison as many immigrants as possible, we must act to close this loophole in our data privacy.

SB0977 would ban all Maryland state and local government agencies from sharing access to their databases of sensitive personal information, or information taken from those databases, with federal immigration authorities unless those authorities have a real warrant, signed by a judge, authorizing their access to private information. In addition, SB0977 seeks to fight back against the president's revocation of the "sensitive locations" policy by requiring government agencies to deny access to their buildings and facilities to immigration authorities unless they have a warrant signed by a judge. While this does not provide complete protection to people attempting to access resources and services, it at least makes it more difficult for ICE to target local and state government facilities for raids/general enforcement actions.

The law does not require us to freely lend the federal government our resources to help President Trump conduct his anti-immigrant campaign. We must stand up for our friends and neighbors by refusing to be complicit. It is for these reasons that I am encouraging you to vote **in support of SB0977, the Maryland Data Privacy Act.**

Thank you for your time, service, and consideration.

Sincerely,

Barbara Hauck

3420 Harford Road

Baltimore, MD 21218

Showing Up for Racial Justice Baltimore

SB977-EPIC-FAV-Mar2025.pdf

Uploaded by: Caitriona Fitzgerald

Position: FAV

March 24, 2025

Delegate Luke Clippinger, Chair
Delegate J. Sandy Bartlett, Vice Chair
House Judiciary Committee
Maryland General Assembly

Re: Testimony of EPIC on SB 977 (FAV)

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

EPIC writes to urge you to advance SB 977, a bill that would require sensible restrictions on access to Marylanders' information for the purpose of enforcing federal immigration law. Now, more than ever, there is a need to ensure Marylanders' information is protected from federal phishing expeditions and that federal access to their information is transparent and restricted to what is necessary and proper.

The Electronic Privacy Information Center (EPIC) is a public interest research center established in 1994 to focus public attention on emerging privacy and civil liberties issues.¹ EPIC has long advocated for proper limits and restrictions on access and disclosure of information held by government agencies.²

SB 977 builds on existing Maryland law, which already restricts the disclosure of driver's license information to federal immigration enforcement agencies.³ This bill would extend protections to all of Marylanders' information held by Maryland state agencies and create consistency with how state agencies address requests from federal immigration enforcement agencies. SB 977 is built on several important aspects of privacy:

- **Transparency:** SB 977 requires an annual report to detail the number and nature of the requests as well as whether the requests were granted or denied, ensuring Marylanders know who is attempting to access their information and why.
- **Authority:** SB 977 only grants the authority to access Marylander's information for the purpose of enforcing federal immigration law when a valid warrant is presented, ensuring that there is a good reason to access the information and preventing phishing expeditions.

¹ EPIC, *About EPIC*, <https://epic.org/about/>.

² See e.g. Press Release, EPIC, *EPIC, Democracy Forward, and Federal Worker Sue DOGE for Illegal Seizure of Personal Data From Treasury, Personnel Systems* (Feb. 10, 2025), <https://epic.org/press-release-epic-democracy-forward-and-federal-worker-sue-doge-for-illegal-seizure-of-personal-data-from-treasury-personnel-systems/>; EPIC, *EPIC v. Commerce (Census Privacy)*, <https://epic.org/documents/epic-v-commerce-census-privacy/>; EPIC, *EPIC v. Presidential Election Commission*, <https://epic.org/documents/epic-v-presidential-election-commission/>.

³ Maryland Driver Privacy Act, <https://mgaleg.maryland.gov/mgaweb/Legislation/Details/HB0023?ys=2021RS>.

- **Specification:** SB 977 requires any individual seeking access to Marylanders' information for the purpose of enforcing federal immigration law to specify the record to be accessed.
- **Accountability:** SB 977 not only requires a warrant for federal immigration law enforcement but also requires individuals seeking access for other purposes to provide a statement, under penalty of perjury, that they are not seeking access to enforce federal immigration law.
- **Enforcement:** SB 977 makes clear there will be consequences for violations, including loss of employment, and empowers the state Attorney General to enforce the requirements of the bill with civil penalties.

To help accomplish these goals, SB 977 rightfully addresses downstream retention of data from state agencies by data brokers. Thousands of data brokers in the United States buy, aggregate, disclose, and sell billions of data elements on Americans with virtually no oversight. Data brokers collect and aggregate many types of personal information: names, addresses, telephone numbers, e-mail addresses, gender, age, marital status, children, education, profession, income, political preferences, religion, sexual orientation, race, ethnicity, and cars and real estate owned. For these companies, consumers are the product, not the customer. This data could be used to target immigrants for deportation.⁴

Data brokers obtain our personal information from a myriad of sources including public records, jail records, utilities data, commercial records, housing records, and more. Data brokers have a history of providing federal immigration officials with the exact types of data that this bill is seeking to ensure proper legal process to obtain.⁵ Federal immigration officials should not be able to do a run-around this law, the Fourth Amendment, or Article 26 of the Maryland Declaration of Rights by obtaining (without legal process) the personal data of your constituents from a data broker.

We urge the Committee to advance SB 977 and provide Marylanders with meaningful privacy protections from unwarranted access to their information. SB 977 ensures Marylanders are not afraid to interact with their state government. Whether information is provided to file state taxes or to come forward as a witness to a crime, Marylanders must know that their state government will protect their information and be good stewards of the data they collect.

Sincerely,

Caitriona M. Fitzgerald

Caitriona Fitzgerald
EPIC Deputy Director

Jeramie D. Scott

Jeramie D. Scott
EPIC Senior Counsel

⁴ EPIC and Just Futures Law, *How Data Brokers Harm Immigrants*, <https://epic.org/wp-content/uploads/2024/10/Data-Broker-Harms-to-Immigrants-One-Pager-1.pdf>.

⁵ See e.g. Mijente and Just Futures Law, *How Data Brokers Assist ICE in Cook County*, <https://static1.squarespace.com/static/62c3198c117dd661bd99eb3a/t/65283e83622fff1ee8837590/1697136260425/Final+Cook+County+Fact+Sheet+and+Graphic+2.pdf>; Just Futures Law and Mijente, *The Data Broker to Deportation Pipeline: How Thomson Reuters & LexisNexis Share Utility & Commercial Data with ICE*, <https://static1.squarespace.com/static/62c3198c117dd661bd99eb3a/t/62df020189b0681d1b9398a8/1658782211567/Commercial+and+Utility+Data+Report.pdf>.

CarolStern_SB977_FAV.pdf

Uploaded by: CAROL STERN

Position: FAV

March 24, 2025

**Carol Stern
4550 North Park Avenue, Apt T106
Chevy Chase, Maryland 20815**

TESTIMONY ON - FAVORABLE SB 977

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

TO: Chair Clippinger and Vice Chair Bartlett and members of the Judiciary Committee

FROM: Carol Stern

My name is Carol Stern, and I am testifying in favor of, as a resident of Montgomery County's District 16 and a member of Adat Shalom Reconstructionist Congregation in Bethesda.

My sacred text and tradition teach us to welcome the stranger, for we were strangers in the land of Egypt. Leviticus 19:34 explicitly instructs us to treat the immigrant in our land the same as native citizens. Rabbi Mordecai Kaplan wrote "teach us to respect the integrity of every human soul be it that of a friend or stranger, child or adult." When we are working to reform our immigration justice system, we must demand that it operates in accordance with these deeply held Jewish beliefs.

In recent years, the erosion of data privacy protections has led to increased fear and uncertainty within immigrant communities. The Maryland Data Privacy Act (SB 977) takes critical steps to restore trust by ensuring that state and local agencies, as well as law enforcement entities and third-party data brokers, are prohibited from sharing personal information with governmental entities for the purposes of immigration enforcement unless a valid warrant is presented.

SB 977 provides critical safeguards against loopholes that entities can take advantage of to obtain personal information for the purposes of immigration enforcement. Data brokers hold tremendously detailed information about virtually every person in the country, including information about people's addresses, financial transactions, relationships, and detailed location from tracking people's phones and cars. Data brokers are largely unregulated and aggregate and make all of this sensitive information available for purchase. Immigration authorities are able to simply buy it without any court oversight or transparency, circumventing due process and accountability. For example, researchers have uncovered ICE's purchase of detailed cell phone location information and phone, water, electricity, and other utility records.¹

The State of Maryland must take a stand and do everything it can to protect our immigrant residents, who pay taxes, work hard for our communities, and are a vibrant part of our society. **I respectfully urge this committee to return a favorable report on SB977.**

¹ [New Records Detail DHS Purchase and Use of Vast Quantities of Cell Phone Location Data | ACLU](#)

SB0977 State and Local Agencies - Enforcement of F

Uploaded by: Cecilia Plante

Position: FAV



TESTIMONY FOR SB0977

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

Bill Sponsor: Senator Lam

Committee: Judiciary

Organization Submitting: Maryland Legislative

Coalition Person Submitting: Aileen Alex, co-chair

Position: FAVORABLE

I am submitting this testimony in favor of SB0977 on behalf of the Maryland Legislative Coalition. The Maryland Legislative Coalition is an association of activists - individuals and grassroots groups in every district in the state. We are unpaid citizen lobbyists, and our Coalition supports well over 30,000 members.

Our members are appalled at the prospect of federal immigration authorities' unauthorized access and misuse of personal data collected by our state and local agencies and paid for by our tax dollars. This bill aims to protect the privacy of Maryland residents by restricting state and local agencies from providing access to databases, facilities, or buildings to individuals seeking to enforce federal immigration law without proper legal authorization. The bill seeks to ensure that personal data is not used for federal immigration enforcement without a valid warrant issued by a federal or state court.

SB0977 mandates that state and local agencies deny access to personal information and photographs unless presented with a valid warrant issued by a federal or state court. It requires the Attorney General to enforce these provisions and outlines disciplinary actions for state employees who violate the act. The bill also prohibits the use of facial recognition technology by state or local agencies for federal immigration enforcement purposes without proper legal authorization.

By limiting access to personal data, the bill helps prevent the potential misuse of information and protects residents from unwarranted federal immigration enforcement actions. This is particularly significant for our immigrant communities, as it provides an additional layer of protection and promotes trust in state and local agencies. The bill ensures that personal data remains safeguarded, fostering a sense of security and privacy for all Maryland residents. By upholding these principles, SB0977 aligns with Maryland's commitment to protecting the rights and dignity of its residents.

The Maryland Legislative Coalition steadfastly supports this bill and similar initiatives that protect all Marylanders' privacy and security.

SB0977 - Maryland Data Privacy Act crossover.docx.

Uploaded by: Christina Nemphos

Position: FAV

Dear **Members of the Judiciary Committee**,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with CASA de Maryland. I am a resident of District 40. **I am testifying in support of SB0977, the Maryland Data Privacy Act.**



Showing Up for Racial Justice

President Trump's cruel attack on immigrants has already begun, and it is incumbent upon Maryland to protect the people that he is dedicated to demonizing: our friends, our neighbors, hard-working people who help build our communities and don't deserve to live in fear. Federal immigration authorities have a history of abusing state-held databases containing personal information in order to help them target immigrants: after Maryland allowed undocumented immigrants to apply for driver's licenses in 2013, ICE began using MVA data in this way. In 2021, the General Assembly passed the Driver Privacy Act over the governor's veto to shut down this tactic. However, many other agencies in Maryland maintain databases of personal information that can include immigrants, and those databases are still open to ICE scrutiny. **With the federal government on a mission to imprison as many immigrants as possible, we must act to close this loophole in our data privacy.**

SB0977 would ban all Maryland state and local government agencies from sharing access to their databases of sensitive personal information, or information taken from those databases, with federal immigration authorities unless those authorities have a **real warrant, signed by a judge**, authorizing their access to private information. In addition, SB0977 seeks to fight back against the president's revocation of the "sensitive locations" policy by requiring government agencies to deny access to their buildings and facilities to immigration authorities unless they have a warrant signed by a judge. While this does not provide complete protection to people attempting to access resources and services, it at least makes it more difficult for ICE to target local and state government facilities for raids/general enforcement actions.

The law does not require us to freely lend the federal government our resources to help President Trump conduct his anti-immigrant campaign. **We must stand up for our friends and neighbors -- people that came to this country looking to improve their lives, people that contribute to the functioning of society and make positive contributions to our communities everyday -- by refusing to be complicit.** It is for these reasons that I am encouraging you to vote **in support of SB0977, the Maryland Data Privacy Act.**

Thank you for your time, service, and consideration.

Sincerely,
Christina Bell
1301 W 42nd St
Baltimore, Md 21211
Showing Up for Racial Justice Baltimore

SEIU Local 500 Testimony in Support of SB 977 (Hou

Uploaded by: Christopher Cano

Position: FAV



Testimony - SB 977, Enforcement of Federal Immigration Law - Restrictions on Access to Information (Maryland Data Privacy Act)

Favorable

House Judiciary Committee

March 26, 2025

Christopher C. Cano, MPA

Director of Political & Legislative Affairs on Behalf of SEIU Local 500

Honorable Chairman Clippinger & Members of the House Judiciary Committee:

SEIU Local 500, as one of Maryland's largest public sector unions representing over 23,000 workers, expresses our support for Senate Bill 977, the **Maryland Data Privacy Act**. This bill is essential to protecting the privacy of Maryland residents by restricting access to personal information and ensuring that state and local agencies do not share sensitive data for federal immigration enforcement purposes without a valid warrant.

In an era where personal data is increasingly vulnerable, SB 977 sets critical safeguards to prevent unauthorized or unwarranted access to information held by public agencies. The bill ensures that state and local law enforcement agencies, as well as other government entities, cannot disclose personal information, grant access to databases, or share records for immigration enforcement purposes unless required by a judicially authorized warrant. These measures are necessary to uphold Maryland's commitment to privacy, public trust, and the fair treatment of all residents.

Additionally, the bill mandates accountability by requiring agencies to maintain records of access requests and report this information annually to the Attorney General and the General Assembly. This transparency is key to ensuring compliance and reinforcing public confidence in the state's data protection efforts.

SB 977 is not just about protecting data; it is about protecting people. Immigrant communities in Maryland should be able to access public services, interact with law enforcement, and go about their daily lives without fear that their information could be used against them unfairly. This bill aligns Maryland with best practices in data privacy and human rights, ensuring that our state remains a place of safety and opportunity for all.

We thank Senator Lam for his leadership on this issue and ask you to pass this bill out of committee with a favorable report.

Thank you for your time and consideration.

Carrington 2025 Greenbelt Position Statement SB977

Uploaded by: Darrell Carrington

Position: FAV



GREENBELT CITY COUNCIL

Emmett V. Jordan, *Mayor*

Kristen L.K. Weaver, *Mayor Pro Tem*

Amy Knesel

Danielle McKinney

Jenni Pompei

Silke I. Pope

Rodney M. Roberts

Position Statement – Support – SB977 - State and Local Agencies - Enforcement of Federal Immigration Law - Restrictions on Access to Information (Maryland Data Privacy Act)

The City of Greenbelt strongly supports Senate Bill 977, which is essential in safeguarding the privacy and civil rights of Maryland residents. This bill addresses a critical concern by limiting the ability of state and local agencies to share personal information, photographs, and other sensitive data with federal agencies for the purpose of enforcing federal immigration laws. Greenbelt recognizes the importance of preserving residents' privacy while also ensuring that local law enforcement can operate without fear of unintended consequences related to federal immigration actions.

In our commitment to upholding the rights and dignity of all community members, Greenbelt has long recognized the need for protections against unwarranted federal surveillance. Senate Bill 977 is a significant step in ensuring that personal data held by state and local agencies cannot be used inappropriately by federal authorities unless they possess a valid court-issued warrant. This protection is especially vital in maintaining a sense of security among immigrant populations who may be hesitant to engage with local authorities or access services out of fear that their information could be shared with federal immigration enforcement.

Moreover, this bill reinforces the principle of local autonomy, allowing Greenbelt and other local governments to make decisions that best reflect the values and needs of our communities. Local agencies should not be compelled to participate in federal immigration enforcement unless there is a clear legal requirement to do so. By enacting Senate Bill 977, Maryland will ensure that local resources are not diverted from public safety efforts and instead remain focused on serving the needs of residents in a manner that fosters trust and collaboration.

Another key benefit of Senate Bill 977 is its capacity to build trust between local law enforcement agencies and the communities they serve. Immigrant families are more likely to report crimes and engage with law enforcement if they feel their personal data will not be used against them for immigration purposes. Senate Bill 977 will create a safer and more inclusive environment in which all residents, regardless of immigration status, can feel secure in their interactions with local authorities.

Finally, the bill establishes a system of accountability by tracking requests for access to sensitive data and requiring reporting to the Attorney General. This oversight ensures transparency in the use of personal information and provides mechanisms for addressing any violations of the law. The inclusion of penalties for state employees who improperly share information further reinforces the integrity of the bill's protections and emphasizes the importance of adhering to its provisions.

In conclusion, the City of Greenbelt believes Senate Bill 977 is vital for ensuring the privacy, safety, and trust of our residents. By restricting the sharing of personal data between state and local agencies



A NATIONAL HISTORIC LANDMARK

GREENBELT CITY COUNCIL

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Kristen L.K. Weaver, *Mayor Pro Tem*

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Danielle McKinney

Jenni Pompei

Silke I. Pope

Rodney M. Roberts

and federal immigration authorities, this bill will help preserve the rights of all Maryland residents and strengthen community relationships with law enforcement. We urge the Maryland General Assembly to pass Senate Bill 977, as it will make our state a safer, more inclusive place for all who call it home.

For questions or more information, please contact Josué Salmerón, City Manager, at jsalmeron@greenbeltnmd.gov.

SB0977 - Maryland Data Privacy Act crossover.pdf

Uploaded by: Daryl Yoder

Position: FAV

Dear **Members of the Judiciary Committee,**

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with CASA de Maryland. I am a resident of District 44A. **I am testifying in support of SB0977, the Maryland Data Privacy Act.**



Showing Up for Racial Justice

President Trump's cruel attack on immigrants has already begun, and it is incumbent upon Maryland to protect the people that he is dedicated to demonizing: our friends, our neighbors, hard-working people who help build our communities and don't deserve to live in fear. Federal immigration authorities have a history of abusing state-held databases containing personal information in order to help them target immigrants: after Maryland allowed undocumented immigrants to apply for driver's licenses in 2013, ICE began using MVA data in this way. In 2021, the General Assembly passed the Driver Privacy Act over the governor's veto to shut down this tactic. However, many other agencies in Maryland maintain databases of personal information that can include immigrants, and those databases are still open to ICE scrutiny. With the federal government on a mission to imprison as many immigrants as possible, we must act to close this loophole in our data privacy.

SB0977 would ban all Maryland state and local government agencies from sharing access to their databases of sensitive personal information, or information taken from those databases, with federal immigration authorities unless those authorities have a real warrant, signed by a judge, authorizing their access to private information. In addition, SB0977 seeks to fight back against the president's revocation of the "sensitive locations" policy by requiring government agencies to deny access to their buildings and facilities to immigration authorities unless they have a warrant signed by a judge. While this does not provide complete protection to people attempting to access resources and services, it at least makes it more difficult for ICE to target local and state government facilities for raids/general enforcement actions.

The law does not require us to freely lend the federal government our resources to help President Trump conduct his anti-immigrant campaign. We must stand up for our friends and neighbors by refusing to be complicit. It is for these reasons that I am encouraging you to vote **in support of SB0977, the Maryland Data Privacy Act.**

Thank you for your time, service, and consideration.

Sincerely,
Daryl Yoder
309 Glenmore Ave.
Catonsville, MD 21228
Showing Up for Racial Justice Baltimore

Senate Bill 977 Favorable 2025.pdf

Uploaded by: Debi Jasen

Position: FAV

Judiciary Committee
Senate Bill 977
FAVORABLE

Honorable Chair, Vice Chair, and Members of the Judiciary Committee;

Please give Senate Bill 977, the Maryland Data Privacy Act, a Favorable report.

It's important to protect the data privacy of all individuals. This legislation is especially necessary under an administration that is denying core Constitutional rights, disappearing people, and sending people to be tortured. While I would like the violations to be more severe, I hope that you give Senate Bill 977 a favorable report. Thank you for your consideration.

Sincerely,
Debi Jasen
Pasadena, MD

PrivacyCenterGeorgetown_Testimony_SB977_03242025.p

Uploaded by: Emerald Tse

Position: FAV

**STATEMENT ON BEHALF OF THE
CENTER ON PRIVACY & TECHNOLOGY AT GEORGETOWN LAW
before MARYLAND HOUSE JUDICIARY COMMITTEE**

HEARING on SB 977

**Enforcement of Federal Immigration Law - Restrictions on Access to Information
(Maryland Data Privacy Act)**

by Emerald Tse, Associate

Submitted March 24, 2025

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

On behalf of the Center on Privacy & Technology at Georgetown Law (“Privacy Center”), I write **in support of SB 977**, or the Maryland Data Privacy Act (“MDPA”).

The Privacy Center is a university-based research organization focused on privacy law and policy, and the impact of digital era surveillance on individuals and communities.¹ Our work includes empirical research, legal and policy analysis, and advocacy in partnership with community leaders and grassroots organizations.² Our investigations have revealed how federal immigration authorities rely heavily on data collected by state agencies, often obtaining indirect access via contracts with private companies that compile state data along with other information for resale.³

¹ Ctr. on Privacy & Tech. at Georgetown Law, *About Us*, <https://www.law.georgetown.edu/privacy-technology-center/about-us/>.

² Ctr. on Privacy & Tech. at Georgetown Law, *Our Work*, <https://www.law.georgetown.edu/privacy-technology-center/our-work/>.

³ Nina Wang, Allison McDonald, Daniel Bateyko & Emily Tucker, *American Dragnet: Data-Driven Deportation in the 21st Century*, Ctr. on Privacy & Tech. at Georgetown Law (May 2022), <https://www.americandragnet.org> (herein “American Dragnet”).

The MDPA would create important legal safeguards to protect the privacy and constitutional rights of Marylanders in the face of immigration authorities' dragnet surveillance practices. This legislation is urgently needed for the following reasons:

1. Giving immigration authorities unrestricted access to the data entrusted to Maryland's state and local government agencies erodes trust in public institutions.

Maryland residents are frequently required to share personal information with state and local agencies in order to take advantage of basic government services and to access benefits to which they are legally entitled. People must share their names and addresses to enroll in school, obtain driver's licenses, and apply for public benefits such as food assistance and medical assistance. The Comptroller's Office maintains tax filing data, which includes social security numbers ("SSNs") and individual taxpayer identification numbers that can be used to identify non-citizen residents. The Department of Housing and Community Development collects demographic information, such as names, dates of birth, SSNs, and location data.

If immigration authorities have unrestricted access to the data held by these important agencies, people will be much less likely to trust their government. Fear that personal information shared with a state agency may end up in the hands of federal immigration authorities deters people from taking advantage of benefits and services which are crucial for the health and safety of not only individuals but of entire communities. If people are too afraid to sign up for utilities, to seek healthcare, or to take advantage of food assistance programs, that ultimately reduces the economic and social well being of all Marylanders. Fear of surveillance makes people more likely to avoid not just government agencies, but all institutions that maintain formal records, such as medical, financial, labor market, and educational institutions.⁴ And it is not only immigrants who will experience these chilling effects. Those who have mixed-status families, live in

⁴ Sarah Brayne, *Surveillance and System Avoidance: Criminal Justice Contact and Institutional Attachment*, 73(3) Amer. Soc. Rev. 367, <https://doi.org/10.1177/0003122414530398>.



immigrant communities, or work or go to school with immigrants may also avoid institutions for fear of exposing a friend, colleague, neighbor, or loved one.

2. Immigration authorities have been using dragnet surveillance practices to exploit gaps in the law, raising constitutional due process concerns.

For decades, immigration authorities have sought access to every conceivable type of personal information, from a wide range of public and private sources.⁵ Efforts to obtain state and local government data, in particular, have repeatedly made the news. For example, U.S. Immigration and Customs Enforcement (“ICE”) has tried to access an extensive unemployment database in New Mexico⁶ and student records from an elementary school in Tennessee.⁷

⁵ American Dragnet, *supra* note 3, at 2 (“ICE [has accessed] Department of Motor Vehicle (DMV) records and utility customer information, as well as call records, child welfare records, credit headers, employment records, geolocation information, health care records, housing records, and social media posts.”). *See also* Dhruv Mehrotra, *ICE Is Grabbing Data From Schools and Abortion Clinics*, WIRED (Apr. 3, 2023), <https://www.wired.com/story/ice-1509-custom-summons/>.

⁶ Morgan Lee, *New Mexico denies ICE request for access to workforce data*, Associated Press (Aug. 8, 2019), <https://apnews.com/general-news-393c3e48907b40d88f3313d7ff34184b>.

⁷ Steven Hale, *ICE sought student records from a Nashville elementary school*, Nashville Scene (Oct. 10, 2019), https://www.nashvillescene.com/news/pithinthewind/ice-sought-student-records-from-a-nashville-elementary-school/article_c787f8bd-c011-5ab5-bce9-f859bd6dc966.html.



There are a variety of ways that immigration authorities obtain access to state agency data. In some cases, they exploit existing information sharing networks to directly log in to state databases. In other cases, they present documents they call “administrative warrants” or “administrative subpoenas” to state agencies to demand access to information.⁸ These administrative documents are not authorized or reviewed by any independent agency or magistrate. Instead, these documents are generated internally at the requestor’s own discretion. Using this method, ICE has attempted to access student health information from a public university in California⁹ and millions of voter registration records in North Carolina.¹⁰

Immigration authorities also obtain access to state and local government data by contracting with data brokers. Data brokers gather state agency data, combine it with information from other sources, and resell it. The buyers of this information, which include immigration authorities, decide how they wish to use it. A recent report focusing on New Mexico details how ICE’s contract with one data broker gives the agency access to extensive public agency records, including motor vehicle records, business registration data, property records, and voter records.¹¹

⁸ Mehrotra, *supra* note 5.

⁹ Jakob McWhinney & Jesse Marx, *ICE Used Controversial Tool to Request Student Medical Records and More*, Voice of San Diego (June 12, 2023), <https://voiceofsandiego.org/2023/06/12/ice-used-controversial-tool-to-request-student-medical-records-and-more/>.

¹⁰ Jane C. Timm, *ICE’s move to seize millions of voter records stalled after N. Carolina officials balk*, NBC News (Sept. 6, 2018), <https://www.nbcnews.com/politics/politics-news/doj-agrees-delay-turnover-north-carolina-voter-records-sought-ice-n907256>.

¹¹ See *Subjected to Surveillance: ICE Access to New Mexico Residents’ Personal Data*, Somos Un Pueblo Unido, Just Futures Law & mijente (Feb. 2025) <https://files.constantcontact.com/b6dfe469001/3326abb4-4580-48be-89dd-1e006a202e09.pdf>, at 3.



These dragnet surveillance practices violate the privacy of everyone, regardless of immigration status. As detailed in the Privacy Center’s 2022 report, *American Dragnet*, these practices have allowed ICE to access datasets containing detailed personal records on the vast majority of people in the U.S.¹² Every time ICE asks a state DMV to run face recognition searches on their drivers’ license photo databases, *all* driver photos are scanned, not just those of the people ICE is investigating.¹³ In response to ICE’s attempts to obtain North Carolina voting records, state officials highlighted that the search was not an isolated investigation of voter fraud but rather a sweeping and open-ended fishing expedition.¹⁴

Immigration authorities’ digital surveillance practices are possible due to a broad failure to properly regulate our datafied world. In the absence of federal action, the State of Maryland has been a leader in data privacy.¹⁵ When this legislature discovered that ICE was accessing the data from the state’s Motor Vehicle Administration (“MVA”) and running face recognition searches on drivers license photos, it acted decisively to pass the Maryland Driver Privacy Act.¹⁶

Although state law protects MVA data, the data collected by other state agencies are left vulnerable. Most state and local agencies do not have established policies on what to do when immigration authorities seek access to their data. In the absence of standardized rules, state employees must use their discretion to determine how to respond to requests. This creates a lack of consistency amongst state and local agencies,¹⁷ which may lead immigration authorities to turn away from agencies less willing to share information and toward those that are more cooperative.

¹² *American Dragnet*, *supra* note 3.

¹³ *Id.* at 32.

¹⁴ Timm, *supra* note 10.

¹⁵ *Maryland enacts one of the strongest data privacy laws in the nation*, U.S. PIRG Ed. Fund (May 9, 2024), <https://pirg.org/edfund/updates/maryland-enacts-one-of-the-strongest-data-privacy-laws-in-the-nation/>.

¹⁶ Maryland Driver Privacy Act, H.B. 23, Md. Gen. Assemb., 2021 Sess. (Md. 2021), <https://mgaleg.maryland.gov/mgaweb/Legislation/Details/HB0023?ys=2021RS>; Clara Garcia, *Maryland General Assembly Overrides Hogan's Vetoes Of Immigration Bills*, NBC Wash. (Dec. 8, 2021), <https://www.nbcwashington.com/news/local/maryland-general-assembly-overrides-hogans-vetoes-of-immigration-bills/2904771/>.

¹⁷ See e.g., Piper McDaniel, *ICE subpoenas: Washington County complies, Hillsboro refuses*, Oregonian (Mar. 10, 2020), <https://www.oregonlive.com/coronavirus/2020/03/ice-subpoenas-washington-county-complies-hillsboro-refuses.html>.



3. The MDPA will close gaps in the law, and protect the privacy and constitutional rights of all Marylanders.

Maryland has recently seen an escalation in immigration enforcement activities, and residents are already living in fear. Recognizing that informational privacy is essential to protecting immigrant communities, states and localities have passed data privacy laws to that effect.¹⁸ With the MDPA, Maryland would reaffirm its commitments to ensuring data privacy and to protecting immigrant communities.

A. The MDPA would protect all Marylanders from unwarranted access to their information for immigration enforcement purposes.

The MDPA would require a judicial warrant before the disclosure of Marylanders' information for the purposes of immigration enforcement. This requirement would apply statewide, clarifying for public employees the state's policies on responding to information requests.

A judicial warrant requirement would help ensure that when a party seeks access to the personal information that the state has about its residents, that request is subject to review by an independent magistrate who can determine whether disclosure complies with the Fourth Amendment of the U.S. Constitution. This provision is crucial given that, in the absence of judicial review, immigration authorities have repeatedly violated

¹⁸ See e.g., Faith Miller, *Data privacy protections for undocumented immigrants sought with proposed Colorado bill*, Colorado Newslane (Feb. 19, 2021), <https://coloradonewslane.com/2021/02/19/data-privacy-protections-for-undocumented-immigrants-sought-with-proposed-colorado-bill/>; John Donegan, *Long Beach strengthens its sanctuary city laws ahead of second Trump term*, Long Beach Post (Jan. 8, 2025), <https://lbpost.com/news/immigration/long-beach-strengthens-its-sanctuary-city-laws-ahead-of-second-trump-term/>; Nadia Carolina Hernandez, *Welcoming City changes pass unanimously as Evanston braces for Trump immigration action*, Evanston Roundtable (Jan. 14, 2025), <https://evanstonroundtable.com/2025/01/14/welcoming-city-amendments-pass-unanimously-as-evanston-braces-for-trump-immigration-actions/>.



civil rights laws¹⁹ and even ignored their own internal agency standards and policies when carrying out enforcement operations.²⁰ The lack of oversight has even resulted in the wrongful arrest and deportation of U.S. citizens.²¹

B. The MDPA would limit some third parties that provide immigration authorities indirect access to Marylanders' personal information.

The MDPA does not limit the state's ability to fulfill legitimate public records requests under the Public Information Act, or to enter into contracts and other agreements with third parties in order to carry out government business. However, it does restrict the ability of those who receive sensitive information from the state through those channels from (1) selling that information and (2) sharing that information for the purpose of immigration enforcement absent a judicial warrant. This is a common sense provision to prevent the circumventing of the MDPA's core provisions through the use of data

¹⁹ See e.g., Victor Guillén Febres & Karen Fierro Ruiz, *The US Government Buys Data for Surveillance. For Immigrants, It's a Matter of Survival*, Tech Pol'y Press (Apr. 18, 2024), <https://www.techpolicy.press/the-us-government-buys-data-for-surveillance-for-immigrants-its-a-matter-of-survival/>; Emily Tucker & Hinako Sugiyama, *Does ICE Data Surveillance Violate Human Rights Law? The Answer is Yes, and It's Not Even Close*, Tech Pol'y Press (Nov. 14, 2023), <https://www.techpolicy.press/does-ice-data-surveillance-violate-human-rights-law-the-answer-is-yes-and-its-not-even-close/>; Ahmed Alrawi, *Immigrants are not Felons: A Legal Analysis of Immigrants' Civil Rights Chilling Effect Issues Caused by ICE's SmartLINK App Surveillance*, 13 J. of Info. Pol'y 85 (2023), <https://doi.org/10.5325/jinfopoli.13.2023.0007>; Rachel Levinson-Waldman, Harsha Panduranga & Faiza Patel, *Social Media Surveillance by the U.S. Government*, Brennan Ctr. for Justice (Jan. 7, 2022), <https://www.brennancenter.org/our-work/research-reports/social-media-surveillance-us-government>.

²⁰ See Tucker & Sugiyama, *supra* note 9; Rebecca Heilweil, *140+ groups flag DHS's AI use cases in new letter to Mayorkas*, FedScoop (Sept. 4, 2024), <https://fedscoop.com/dhs-ai-use-cases-letter-mayorkas/>.

²¹ See generally Jacqueline Stevens, *U.S. Government Unlawfully Detaining and Deporting U.S. Citizens as Aliens*, 18 Va. J. Soc. Pol'y & L. 606 (2011) (presenting original research on the detention and deportation of U.S. citizens by ICE). See also, e.g., Fiona Harrigan, *This U.S. Citizen Was Detained by ICE for Over a Month. Now He's Getting a \$150,000 Settlement*, Reason (Dec. 15, 2022), <https://reason.com/2022/12/15/this-u-s-citizen-was-detained-by-ice-for-over-a-month-now-hes-getting-a-150000-settlement/> [<https://perma.cc/6KAL-UEK6>]; Emanuella Grinberg, Konstantin Toropin & Jason Morris, *A US-Born Citizen Who Was in Immigration Detention for Three Weeks Has Been Released*, CNN (July 25, 2019), <https://www.cnn.com/2019/07/23/us/us-citizen-detained-texas/index.html> [<https://perma.cc/VLG5-VH3X>].



brokers, and to limit the ability of such data brokers to unfairly profit from the personal information of Marylanders.

C. The MDPA would increase transparency about the state's data practices.

Currently, little is known about the extent to which immigration authorities seek and obtain information from Maryland's state and local agencies. The MDPA would create transparency by requiring state and local agencies to annually report how many requests they receive, whether those requests were accompanied by judicial warrants, and whether those requests resulted in the disclosure of information.

Conclusion

The MDPA is crucial to ensuring that when Marylanders seek the services they need, they can trust that the information they share with the government to get those services will not be used against them. For the reasons stated above, the Privacy Center urges the committee to provide a **favorable** report on this bill.

Thank you for the opportunity to submit this testimony. We greatly appreciate your attention to this important issue.



PrivacyCenterGeorgetown_Testimony_SB977_03242025.p

Uploaded by: Emerald Tse

Position: FAV

**STATEMENT ON BEHALF OF THE
CENTER ON PRIVACY & TECHNOLOGY AT GEORGETOWN LAW
before MARYLAND HOUSE JUDICIARY COMMITTEE**

HEARING on SB 977

**Enforcement of Federal Immigration Law - Restrictions on Access to Information
(Maryland Data Privacy Act)**

by Emerald Tse, Associate

Submitted March 24, 2025

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immigrant communities, or work or go to school with immigrants may also avoid institutions for fear of exposing a friend, colleague, neighbor, or loved one.

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⁶ Morgan Lee, *New Mexico denies ICE request for access to workforce data*, Associated Press (Aug. 8, 2019), <https://apnews.com/general-news-393c3e48907b40d88f3313d7ff34184b>.

⁷ Steven Hale, *ICE sought student records from a Nashville elementary school*, Nashville Scene (Oct. 10, 2019), https://www.nashvillescene.com/news/pithinthewind/ice-sought-student-records-from-a-nashville-elementary-school/article_c787f8bd-c011-5ab5-bce9-f859bd6dc966.html.



There are a variety of ways that immigration authorities obtain access to state agency data. In some cases, they exploit existing information sharing networks to directly log in to state databases. In other cases, they present documents they call “administrative warrants” or “administrative subpoenas” to state agencies to demand access to information.⁸ These administrative documents are not authorized or reviewed by any independent agency or magistrate. Instead, these documents are generated internally at the requestor’s own discretion. Using this method, ICE has attempted to access student health information from a public university in California⁹ and millions of voter registration records in North Carolina.¹⁰

Immigration authorities also obtain access to state and local government data by contracting with data brokers. Data brokers gather state agency data, combine it with information from other sources, and resell it. The buyers of this information, which include immigration authorities, decide how they wish to use it. A recent report focusing on New Mexico details how ICE’s contract with one data broker gives the agency access to extensive public agency records, including motor vehicle records, business registration data, property records, and voter records.¹¹

⁸ Mehrotra, *supra* note 5.

⁹ Jakob McWhinney & Jesse Marx, *ICE Used Controversial Tool to Request Student Medical Records and More*, Voice of San Diego (June 12, 2023), <https://voiceofsandiego.org/2023/06/12/ice-used-controversial-tool-to-request-student-medical-records-and-more/>.

¹⁰ Jane C. Timm, *ICE’s move to seize millions of voter records stalled after N. Carolina officials balk*, NBC News (Sept. 6, 2018), <https://www.nbcnews.com/politics/politics-news/doj-agrees-delay-turnover-north-carolina-voter-records-sought-ice-n907256>.

¹¹ See *Subjected to Surveillance: ICE Access to New Mexico Residents’ Personal Data*, Somos Un Pueblo Unido, Just Futures Law & mijente (Feb. 2025) <https://files.constantcontact.com/b6dfe469001/3326abb4-4580-48be-89dd-1e006a202e09.pdf>, at 3.



These dragnet surveillance practices violate the privacy of everyone, regardless of immigration status. As detailed in the Privacy Center’s 2022 report, *American Dragnet*, these practices have allowed ICE to access datasets containing detailed personal records on the vast majority of people in the U.S.¹² Every time ICE asks a state DMV to run face recognition searches on their drivers’ license photo databases, *all* driver photos are scanned, not just those of the people ICE is investigating.¹³ In response to ICE’s attempts to obtain North Carolina voting records, state officials highlighted that the search was not an isolated investigation of voter fraud but rather a sweeping and open-ended fishing expedition.¹⁴

Immigration authorities’ digital surveillance practices are possible due to a broad failure to properly regulate our datafied world. In the absence of federal action, the State of Maryland has been a leader in data privacy.¹⁵ When this legislature discovered that ICE was accessing the data from the state’s Motor Vehicle Administration (“MVA”) and running face recognition searches on drivers license photos, it acted decisively to pass the Maryland Driver Privacy Act.¹⁶

Although state law protects MVA data, the data collected by other state agencies are left vulnerable. Most state and local agencies do not have established policies on what to do when immigration authorities seek access to their data. In the absence of standardized rules, state employees must use their discretion to determine how to respond to requests. This creates a lack of consistency amongst state and local agencies,¹⁷ which may lead immigration authorities to turn away from agencies less willing to share information and toward those that are more cooperative.

¹² *American Dragnet*, *supra* note 3.

¹³ *Id.* at 32.

¹⁴ Timm, *supra* note 10.

¹⁵ *Maryland enacts one of the strongest data privacy laws in the nation*, U.S. PIRG Ed. Fund (May 9, 2024), <https://pirg.org/edfund/updates/maryland-enacts-one-of-the-strongest-data-privacy-laws-in-the-nation/>.

¹⁶ Maryland Driver Privacy Act, H.B. 23, Md. Gen. Assemb., 2021 Sess. (Md. 2021), <https://mgaleg.maryland.gov/mgaweb/Legislation/Details/HB0023?ys=2021RS>; Clara Garcia, *Maryland General Assembly Overrides Hogan's Vetoes Of Immigration Bills*, NBC Wash. (Dec. 8, 2021), <https://www.nbcwashington.com/news/local/maryland-general-assembly-overrides-hogans-vetoes-of-immigration-bills/2904771/>.

¹⁷ See e.g., Piper McDaniel, *ICE subpoenas: Washington County complies, Hillsboro refuses*, Oregonian (Mar. 10, 2020), <https://www.oregonlive.com/coronavirus/2020/03/ice-subpoenas-washington-county-complies-hillsboro-refuses.html>.



3. The MDPA will close gaps in the law, and protect the privacy and constitutional rights of all Marylanders.

Maryland has recently seen an escalation in immigration enforcement activities, and residents are already living in fear. Recognizing that informational privacy is essential to protecting immigrant communities, states and localities have passed data privacy laws to that effect.¹⁸ With the MDPA, Maryland would reaffirm its commitments to ensuring data privacy and to protecting immigrant communities.

A. The MDPA would protect all Marylanders from unwarranted access to their information for immigration enforcement purposes.

The MDPA would require a judicial warrant before the disclosure of Marylanders' information for the purposes of immigration enforcement. This requirement would apply statewide, clarifying for public employees the state's policies on responding to information requests.

A judicial warrant requirement would help ensure that when a party seeks access to the personal information that the state has about its residents, that request is subject to review by an independent magistrate who can determine whether disclosure complies with the Fourth Amendment of the U.S. Constitution. This provision is crucial given that, in the absence of judicial review, immigration authorities have repeatedly violated

¹⁸ See e.g., Faith Miller, *Data privacy protections for undocumented immigrants sought with proposed Colorado bill*, Colorado Newslane (Feb. 19, 2021), <https://coloradonewslane.com/2021/02/19/data-privacy-protections-for-undocumented-immigrants-sought-with-proposed-colorado-bill/>; John Donegan, *Long Beach strengthens its sanctuary city laws ahead of second Trump term*, Long Beach Post (Jan. 8, 2025), <https://lbpost.com/news/immigration/long-beach-strengthens-its-sanctuary-city-laws-ahead-of-second-trump-term/>; Nadia Carolina Hernandez, *Welcoming City changes pass unanimously as Evanston braces for Trump immigration action*, Evanston Roundtable (Jan. 14, 2025), <https://evanstonroundtable.com/2025/01/14/welcoming-city-amendments-pass-unanimously-as-evanston-braces-for-trump-immigration-actions/>.



civil rights laws¹⁹ and even ignored their own internal agency standards and policies when carrying out enforcement operations.²⁰ The lack of oversight has even resulted in the wrongful arrest and deportation of U.S. citizens.²¹

B. The MDPA would limit some third parties that provide immigration authorities indirect access to Marylanders' personal information.

The MDPA does not limit the state's ability to fulfill legitimate public records requests under the Public Information Act, or to enter into contracts and other agreements with third parties in order to carry out government business. However, it does restrict the ability of those who receive sensitive information from the state through those channels from (1) selling that information and (2) sharing that information for the purpose of immigration enforcement absent a judicial warrant. This is a common sense provision to prevent the circumventing of the MDPA's core provisions through the use of data

¹⁹ See e.g., Victor Guillén Febres & Karen Fierro Ruiz, *The US Government Buys Data for Surveillance. For Immigrants, It's a Matter of Survival*, Tech Pol'y Press (Apr. 18, 2024), <https://www.techpolicy.press/the-us-government-buys-data-for-surveillance-for-immigrants-its-a-matter-of-survival/>; Emily Tucker & Hinako Sugiyama, *Does ICE Data Surveillance Violate Human Rights Law? The Answer is Yes, and It's Not Even Close*, Tech Pol'y Press (Nov. 14, 2023), <https://www.techpolicy.press/does-ice-data-surveillance-violate-human-rights-law-the-answer-is-yes-and-its-not-even-close/>; Ahmed Alrawi, *Immigrants are not Felons: A Legal Analysis of Immigrants' Civil Rights Chilling Effect Issues Caused by ICE's SmartLINK App Surveillance*, 13 J. of Info. Pol'y 85 (2023), <https://doi.org/10.5325/jinfopoli.13.2023.0007>; Rachel Levinson-Waldman, Harsha Panduranga & Faiza Patel, *Social Media Surveillance by the U.S. Government*, Brennan Ctr. for Justice (Jan. 7, 2022), <https://www.brennancenter.org/our-work/research-reports/social-media-surveillance-us-government>.

²⁰ See Tucker & Sugiyama, *supra* note 9; Rebecca Heilweil, *140+ groups flag DHS's AI use cases in new letter to Mayorkas*, FedScoop (Sept. 4, 2024), <https://fedscoop.com/dhs-ai-use-cases-letter-mayorkas/>.

²¹ See generally Jacqueline Stevens, *U.S. Government Unlawfully Detaining and Deporting U.S. Citizens as Aliens*, 18 Va. J. Soc. Pol'y & L. 606 (2011) (presenting original research on the detention and deportation of U.S. citizens by ICE). See also, e.g., Fiona Harrigan, *This U.S. Citizen Was Detained by ICE for Over a Month. Now He's Getting a \$150,000 Settlement*, Reason (Dec. 15, 2022), <https://reason.com/2022/12/15/this-u-s-citizen-was-detained-by-ice-for-over-a-month-now-hes-getting-a-150000-settlement/> [<https://perma.cc/6KAL-UEK6>]; Emanuella Grinberg, Konstantin Toropin & Jason Morris, *A US-Born Citizen Who Was in Immigration Detention for Three Weeks Has Been Released*, CNN (July 25, 2019), <https://www.cnn.com/2019/07/23/us/us-citizen-detained-texas/index.html> [<https://perma.cc/VLG5-VH3X>].



brokers, and to limit the ability of such data brokers to unfairly profit from the personal information of Marylanders.

C. The MDPA would increase transparency about the state's data practices.

Currently, little is known about the extent to which immigration authorities seek and obtain information from Maryland's state and local agencies. The MDPA would create transparency by requiring state and local agencies to annually report how many requests they receive, whether those requests were accompanied by judicial warrants, and whether those requests resulted in the disclosure of information.

Conclusion

The MDPA is crucial to ensuring that when Marylanders seek the services they need, they can trust that the information they share with the government to get those services will not be used against them. For the reasons stated above, the Privacy Center urges the committee to provide a **favorable** report on this bill.

Thank you for the opportunity to submit this testimony. We greatly appreciate your attention to this important issue.



PrivacyCenterGeorgetown_Testimony_SB977_03242025.p

Uploaded by: Emerald Tse

Position: FAV

**STATEMENT ON BEHALF OF THE
CENTER ON PRIVACY & TECHNOLOGY AT GEORGETOWN LAW
before MARYLAND HOUSE JUDICIARY COMMITTEE
HEARING on SB 977 (Maryland Data Privacy Act)
by *Emerald Tse, Associate*
Submitted March 24, 2025**

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

On behalf of the Center on Privacy & Technology at Georgetown Law (“Privacy Center”), I write **in support of SB 977**, or the Maryland Data Privacy Act (“MDPA”).

The Privacy Center is a university-based research organization focused on privacy law and policy, and the impact of digital era surveillance on individuals and communities.¹ Our work includes empirical research, legal and policy analysis, and advocacy in partnership with community leaders and grassroots organizations.² Our investigations have revealed how federal immigration authorities rely heavily on data collected by state agencies, often obtaining indirect access via contracts with private companies that compile state data along with other information for resale.³

The MDPA would create important legal safeguards to protect the privacy and constitutional rights of Marylanders in the face of immigration authorities’ dragnet surveillance practices. This legislation is urgently needed for the following reasons:

¹ Ctr. on Privacy & Tech. at Georgetown Law, *About Us*, <https://www.law.georgetown.edu/privacy-technology-center/about-us/>.

² Ctr. on Privacy & Tech. at Georgetown Law, *Our Work*, <https://www.law.georgetown.edu/privacy-technology-center/our-work/>.

³ Nina Wang, Allison McDonald, Daniel Bateyko & Emily Tucker, *American Dragnet: Data-Driven Deportation in the 21st Century*, Ctr. on Privacy & Tech. at Georgetown Law (May 2022), <https://www.americandragnet.org> (herein “American Dragnet”).

1. Giving immigration authorities unrestricted access to the data entrusted to Maryland's state and local government agencies erodes trust in public institutions.

Maryland residents are frequently required to share personal information with state and local agencies in order to take advantage of basic government services and to access benefits to which they are legally entitled. People must share their names and addresses to enroll in school, obtain driver's licenses, and apply for public benefits such as food assistance and medical assistance. The Comptroller's Office maintains tax filing data, which includes social security numbers ("SSNs") and individual taxpayer identification numbers that can be used to identify non-citizen residents. The Department of Housing and Community Development collects demographic information, such as names, dates of birth, SSNs, and location data.

If immigration authorities have unrestricted access to the data held by these important agencies, people will be much less likely to trust their government. Fear that personal information shared with a state agency may end up in the hands of federal immigration authorities deters people from taking advantage of benefits and services which are crucial for the health and safety of not only individuals but of entire communities. If people are too afraid to sign up for utilities, to seek healthcare, or to take advantage of food assistance programs, that ultimately reduces the economic and social well being of all Marylanders. Fear of surveillance makes people more likely to avoid not just government agencies, but all institutions that maintain formal records, such as medical, financial, labor market, and educational institutions.⁴ And it is not only immigrants who will experience these chilling effects. Those who have mixed-status families, live in immigrant communities, or work or go to school with immigrants may also avoid institutions for fear of exposing a friend, colleague, neighbor, or loved one.

⁴ Sarah Brayne, *Surveillance and System Avoidance: Criminal Justice Contact and Institutional Attachment*, 73(3) Amer. Soc. Rev. 367, <https://doi.org/10.1177/0003122414530398>.



2. Immigration authorities have been using dragnet surveillance practices to exploit gaps in the law, raising constitutional due process concerns.

For decades, immigration authorities have sought access to every conceivable type of personal information, from a wide range of public and private sources.⁵ Efforts to obtain state and local government data, in particular, have repeatedly made the news. For example, U.S. Immigration and Customs Enforcement (“ICE”) has tried to access an extensive unemployment database in New Mexico⁶ and student records from an elementary school in Tennessee.⁷

There are a variety of ways that immigration authorities obtain access to state agency data. In some cases, they exploit existing information sharing networks to directly log in to state databases. In other cases, they present documents they call “administrative warrants” or “administrative subpoenas” to state agencies to demand access to information.⁸ These administrative documents are not authorized or reviewed by any independent agency or magistrate. Instead, these documents are generated internally at the requestor’s own discretion. Using this method, ICE has attempted to access student health information from a public university in California⁹ and millions of voter registration records in North Carolina.¹⁰

⁵ American Dragnet, *supra* note 3, at 2 (“ICE [has accessed] Department of Motor Vehicle (DMV) records and utility customer information, as well as call records, child welfare records, credit headers, employment records, geolocation information, health care records, housing records, and social media posts.”). See also Dhruv Mehrotra, *ICE Is Grabbing Data From Schools and Abortion Clinics*, WIRED (Apr. 3, 2023), <https://www.wired.com/story/ice-1509-custom-summons/>.

⁶ Morgan Lee, *New Mexico denies ICE request for access to workforce data*, Associated Press (Aug. 8, 2019), <https://apnews.com/general-news-393c3e48907b40d88f3313d7ff34184b>.

⁷ Steven Hale, *ICE sought student records from a Nashville elementary school*, Nashville Scene (Oct. 10, 2019), https://www.nashvillescene.com/news/pithinthewind/ice-sought-student-records-from-a-nashville-elementary-school/article_c787f8bd-c011-5ab5-bce9-f859bd6dc966.html.

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Immigration authorities also obtain access to state and local government data by contracting with data brokers. Data brokers gather state agency data, combine it with information from other sources, and resell it. The buyers of this information, which include immigration authorities, decide how they wish to use it. A recent report focusing on New Mexico details how ICE's contract with one data broker gives the agency access to extensive public agency records, including motor vehicle records, business registration data, property records, and voter records.¹¹

These dragnet surveillance practices violate the privacy of everyone, regardless of immigration status. As detailed in the Privacy Center's 2022 report, *American Dragnet*, these practices have allowed ICE to access datasets containing detailed personal records on the vast majority of people in the U.S.¹² Every time ICE asks a state DMV to run face recognition searches on their drivers' license photo databases, *all* driver photos are scanned, not just those of the people ICE is investigating.¹³ In response to ICE's attempts to obtain North Carolina voting records, state officials highlighted that the search was not an isolated investigation of voter fraud but rather a sweeping and open-ended fishing expedition.¹⁴

Immigration authorities' digital surveillance practices are possible due to a broad failure to properly regulate our datafied world. In the absence of federal action, the State of Maryland has been a leader in data privacy.¹⁵ When this legislature discovered that ICE was accessing the data from the state's Motor Vehicle Administration ("MVA") and running face recognition searches on drivers license photos, it acted decisively to pass the Maryland Driver Privacy Act.¹⁶

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¹⁶ Maryland Driver Privacy Act, H.B. 23, Md. Gen. Assemb., 2021 Sess. (Md. 2021), <https://mgaleg.maryland.gov/mgawebsite/Legislation/Details/HB0023?ys=2021RS>; Clara Garcia, *Maryland*



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General Assembly Overrides Hogan's Vetoes Of Immigration Bills, NBC Wash. (Dec. 8, 2021), <https://www.nbcwashington.com/news/local/maryland-general-assembly-overrides-hogans-vetoes-of-immigration-bills/2904771/>.

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Conclusion

The MDPA is crucial to ensuring that when Marylanders seek the services they need, they can trust that the information they share with the government to get those services will not be used against them. For the reasons stated above, the Privacy Center urges the committee to provide a **favorable** report on this bill.

Thank you for the opportunity to submit this testimony. We greatly appreciate your attention to this important issue.

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[<https://perma.cc/VLG5-VH3X>].



SB0977 - Maryland Data Privacy Act.pdf

Uploaded by: Erica Palmisano

Position: FAV

Dear **Members of the Judiciary Committee,**

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with CASA de Maryland. I am a resident of 12A. **I am testifying in support of SB0977, the Maryland Data Privacy Act.**



Showing Up for Racial Justice

President Trump's cruel attack on immigrants has already begun, and it is incumbent upon Maryland to protect the people that he is dedicated to demonizing: our friends, our neighbors, hard-working people who help build our communities and don't deserve to live in fear. Federal immigration authorities have a history of abusing state-held databases containing personal information in order to help them target immigrants: after Maryland allowed undocumented immigrants to apply for driver's licenses in 2013, ICE began using MVA data in this way. In 2021, the General Assembly passed the Driver Privacy Act over the governor's veto to shut down this tactic. However, many other agencies in Maryland maintain databases of personal information that can include immigrants, and those databases are still open to ICE scrutiny. With the federal government on a mission to imprison as many immigrants as possible, we must act to close this loophole in our data privacy.

SB0977 would ban all Maryland state and local government agencies from sharing access to their databases of sensitive personal information, or information taken from those databases, with federal immigration authorities unless those authorities have a real warrant, signed by a judge, authorizing their access to private information. In addition, SB0977 seeks to fight back against the president's revocation of the "sensitive locations" policy by requiring government agencies to deny access to their buildings and facilities to immigration authorities unless they have a warrant signed by a judge. While this does not provide complete protection to people attempting to access resources and services, it at least makes it more difficult for ICE to target local and state government facilities for raids/general enforcement actions.

The law does not require us to freely lend the federal government our resources to help President Trump conduct his anti-immigrant campaign. We must stand up for our friends and neighbors by refusing to be complicit. It is for these reasons that I am encouraging you to vote **in support of SB0977, the Maryland Data Privacy Act.**

Thank you for your time, service, and consideration.

Sincerely,
Erica Palmisano
5580 Vantage Point Rd, Apt 5, Columbia, MD 21044
Showing Up for Racial Justice Baltimore

SB977_ MD Data Privacy Act_FAV_PFM.pdf

Uploaded by: Erinn Camp Mansour

Position: FAV

Patapsco Friends Meeting (Quakers)
SUPPORT: [SB977](#) ([HB1431](#)) *Maryland Data Privacy Act*
February 16, 2025

The Religious Society of Friends (Quakers) is a community of faith based on an experience of a transforming power named many ways: the Inner Light, the Spirit of Christ, the Guide, the Living God, the Divine Presence. Quakers (or Friends) hold as the basis of this faith the belief that God endows each human being with a measure of the Divine Spirit. The gift of God's presence and the light of God's truth have been available to all people in all ages. Quaker beliefs are based on a Judeo-Christian heritage and adherence to the Inner Light, the Divine Seed, and that of God in everyone. Quakerism is, essentially, a religious fellowship based on common religious ideals and experiences, and it is without a binding creed. Quakers express this way of life in many ways, some traditional and some which reject traditional expression.

Quaker experience of the Divine affects what we do in our personal lives, what we believe and how we work for changes in the wider world. "Testimonies" are what Quakers call the ways we have found to live and act based on our beliefs. As Friends seek truth, peace, and harmony in the Light of that Spirit, our testimonies emerge. Each person must prayerfully seek individual guidance and must follow the Light found within.

The immanence of God implies that all persons are children of the Divine and brothers and sisters of one another. Each one has the capacity to discern spiritual truth and to hold direct communion with God. We also wish to affirm our belief that Quakerism is God's "big tent," politically. We welcome people with all sorts of political beliefs—Republicans, Democrats, conservatives, liberals, socialists, Libertarians, and Independents—to the Religious Society of Friends.

George Fox, a founding Quaker, encouraged Friends: "Let your lives speak." In every generation Quakers have devoted their lives to important social issues. The immigration enforcement crises that we are facing today challenge Friends as individuals and as communities to take decisive actions to protect f/Friends, Quakers and non-Quakers, immigrants and vulnerable people, no exceptions. Friends realize that they can do only a small part of what is needed, so they are working through individuals and other organizations to continue to put into action the testimonies of truth, integrity, equality, peace, community, and simplicity. These beliefs lead us to the importance of state-level advocacy in Maryland to support passing the Maryland Data Privacy Act, and other immigrant protections, during the 2025 General Assembly.

Immigrant families should be able to access critical government services without worrying that their information will be shared with federal immigration authorities. This bill blocks U.S. Immigration and Customs Enforcement (ICE) from obtaining warrantless access to state and local agency databases. It alters certain provisions of law to require a law enforcement agency, State or local government to deny access to certain databases, facilities, or buildings by certain individuals seeking access for the purpose of enforcing federal immigration law, under certain circumstances.

In 1682, Friend William Penn said, "True godliness doesn't turn men out of the world, but enables them to live better in it, and excites their endeavours to mend it...." The spiritual and social testimonies of Quakers, and statements of our Friends, lead us to support this proposed emergency legislation to protect our immigrant friends, our brothers and sisters in God's big tent.

Your Friends,
Eileen and Richard Stanzione, Co-Clerks
Patapsco Friends Meeting

SB977_MD Data Privacy Act_FAV_QV.pdf

Uploaded by: Erinn Camp Mansour

Position: FAV

Bill Title: State and Local Agencies - Enforcement of Federal Immigration Law –
Restrictions on Access to Information (Maryland Data Privacy Act) - SB 977 (HB1431)
Position: SUPPORT (FAV)
To: Judicial Proceedings Committee
Date: February 19, 2025

Dear Chair Smith, Jr., Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee,

My name is Erinn Camp Mansour with Quaker Voice of Maryland (QVM), a faith-based advocacy group that advocates for policies that are just, compassionate, equitable, and respectful of the inherent worth of every person and the Earth upon which we live. Quakers across Maryland shared with us their concern for immigrant protections. QVM sees SB977 as an urgent priority in response to increasingly aggressive immigration enforcement policies and state and local data vulnerabilities.

The Quaker experience of the Divine affects what we do in our personal lives, what we believe and how we work for changes in the wider world. “Testimonies” are what Quakers call the ways we have found to live and act based on our beliefs. We embrace the knowledge that all persons are children of the Divine and brothers and sisters of one another. **Our spiritual and social testimonies, including those of peace, community, integrity, and equality, lead us to submit this testimony for SB977.**

The 2021 Driver Privacy Act was a vital step, blocking U.S. Immigration and Customs Enforcement (ICE) from warrantless access to Motor Vehicle Administration (MVA) data, but other state agencies still hold sensitive information that ICE could seize. SB977 stops ICE from accessing state and local databases, records, or information without a valid warrant, ensuring that state data is not misused. The bill also requires state agencies to document all ICE access requests and report to the General Assembly and Attorney General, improving transparency and ensuring compliance with the law.

Maryland must act decisively to protect its residents’ privacy. Trust in government has eroded under aggressive federal enforcement policies. This bill reassures Marylanders that state agencies prioritize their safety and privacy. Without these additional protections, state-held personal data could inadvertently become available to ICE, breaking public trust, and placing our community at risk. Residents who are immigrants should be able to access critical government services without worrying that they will be discriminated against and that their information will be shared with federal immigration authorities. No one should be *afraid* to go to school, seek medical attention, or ask for assistance to feed their family.

Thank you for your consideration of this testimony. We request a FAVORABLE report for this important and emergency legislation.

Sincerely,

Erinn Camp Mansour

Working Group Member, on behalf of Quaker Voice of Maryland

Organization email: quakervoice.md@gmail.com

SB 977 - Data Privacy - ACLU Testimony - House JUD

Uploaded by: Frank Patinella

Position: FAV



Testimony for the House Judiciary Committee

March 26, 2025

SB 977 – Enforcement of Federal Immigration Law – Restrictions on Access to Information (Maryland Data Privacy Act)

FRANK PATINELLA
SENIOR POLICY ADVOCATE

AMERICAN CIVIL
LIBERTIES UNION
OF MARYLAND

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COREY STOTTLEMYER
PRESIDENT

DANA VICKERS SHELLEY
EXECUTIVE DIRECTOR

ANDREW FREEMAN
GENERAL COUNSEL

FAVORABLE

The ACLU of Maryland strongly supports SB 977 – the Maryland Data Privacy Act – which seeks to prevent state and local government entities from sharing private information about Marylanders who are immigrants without a valid warrant issued by a federal or state court. The bill also extends these prohibitions to state and local contractors and grant recipients.

SB 977 provides critical safeguards against loopholes that entities can take advantage of to obtain personal immigration for the purposes of immigration enforcement. Data brokers hold tremendously detailed information about virtually every person in the country, including information about people's addresses, financial transactions, relationships, and detailed location from tracking people's phones and cars. Data brokers are largely unregulated and aggregate and make all of this sensitive information available for purchase. Immigration authorities are able to simply buy it without any court oversight or transparency, circumventing due process and accountability. For example, researchers have uncovered ICE's purchase of detailed cell phone location information and phone, water, electricity, and other utility records.

The harms of widespread immigration enforcement and mass deportation are well documented and include disrupting communities, ripping families apart, and causing widespread panic and fear. In fact, a 2022 report on 287(g) programs found that instead of increasing safety, local law enforcement collaborating with ICE to enforce immigration law actually did the reverse, having a negative impact on public safety and public health.¹ Dragnet enforcement and local involvement creates an atmosphere where immigrant residents are less likely to report crimes or serve as witnesses, making everyone less safe. Maryland should not be

¹ License to Abuse: How ICE's 287(g) Program Empowers Racist Sheriffs and Civil Rights Violations. (2022). American Civil Liberties Union.
<https://www.aclu.org/publications/license-abuse-how-ices-287g-program-empowers-racist-sheriffs>

expending our limited resources and capacity to be involved in these enforcement actions and instead focus on tactics that are shown to improve communities and public safety.

Maryland has long recognized the importance of creating a welcoming environment and supporting immigrant families and individuals in our community. In 2013, the state extended driving privileges to all Marylanders regardless of immigration status. In this national moment, when federal actors move to terrorize communities and unregulated agencies access sensitive data with complete disregard for privacy rights, it is our duty to protect the sensitive data being collected and maintained by the state.

Not only should Marylanders be able to control who has access to their data, but the threat of widespread dragnet immigration sweeps and the rhetoric around mass deportation at the national level compels us to call on state and local governments to stop sharing personal information of residents with ICE.

For the foregoing reasons, the ACLU of Maryland urges a favorable report on SB 977.

Testimony in Support of SB 977.pdf

Uploaded by: Gabrielle Sanchez

Position: FAV



Testimony in SUPPORT of SB 977

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

House Judiciary Committee
March 24, 2025

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

Marylanders for Food and Farmworker Protection (MFFWP) is a coalition dedicated to advocating for the rights and well-being of essential workers, including migrant farmworkers who play a critical role in feeding our communities but are too often denied fundamental protections. We strongly support SB 977 as it will significantly strengthen privacy protections for all Maryland residents by ensuring that law enforcement agencies and state or local government entities do not grant access to sensitive personal data for the purpose of enforcing federal immigration laws. ICE has engaged in troubling practices of mass surveillance for the purpose of identify residents, undocumented or otherwise and Maryland must act to safeguard the privacy and safety of our communities.

The Maryland Data Privacy Act is a necessary protection against the growing threats posed by federal overreach in immigration enforcement. ICE has repeatedly used state and local government databases—including motor vehicle records, health data, and court documents—to target, detain, and deport immigrants. This access has disproportionately harmed undocumented residents, but it also puts all Marylanders at risk of data breaches, privacy violations, and civil rights abuses. By limiting the ability of law enforcement agencies and government offices to share data with ICE, this bill ensures that Maryland does not participate in these harmful and far-reaching practices.

Protecting the privacy of our residents, regardless of immigration status, is not just a moral imperative—it is a matter of public safety. When immigrant communities fear that their data may be used against them, they are less likely to report crimes, cooperate with law enforcement, or seek necessary medical and social services. This undermines public safety and trust in government institutions. As a coalition that advocates for the rights of food system workers, we are especially concerned that lack of privacy protections will deter workers from filing complaints with the Maryland Department of Labor when their workplace rights are violated,

allowing violations to go unchecked. By enacting the Maryland Data Privacy Act, we reinforce our commitment to protecting the civil liberties of all who call Maryland home.

A specific example to highlight why the Maryland Data Privacy Act is necessary is the state's experience through the COVID-19 pandemic. During a public health emergency, like the pandemic or as we respond to the bird flu, it is critical that people are not fearful of seeking health services, whether it be vaccines or testing. The Maryland Data Privacy Act helps assure people as they interact with the government for important public health measures.

Furthermore, this bill holds state employees accountable for any violations, ensuring that privacy protections are upheld and enforced. It also empowers the Attorney General to act against entities that fail to comply, demonstrating Maryland's commitment to strong privacy laws and ethical governance.

In recent years, we have seen states across the country take action to limit the ways in which federal agencies exploit local resources to enforce immigration laws. Maryland must join this effort by ensuring that our state does not facilitate the indiscriminate surveillance and targeting of our residents. The Maryland Data Privacy Act strengthens our state's privacy protections, upholds public trust, and ensures that Maryland remains a place where all people—regardless of immigration status—are treated with dignity and respect.

We urge you to support the passage of this bill and take a firm stand against ICE's overreach into our state's data systems. Thank you for your time and consideration.

SB 977- SUP - March 26 - JUD - MD Data Privavcy .p

Uploaded by: Henry Bogdan

Position: FAV



marylandnonprofits.org

1500 Union Avenue | Suite 2500 | Baltimore, MD 21211
410.727.6367 | 800.273.6367 | Fax 410.235.2190

March 26, 2025

Senate Bill 977

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

Position: SUPPORT

Federal immigration authorities have a history of abusing state-held databases containing personal information in order to help them target immigrants. After Maryland allowed undocumented immigrants to apply for driver's licenses in 2013, ICE began using MVA data in this way. In 2021, the General Assembly passed the Driver Privacy Act over the governor's veto to shut down this tactic. However, many other agencies in Maryland maintain databases of personal information that can include immigrants, and those databases are still open to ICE scrutiny.

With the federal government on a mission to imprison and/or deport as many immigrants as possible, we must act to close this loophole in our data privacy. Senate Bill 977 would ban all Maryland state and local government agencies from sharing access to their databases of sensitive personal information, or information taken from those databases, with federal immigration authorities unless those authorities have a valid, signed judicial warrant, authorizing their access to private information.

Maryland Nonprofits urges you to give Senate Bill 977 a favorable report.



Maryland Nonprofits' mission is to strengthen organizations and networks for greater quality of life and equity.

SB0977 - Maryland Data Privacy Act crossover.pdf

Uploaded by: Holly Powell

Position: FAV

Dear **Members of the Judiciary Committee,**

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with CASA de Maryland. I am a resident of **District 46**. **I am testifying in support of SB0977, the Maryland Data Privacy Act.**



Showing Up for Racial Justice

President Trump's cruel attack on immigrants has already begun, and it is incumbent upon Maryland to protect the people that he is dedicated to demonizing: our friends, our neighbors, hard-working people who help build our communities and don't deserve to live in fear. Federal immigration authorities have a history of abusing state-held databases containing personal information in order to help them target immigrants: after Maryland allowed undocumented immigrants to apply for driver's licenses in 2013, ICE began using MVA data in this way. In 2021, the General Assembly passed the Driver Privacy Act over the governor's veto to shut down this tactic. However, many other agencies in Maryland maintain databases of personal information that can include immigrants, and those databases are still open to ICE scrutiny. With the federal government on a mission to imprison as many immigrants as possible, we must act to close this loophole in our data privacy.

SB0977 would ban all Maryland state and local government agencies from sharing access to their databases of sensitive personal information, or information taken from those databases, with federal immigration authorities unless those authorities have a real warrant, signed by a judge, authorizing their access to private information. In addition, SB0977 seeks to fight back against the president's revocation of the "sensitive locations" policy by requiring government agencies to deny access to their buildings and facilities to immigration authorities unless they have a warrant signed by a judge. While this does not provide complete protection to people attempting to access resources and services, it at least makes it more difficult for ICE to target local and state government facilities for raids/general enforcement actions.

The law does not require us to freely lend the federal government our resources to help President Trump conduct his anti-immigrant campaign. We must stand up for our friends and neighbors by refusing to be complicit. It is for these reasons that I am encouraging you to vote **in support of SB0977, the Maryland Data Privacy Act.**

Thank you for your time, service, and consideration.

Sincerely,
Holly Powell
2308 Cambridge Street
Baltimore, Maryland 21224
Showing Up for Racial Justice Baltimore

Health Care for the Homeless - SB 977 FAV - Data P

Uploaded by: Joanna Diamond

Position: FAV



HEALTH CARE FOR THE HOMELESS TESTIMONY

FAVORABLE

SB 977 – State and Local Agencies - Enforcement of Federal Immigration Law - Restrictions on Access to Information (Maryland Data Privacy Act)

House Judiciary Committee

March 26, 2025

Health Care for the Homeless supports SB 977, which seeks to require a law enforcement agency or a unit of State or local government to deny access to certain databases, facilities, or buildings by certain individuals seeking access for the purpose of enforcing federal immigration law.

Health Care for the Homeless is a federally qualified health center, providing comprehensive health care and housing services for individuals and families experiencing homelessness and housing instability in the Baltimore area. We provide services to everyone, regardless of immigration status, and we do not collect immigration status information, both as a matter of law and as a matter of values. We know, anecdotally, that our clients have a whole range of immigration statuses. We also know that many clients we serve also rely on critical public benefits and social safety programs for their health and safety. The efficacy of services that Health Care for the Homeless provides will be compromised if access to these other services clients rely on is compromised. Allowing access to clients' sensitive information will undoubtedly compromise those services because it will have a significant chilling effect because of the fear of deportation and other immigration proceedings. This chilling effect will go far beyond the public services that people receive at the locations and entities contemplated by this bill – it will also have a chilling effect at the other places they receive services, including Health Care for the Homeless. This will have a significant impact on the health and well-being of full communities who forgo these critical services due to understandable fear for what will happen to them and their families.

Immigrant families should be able to access critical government services without worrying that their information will be shared with federal immigration authorities. We need this bill so that immigration enforcement is limited from obtaining warrantless access to state and local agency databases.

We urge a favorable report.

Health Care for the Homeless is Maryland's leading provider of integrated health services and supportive housing for individuals and families experiencing homelessness. We deliver medical care, mental health services, state-certified addiction treatment, dental care, social services, housing support services, and housing for over 11,000 Marylanders annually at sites in Baltimore City and Baltimore County.

Our Vision: Everyone is healthy and has a safe home in a just and respectful community.

Our Mission: We work to end homelessness through racially equitable health care, housing and advocacy in partnership with those of us who have experienced it.

For more information, visit www.hchmd.org.

JUD - SB 977 - State and Local Agencies - Enforcem

Uploaded by: Joanne Antoine

Position: FAV

March 26, 2025

Testimony on SB 977
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 SB 977, 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 (SB 977) 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 SB 977 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 SB 977.



SB0977 - Maryland Data Privacy Act crossover - sup

Uploaded by: John Ford

Position: FAV

Dear **Members of the Judiciary Committee,**

This testimony is being submitted in alliance with Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. I am also writing in collaboration with CASA. I am a resident of **District 46, and the zip code 21224, one of the most reliant zip codes in the country on migrants. Immigrants are the reason for our city's and neighborhood's growth and momentum, and need to be and feel protected. I am testifying in support of SB0977, the Maryland Data Privacy Act.**

President Trump's cruel attack on immigrants has already begun, and it is incumbent upon Maryland to protect the people that he is dedicated to demonizing: our friends, our neighbors, hard-working people who help build our communities and don't deserve to live in fear. Federal immigration authorities have a history of abusing state-held databases containing personal information in order to help them target immigrants: after Maryland allowed undocumented immigrants to apply for driver's licenses in 2013, ICE began using MVA data in this way. In 2021, the General Assembly passed the Driver Privacy Act over the governor's veto to shut down this tactic. However, many other agencies in Maryland maintain databases of personal information that can include immigrants, and those databases are still open to ICE scrutiny. With the federal government on a mission to imprison as many immigrants as possible, we must act to close this loophole in our data privacy.

SB0977 would ban all Maryland state and local government agencies from sharing access to their databases of sensitive personal information, or information taken from those databases, with federal immigration authorities unless those authorities have a real warrant, signed by a judge, authorizing their access to private information. In addition, SB0977 seeks to fight back against the president's revocation of the "sensitive locations" policy by requiring government agencies to deny access to their buildings and facilities to immigration authorities unless they have a warrant signed by a judge. While this does not provide complete protection to people attempting to access resources and services, it at least makes it more difficult for ICE to target local and state government facilities for raids/general enforcement actions.

The law does not require us to freely lend the federal government our resources to help President Trump conduct his anti-immigrant campaign. We must stand up for our friends and neighbors by refusing to be complicit. It is for these reasons that I am encouraging you to vote **in support of SB0977, the Maryland Data Privacy Act.**

Thank you for your time, service, and consideration.

Sincerely,

John Preston Ford

529 S East Ave, Baltimore, MD

SB977 Sugarman fav.pdf

Uploaded by: Kate Sugarman

Position: FAV

Testimony in SUPPORT of SB 977

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

House Judiciary Committee

March 26, 2025

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

I am a family doctor living in D15 and I offer a favorable testimony in strong support of SB 977 - State and Local Agencies - Enforcement of Federal Immigration Law - Restrictions on Access to Information (Maryland Data Privacy Act).

I am a member of Doctors for Camp Closure, Maryland and a member of JUFJ, Jews United for Justice. As a doctor I know without a shadow of a doubt that there is no healthy amount of time for a person to spend in an ICE jail. The medical and psychological conditions in ICE jails are deplorable. Even more heartbreaking, we know that putting a family member in an ICE jail results in family separation. Children suffer over the loss of a parent and the entire family suffers both emotionally and financially when they lose a wage earner and a loved one. Children lose their ability to concentrate in school. They can no longer thrive.

In recent years, the erosion of data privacy protections has led to increased fear and uncertainty within immigrant communities. The Maryland Data Privacy Act SB 977 /HB 1431 takes critical steps to restore trust by ensuring that state and local agencies, as well as law enforcement entities, are prohibited from sharing personal information, facial recognition data, and access to public facilities with federal immigration authorities unless a valid warrant is presented.

Our immigrant patients must have their privacy protected. This legislation is critical for our patients' welfare.

If our patients' privacy is not protected then they are at a much higher risk of deportation. There is nothing that is worse for our patients' health than the fear of and then actual deportation. Once a family member is deported, the family members suffer physically and psychologically. Children lose their ability to thrive and function in school. They regress emotionally which then takes a physical toll on their bodies. Families lose a wage earner so they suffer economically.

As a family doctor I stand with immigrant communities and supports the Maryland Data Privacy Act 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.

This legislation is crucial not only for protecting the privacy of all Maryland residents but also for fostering trust between immigrant communities and public institutions. By clearly delineating the boundaries of federal immigration enforcement within our state, we promote the values of dignity, safety, and fairness.

In 2021, this legislature took action to protect immigrants and safeguard their sensitive data. I once again calls on this legislature to act.

I urge the committee to provide a favorable report on SB 977.

Kate Sugarman, MD

Potomac MD 20854

Testimony in Support of SB0977_Blaha_SURJ.pdf

Uploaded by: Katherine Blaha

Position: FAV

Monday, March 24, 2025



Showing Up for Racial Justice

Dear Members of the House Judiciary Committee,

I am submitting this testimony as a member of Showing Up for Racial Justice (SURJ) Baltimore, a group of individuals working to mobilize white people in a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with CASA de Maryland, an immigration advocacy and assistance organization based in Maryland. I am a resident of Baltimore City and District 41. I am testifying in **support of SB0977, the Maryland Data Privacy Act.**

President Trump's cruel, racist, and xenophobic attacks on immigrants has continued in his second administration. It is incumbent upon Maryland to protect the people that he is dedicated to demonizing: our friends, family members, and neighbors, hard-working people who help build our communities. They don't deserve to live in fear.

In Maryland and nationwide, federal immigration authorities have a history of abusing state-held databases containing personal information in order to help them target immigrants. In Maryland, after Maryland allowed undocumented immigrants to apply for driver's licenses in 2013, ICE began using MVA data in this way. This is a vicious and counterproductive attempt to force immigrants to live in the shadows when they would otherwise readily adhere to local laws and regulations that keep everyone safe.

In 2021, the General Assembly passed the Driver Privacy Act over the governor's veto to shut down this tactic. However, many other agencies in Maryland maintain databases of personal information that can include immigrants, and those databases are still open to ICE scrutiny. With the federal government on a mission to terrorize, imprison, and deport as many immigrants as possible, we must act to close this loophole in our data privacy.

SB0977 would ban all Maryland state and local government agencies from sharing access to their databases of sensitive personal information, or information taken from those

databases, with federal immigration authorities unless those authorities have a *real* warrant, signed by a judge, authorizing their access to private information.

In addition, SB0977 seeks to fight back against the president's revocation of the "sensitive locations" policy by requiring government agencies to deny access to their buildings and facilities to immigration authorities unless they have a *real* warrant signed by a judge. While this does not provide complete protection to people attempting to abide by local laws and retain access to crucial resources and services, it at least makes it more difficult for ICE to target local and state government facilities for raids/general enforcement actions.

I do not want Maryland to use our resources to help President Trump conduct his racist, cruel anti-immigrant campaign. We must stand up for our friends, family, and neighbors by refusing to be complicit in his xenophobia. It is for these reasons that I am encouraging you to vote in **support of SB0977, the Maryland Data Privacy Act.**

Thank you for your time, service, and consideration.

Sincerely,
Dr. Katherine Blaha
5706 Cross Country Blvd
Baltimore, MD 21209
Showing Up for Racial Justice (SURJ) Baltimore

SB0977 - Maryland Data Privacy Act crossover.docx.

Uploaded by: Katherine Wilkins

Position: FAV

Dear **Members of the Judiciary Committee**,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with CASA de Maryland. I am a resident of **District 12A. I am testifying in support of SB0977, the Maryland Data Privacy Act.**



Showing Up for Racial Justice

President Trump's cruel attack on immigrants has already begun, and it is incumbent upon Maryland to protect the people that he is dedicated to demonizing: our friends, our neighbors, hard-working people who help build our communities and don't deserve to live in fear. Federal immigration authorities have a history of abusing state-held databases containing personal information in order to help them target immigrants: after Maryland allowed undocumented immigrants to apply for driver's licenses in 2013, ICE began using MVA data in this way. In 2021, the General Assembly passed the Driver Privacy Act over the governor's veto to shut down this tactic. However, many other agencies in Maryland maintain databases of personal information that can include immigrants, and those databases are still open to ICE scrutiny. With the federal government on a mission to imprison as many immigrants as possible, we must act to close this loophole in our data privacy.

SB0977 would ban all Maryland state and local government agencies from sharing access to their databases of sensitive personal information, or information taken from those databases, with federal immigration authorities unless those authorities have a real warrant, signed by a judge, authorizing their access to private information. In addition, SB0977 seeks to fight back against the president's revocation of the "sensitive locations" policy by requiring government agencies to deny access to their buildings and facilities to immigration authorities unless they have a warrant signed by a judge. While this does not provide complete protection to people attempting to access resources and services, it at least makes it more difficult for ICE to target local and state government facilities for raids/general enforcement actions.

The law does not require us to freely lend the federal government our resources to help President Trump conduct his anti-immigrant campaign. We must stand up for our friends and neighbors by refusing to be complicit. It is for these reasons that I am encouraging you to vote **in support of SB0977, the Maryland Data Privacy Act.**

Thank you for your time, service, and consideration.

Sincerely,

Katherine Wilkins
5605 Foxcroft Way
Columbia MD 21045

Showing Up for Racial Justice Baltimore

SB0977_FAV_Maryland Just Power Alliance.pdf

Uploaded by: Katie Wenger

Position: FAV



Support the Maryland Data Privacy Act (SB0977)

Dear Members of the House Judiciary Committee,

We are the [Maryland Just Power Alliance](#), a coalition of 3 non-partisan community power organizations: [Anne Arundel Connecting Together](#) (ACT), [Action in Montgomery](#) (AIM), and [People Acting Together in Howard](#) (PATH), representing tens of thousands of Maryland residents. We organize with people in congregations, schools, and neighborhoods to build power for policies that make our communities more fair and livable for everyone. We are asking you to support the Maryland Data Privacy Act (SB0977) when it is considered by the Judiciary Committee.

The Maryland Data Privacy Act is crucial to protect residents' trust in government so they can access much-needed services. It is essential that this bill prevents ICE from warrantless access to people's sensitive data in state and local agency databases. Residents need to be able to access crucial resources like healthcare without the fear that their information will be shared with federal immigration enforcement. We call on you to pass this bill out of your committee.

Thank you for your consideration.

2025 - SB 0977 - Maryland Data Privacy Act.pdf

Uploaded by: Ken Phelps Jr

Position: FAV



THE EPISCOPAL DIOCESE OF MARYLAND

TESTIMONY IN SUPPORT OF SB 0977:

State and Local Agencies - Enforcement of Federal Immigration Law - Restrictions on Access to Information

(Maryland Data Privacy Act)

****FAVORABLE****

TO: Sen. William C. Smith, Jr., Chair, Sen. Jeff Waldstreicher, Vice Chair and the members of the Senate Judicial Proceedings Committee

FROM: Rev. Kenneth O. Phelps, Jr., Co-Chair, Maryland Episcopal Public Policy Network, Diocese of Maryland

DATE: February 19, 2025

As Christians, our faith is shaped by the biblical story of people whom God led into foreign countries to escape oppression. Exodus tells us the story of the ancient Israelites escaping slavery in the land of Egypt and wandering in the wilderness without a home. In Leviticus, God commands that we remember this sojourn as part of our own story of faith: “When an alien resides with you in your land, you shall not oppress the alien. The alien who resides with you shall be to you as the citizen among you; you shall love the alien as yourself, for you were aliens in the land of Egypt.”

Paul tells us in Ephesians, we are no longer aliens. Christ Jesus has made us citizens with the saints and members of the household of God. As we read in 1 Peter, we have received God’s mercy, and we must demonstrate this sacrificial love in our lives and deeds. We are called to transcend the earthly distinctions made among us by the leaders of this world. We must proclaim that the kingdom of heaven is promised to the persecuted and answer Christ’s call to welcome the stranger among us.

This vision of God’s kingdom, this new reality, is the one to which we Christians are pledged in our baptism above any political preference or policy, and to which our church must bear witness through word and deed. This sacred call shapes both our churchwide commitment to stand with migrants and the ministries of congregations across our church who serve vulnerable immigrants and refugees in their communities.

Since the late 19th century, The Episcopal Church has followed this call by welcoming immigrants and refugees to the United States. Across our church, migrants



THE EPISCOPAL DIOCESE OF MARYLAND

are members of the Body of Christ and part of our congregations and communities, and our common life is richer thanks to their contributions.

But, in recent years, the erosion of data privacy protections has led to increased fear and uncertainty within those very immigrant communities. The Maryland Data Privacy Act **SB 977** takes critical steps to restore trust by ensuring that state and local agencies, as well as law enforcement entities, are prohibited from sharing personal information, facial recognition data, and access to public facilities with federal immigration authorities unless a valid warrant is presented.

This legislation is crucial not only for protecting the privacy of all Maryland residents but also for fostering trust between immigrant communities and public institutions. By clearly delineating the boundaries of federal immigration enforcement within our state, we promote the values of dignity, safety, and fairness.

In 2021, this legislature took action to protect immigrants and safeguard their sensitive data. The Episcopal Diocese of Maryland once again calls on this legislature to act.

The Diocese of Maryland requests a favorable report.

Untitled document.pdf

Uploaded by: Kyle Orland

Position: FAV

Testimony in SUPPORT of SB 977

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

House Judiciary Committee

March 24, 2025

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

Kyle Orland is pleased to offer **a favorable testimony in strong support of SB 977 State and Local Agencies - Enforcement of Federal Immigration Law - Restrictions on Access to Information (Maryland Data Privacy Act).**

In recent years, the erosion of data privacy protections has led to increased fear and uncertainty within immigrant communities. The Maryland Data Privacy Act (SB 977) takes critical steps to restore trust by ensuring that state and local agencies, as well as law enforcement entities and third-party data brokers, are prohibited from sharing personal information with governmental entities for the purposes of immigration enforcement unless a valid warrant is presented.

SB 977 provides critical safeguards against loopholes that entities can take advantage of to obtain personal immigration for the purposes of immigration enforcement. Data brokers hold tremendously detailed information about virtually every person in the country, including information about people's addresses, financial transactions, relationships, and detailed location from tracking people's phones and cars. Data brokers are largely unregulated and aggregate and make all of this sensitive information available for purchase. Immigration authorities are able to simply buy it without any court oversight or transparency, circumventing due process and accountability. For example, researchers have uncovered ICE's purchase of detailed cell phone location information and phone, water, electricity, and other utility records.¹

I interact with countless immigrants personally in my everyday life and have found them to be some of the most important members of the community. They deserve to be able to live in our community without fear of unreasonable search and seizure, and to have their private information protected from improper use by law enforcement.

¹ [New Records Detail DHS Purchase and Use of Vast Quantities of Cell Phone Location Data | ACLU](#)

DataPrivacy.March.SB0977.favorable.LauraAtwood.pdf

Uploaded by: Laura Atwood

Position: FAV

Laura Atwood
Silver Spring, MD 20910
laura.atwood.home@gmail.com

TESTIMONY ON SB0977 - POSITION: FAVORABLE
**State and Local Agencies – Enforcement of Federal Immigration Law – Restrictions on
Access to Information (Maryland Data Privacy Act)**

House Judiciary Committee
March 24, 2025

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

My name is Laura Atwood. I am a resident of District 20, and I am submitting this testimony **in strong support** of SB0977, the Maryland Data Privacy Act.

At the federal level, these are serious times. I hope that we have all studied history and contemporary society enough to recognize the scapegoating of entire communities—and that we also recognize the almost unthinkable cruelty that individuals and governments are capable of.

Maryland needs to join other states, with full courage and resoluteness, in truly supporting its residents by resisting the federal government's immigration devastation. This includes supporting the Data Privacy Act, which would limit federal access to state and local databases that contain sensitive personal information.

I support this and other immigration bills because of my belief in the deep inherent worth of every individual, and in the inherent interconnectedness of all of us. More specifically, I am a physical therapist, a parent of young adult children, and a community member who has lived internationally and has long been involved with people who've immigrated to this country under a variety of circumstances. People who have immigrated enrich my personal life (I've been married to one for 28 years!), my workplace and social circles, and my local community.

Every individual who is detained and/or deported is a human being with dignity, deserving of compassion and of justice under constitutional, international, and moral law. And every individual who is detained and/or deported is part of a larger community—often including children and vulnerable adults.

How many of you have children, or (!) have been children? What is the lifelong impact of losing a parent at a young age, or at any age?

Recently while my mind was spinning with immigration-related news, I stopped off at my local pupusería because I'd heard that many local restaurants are struggling, plus their pupusas are delicious. A few families were there just enjoying life, as things should be. The father of one clearly tired toddler was trying to leave the table to go to the bathroom. The kid was crying, not wanting the father to go; he scooped her up and hugged and danced with her, turned the now-calm kid over to the mother, and left for the bathroom. All an everyday event. But my spinning mind went to the thought: What if in a different situation, his kid was crying and he was unable to return?

How much lifelong trauma are we as a society inflicting—by letting ICE create so much loss, and also realistic fear of this loss?? And how could we not do everything in our power to prevent this?

The Data Privacy Act would make it harder for ICE and other federal agencies to find and misuse personal data to carry out a destructive and hateful agenda. **I therefore respectfully urge this committee to return a favorable report on SB0977.** Thank you.

Testimony in SUPPORT of SB 977-Indivisible Howard

Uploaded by: Laurie Liskin

Position: FAV



Testimony in SUPPORT of SB 977

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

House Judiciary Committee

March 24, 2025

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

Indivisible Howard County is pleased to offer a favorable testimony in strong support of SB 977 - **State and Local Agencies - Enforcement of Federal Immigration Law - Restrictions on Access to Information (Maryland Data Privacy Act)**.

Established in 2017 as part of the national Indivisible movement, Indivisible Howard County has more than 900 members focused on making our state safe, equitable, and welcoming for all residents.

Everyone in our state, undocumented immigrants included, is entitled to privacy. But our data privacy protections have come under serious threat with increasing federal efforts to use public sources to identify, detain, and deport immigrants. The Maryland Data Privacy Act **SB 977** is designed to maintain data privacy 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.

Indivisible Howard County stands with immigrant communities and supports the Maryland Data Privacy Act because it will:

- **Limit Access to Databases and Facilities and Protect personal information** without a valid court-issued warrant.
- **Provide Accountability and Transparency:** Agencies must maintain records of all access requests and submit annual reports to the Attorney General and the General Assembly.
- **Ensure Enforcement and Penalties for noncompliance.**

This legislation benefits all Marylanders. It will protect our privacy of every resident and foster trust between immigrant communities and public institutions. By placing boundaries on federal

immigration enforcement within our state, we promote the values of dignity, safety, and fairness.

In 2021 this legislature took action to protect immigrants and safeguard their personal data. Indivisible Howard County calls upon the legislature to act again.

Indivisible Howard County **urges the committee to provide a favorable report on SB 977.**

sb977 immigrant data privacy JUD 3-26-2025.pdf

Uploaded by: Lee Hudson

Position: FAV



Delaware-Maryland Synod
Evangelical Lutheran Church in America
God's work. Our hands.

Testimony Prepared for the
Judiciary Committee
on
Senate Bill 977
March 26, 2025
Position: **Favorable**

Mr. Chairman and members of the Committee, thank you for the opportunity to testify about justice and human rights. I am Lee Hudson, assistant to the bishop for public policy in the Delaware-Maryland Synod, Evangelical Lutheran Church in America, a faith community with three synods in every part of the State.

Ours is a global communion that has addressed human movement since 1939 when the globe was awash in refugees from ruined societies. Human displacement is not criminal activity. Often it is flight, forced exile, or the result of natural or social disaster.

Our faith tradition has taken up the cause of human movement with an understanding of human worth and nascent rights. Displaced persons in the United States do have rights under U.S. law and we have previously testified that they should be advised of and understand the rights they have, and that those should not be presumptively nor surreptitiously abridged. We support **Senate Bill 977** as we have supported other proposals for credibly protecting those rights.

The Evangelical Lutheran Church in America has articulated as universal this example of sacred human dignity: *Humans are (created as) civic (i.e., communal) beings and have the right to equal access and participation in legal, civic and political decisions affecting them* ("Human Rights," ELCA social message, 2017, pg. 6).

This is not less true for refugees, exiles, or displaced persons than for authorized citizens. In a social message on "Immigration" (ELCA, 1998, updated 2018) our understanding of and commitment to human rights for those without documents includes *reasonable access* (pg. 8) to lawful residence and citizenship. People without documents require legal apparatus to acquire legal status. They ought not be surveilled without cause. We note also that there are always children among those without documents, and that children cannot possibly navigate a legal process without advocates.

Senate Bill 977 provides a standard of privacy protection that we hope ought to apply to everyone. Information gathered about us for commercial profit or unauthorized surveillance is a corrupting practice in the social community, and we therefore ask your favorable report.

Lee Hudson

Montgomery County Community Action Board Testimony_

Uploaded by: Leslie Frey

Position: FAV



Montgomery County Community Action Board Testimony
SB977 - Enforcement of Federal Immigration Law - Restrictions on Access to Information
(Maryland Data Privacy Act)
March 26, 2025
SUPPORT

TO: The Honorable Luke Clippinger, Chair; The Honorable J. Sandy Bartlett, Vice Chair; and Members of the Judiciary Committee

FROM: Dr. Jeffery Johnson, Chair, Montgomery County Community Action Board

The Montgomery County Community Action Board, the County's local, state, and federally designated anti-poverty group, strongly supports SB977, which would deny access to databases maintained by law enforcement and other state and local entities, if the person requesting the access is or appears to be accessing the database for immigration enforcement purposes, unless they have a warrant and clearly identify the record to be accessed.

As the governing body for the Montgomery County Community Action Agency, we continue to hear about the terrible local impacts of immigration policies and proposals established at the federal level. Many of the residents served by the Takoma-East Silver Spring (TESS) Community Action Center, Navigation Team, and the agency's Volunteer Income Tax Assistance (VITA) program are living in fear. Too many of our neighbors are terrified to seek services they desperately need because of concerns about their immigration status and how their personal information might be used. In a recent SNAP clinic for example, every resident in attendance was reluctant to apply for food assistance due to concerns about what would happen to their information. We've also heard from partner organizations that are receiving a record number of requests for "Know Your Rights" trainings. Some food distribution programs have seen their numbers drop and some have even moved food distribution events inside so that participants feel safer picking up groceries. Policies, including the ones proposed in SB977 to protect people's information, can help to alleviate some of the fears people are facing and increase confidence in government entities. The alternative is that people could go without food assistance, housing support, child care assistance, and other services they desperately need.

In these uncertain times, our board appreciates the General Assembly's efforts to explore state-level policies that can offer added safety and a better sense of security for our neighbors. The Community Action Board stands ready to support legislation that will help some of the most vulnerable members of our community.

The Montgomery County Community Action Board strongly supports SB977 and asks for the Committee's favorable report.

EACtestimonySB977.House.pdf

Uploaded by: Leslie Margolis

Position: FAV

Education Advocacy Coalition for Students with Disabilities

HOUSE JUDICIARY COMMITTEE

SENATE BILL 977: Enforcement of Federal Immigration Law—Restrictions on Access to Information (Maryland Data Privacy Act)

DATE: March 26, 2025

POSITION: SUPPORT

The Education Advocacy Coalition for Students with Disabilities (EAC), a coalition of nearly 50 organizations and individuals concerned with education policy for students with disabilities in Maryland, strongly supports Senate Bill 977, which would restrict any individual who is, or who appears to be, seeking access to records or other information for the purpose of enforcing federal immigration law unless the individual presents a valid warrant issued by a federal or Maryland state court and clearly identifies record or information to be accessed. As attorneys, advocates and consultants working with families whose children have disabilities, EAC members are greatly concerned about the risk to children with disabilities if sensitive information about them is released to immigration officials. Although the Family Education Rights and Privacy Act (FERPA) governs the release of information by schools, FERPA does permit schools to release directory information; directory information includes such details as a student's name and address and date and place of birth. By restricting access to information without presentation of a court order, Senate Bill 977 closes a hole that could otherwise be devastating to children and their families who are worried about being identified to immigration officers seeking to detain and deport them.

Additionally, children with disabilities, like all children, have a right under *Plyler v. Doe*, 457 U.S. 202 (1982) to attend school without regard to their immigration status. It is especially important for children with disabilities to have unthreatened access to school in order to obtain their legally-guaranteed special education and related services under the federal Individuals with Disabilities Act. Senate Bill 977 would enable schools to keep students as safe as possible and make it possible for parents to continue to participate in meetings and school events.

For these reasons, the EAC strongly supports Senate Bill 977.

Contact: Leslie Seid Margolis, lesliem@disabilityrightsmd.org or 443-692-2505

Respectfully submitted,

Selene Almazan, Selene Almazan Law, LLC
Rene Averitt-Sanzone, The Parents' Place of Maryland
Beth Benevides, The Autism Society of Maryland
Ellen A. Callegary, Attorney (Retired)
Stephanie Carr, S.L. Carr Education Consultants, LLC
Rich Ceruolo, Parent
Lisa Frank and Andrea Bennett, Special Kids Company
Riya Gupta, Strong Schools Maryland
Beth Ann Hancock, Charting the Course, LLC
Kalman Hettleman, Independent Advocate
Morgan Durand Horvath, M.Ed., Abilities Network
Rosemary Kitzinger and Marjorie Guldán, Bright Futures, LLC
Ande Kolp, The Arc Maryland
Leslie Seid Margolis, Disability Rights Maryland, Co-Chairperson, Education Advocacy Coalition
Monica Martinez, Martinez Advocacy
Beth Nolan, MAT, Education Team Allies
Sumaiya Olatunde, H2D Counseling
Ellen O'Neill, Atlantic Seaboard Dyslexia Education Center
Ronza Othman, National Federation of the Blind of Maryland/Maryland Parents of Blind
Children
Kate Raab and Nicole Joseph, Law Office of Nicole Joseph
Jaime Seaton, BGS Law, LLC
Karleen Spitulnik, Decoding Dyslexia Maryland
Ronnetta Stanley, M.Ed., Loud Voices Together
Wayne Steedman, Steedman Law Group
Guy Stephens, Alliance Against Seclusion and Restraint
Maureen van Stone, Kendall Eaton, Genevieve Hornik, Project HEAL at Kennedy Krieger
Institute
Liz Zogby, Maryland Down Syndrome Advocacy Coalition

The Maryland Education Coalition also joins this testimony.

SB977_LindaBergofsky_FAV_Judiciary.pdf

Uploaded by: Linda Bergofsky

Position: FAV

Date of Hearing: March 26, 1:00 PM
Linda Rae Bergofsky
Poolesville, MD 20837

TESTIMONY ON SB 977- POSITION: FAVORABLE

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

TO: Chair Clippinger, Vice Chair Bartlett, and members of the Judiciary Committee

FROM: Linda Bergofsky

I am a resident of District 15. I am submitting this testimony in support of SB 977, State and Local Agencies - Enforcement of Federal Immigration Law - Restrictions on Access to Information (Maryland Data Privacy Act)

By way of background, I am a member of Oseh Shalom synagogue in Laurel, MD and serve as the chair of its Social Justice committee. I am also a substitute teacher in Montgomery County Public Schools, a member of Jews United for Justice, and an ally of CASA, through which I advocate for protecting the rights and privacy of my immigrant neighbors. I'm writing to urge you to support SB 977 and extend the protections afforded by the 2021 Driver Privacy Act. Without additional protections, state-held personal data could inadvertently become available to ICE, thus, breaking public trust, and placing our communities at risk.

The Trump Administration has declared an immoral and illegal war on immigrants, and in doing so has effectively declared war on all of us. Although ICE is currently blocked from warrantless access to MVA data, gaps remain as long as other State agencies with sensitive information can be exploited. This bill ensures that no State agency data can be weaponized against immigrant communities. It would stop ICE from accessing state databases, records, or information without a valid warrant and requires State agencies to document all ICE access requests and report them to the General Assembly and Attorney General. This creates transparency and ensures compliance with the law.

As evidenced by DOGE's assault on Federal databases, Trump's obsession with obtaining information about immigrants is a Trojan horse. We must ensure that all Marylanders' sensitive data is shielded from unwarranted federal surveillance and misuse. Maryland faces a critical choice: uphold the privacy and trust of its residents or risk complicity in aggressive Federal enforcement. This bill ensures that state agencies are a shield, not a conduit, for unwarranted Federal overreach. By enacting this legislation, Maryland can lead the nation in protecting the privacy, dignity, and safety of all residents.

This legislation is required because of the exigent circumstances we face from an immoral and out-of-control Federal war against immigrants. **I stand with my immigrant neighbors and I respectfully urge this committee to return a favorable report on SB 977.**

Testimony in SUPPORT of SB 977 in House Judiciary

Uploaded by: Linda Green

Position: FAV

Testimony in SUPPORT of SB 977

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

House Judiciary Committee

March 24, 2025

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

I am a resident of Mount Rainier, Maryland, commenting as an individual and wish to offer a favorable testimony in strong support of SB 977. I am a physician in Maryland and treated many patients with limited resources or insurance when I was the Program Director at Prince George's Hospital Center. Currently I am an active member of the Medical Care Section of the American Public Health Association (APHA) and more locally with Doctors for Camp Closure. I have treated patients from several different countries including Cameroon, El Salvador, Viet Nam and India. It is important that all people seeking medical care trust that they are safe with their doctors and hospitals. Their concern about how their personal demographic and medical information will be shared is an example of how important it is that their privacy be maintained. Without trust patients do not seek medical care such as my patient with kidney stones who refused to be hospitalized until he became septic from a fulminating abscess. A neighbor required encouragement to take his 3 year old daughter for care for strabismus that was limiting her vision and ultimately required surgical correction.

Previous legislation has addressed data privacy in some areas. But in recent years, the erosion of data privacy protections has led to increased fear and uncertainty for both citizens and more recent immigrants. The Maryland Data Privacy Act takes critical steps to restore trust by ensuring that state and local agencies, as well as law enforcement entities, are prohibited from sharing personal information, facial recognition data, and access to public facilities with federal immigration authorities unless a valid warrant is presented. This bill helps to ensure my patients' and my neighbors' privacy by empowering the Attorney General to enforce these protections.

SB977 strengthens the previous 2021 and 2024 legislation and will help immigrants from multiple countries to seek care they need. It will also facilitate the work of doctors, social workers, nurses and other agencies to provide adequate treatment and support. I look forward to hearing that the House Judiciary Committee gives this bill a favorable report. Thank you for your consideration.

Linda D. Green MD
3113 Varnum Street
Mount Rainier, Maryland 20712

SB0977 - Maryland Data Privacy Act crossover.docx.

Uploaded by: Lindsay Keipper

Position: FAV

Dear **Members of the Judiciary Committee**,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with CASA de Maryland. I am a resident of **District 46** and I am testifying **in support of SB0977, the Maryland Data Privacy Act**.



Showing Up for Racial Justice

President Trump's cruel attack on immigrants has already begun, and it is incumbent upon Maryland to protect the people that he is dedicated to demonizing: our friends, our neighbors, hard-working people who help build our communities and don't deserve to live in fear. Federal immigration authorities have a history of abusing state-held databases containing personal information in order to help them target immigrants: after Maryland allowed undocumented immigrants to apply for driver's licenses in 2013, ICE began using MVA data in this way. In 2021, the General Assembly passed the Driver Privacy Act over the governor's veto to shut down this tactic. However, many other agencies in Maryland maintain databases of personal information that can include immigrants, and those databases are still open to ICE scrutiny. With the federal government on a mission to imprison as many immigrants as possible, we must act to close this loophole in our data privacy.

SB0977 would ban all Maryland state and local government agencies from sharing access to their databases of sensitive personal information, or information taken from those databases, with federal immigration authorities unless those authorities have a real warrant, signed by a judge, authorizing their access to private information. In addition, SB0977 seeks to fight back against the president's revocation of the "sensitive locations" policy by requiring government agencies to deny access to their buildings and facilities to immigration authorities unless they have a warrant signed by a judge. While this does not provide complete protection to people attempting to access resources and services, it at least makes it more difficult for ICE to target local and state government facilities for raids/general enforcement actions.

The law does not require us to freely lend the federal government our resources to help President Trump conduct his anti-immigrant campaign. We must stand up for our friends and neighbors by refusing to be complicit. It is for these reasons that I am encouraging you to vote **in support of SB0977, the Maryland Data Privacy Act**.

Thank you for your time, service, and consideration.

Sincerely,

Lindsay Keipper

2425 Fleet St.

Showing Up for Racial Justice Baltimore

SB977 Testimony Crossover.pdf

Uploaded by: Madelin Martinez

Position: FAV

SB977**State and Local Agencies – Enforcement of Federal Immigration Law – Restrictions on Access to Information (Maryland Data Privacy Act)**

Judiciary Committee

March 26, 2025

SUPPORT

Catholic Charities of Baltimore supports SB977, which strengthens privacy protections for Maryland residents by restricting access to state and local government databases, facilities, and buildings for federal immigration enforcement purposes unless accompanied by a valid court warrant.

For a century, Catholic Charities has provided care and services to improve the lives of Marylanders in need. We accompany Marylanders as they age with dignity, support their pursuit of employment and career advancement, heal from trauma and addiction, achieve independence, prepare for educational success, and welcome immigrant neighbors into Maryland communities.

As the largest private provider of human services in the state, Catholic Charities of Baltimore is committed to supporting immigrants through our Esperanza Center. The Esperanza Center, serving as a vital resource for immigrants since 1963, offers support through a dedicated team of staff and volunteers, providing essential services in education, healthcare, immigration legal matters, family reunification, and general community support to help immigrants from all over the world navigate life in their new country. As an organization that works closely with thousands of immigrants each year, we understand the importance of protecting their personal information—especially in a time when data privacy is at risk.

The Maryland Data Privacy Act directly addresses this concern by ensuring privacy protections for immigrant communities. These protections are essential for maintaining trust between immigrant communities and other government institutions. When immigrant residents feel secure that their personal information will not be shared without proper legal authority, they are more likely to report crimes, seek medical care, and participate fully in their children's education—actions that strengthen the fabric of our Maryland communities.

For these reasons, Catholic Charities of Baltimore urges the committee to issue a favorable report for SB977.

Submitted By: Madelin Martinez, Assistant Director of Advocacy

Testimony on SB977 - Mara Levy 3.24.25.pdf

Uploaded by: Mara Levy

Position: FAV

Testimony in SUPPORT of SB 977

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

House Judiciary Committee

March 24, 2025

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

My name is Mara Levy and I am pleased to offer a favorable testimony in strong support of SB 977 - State and Local Agencies - Enforcement of Federal Immigration Law - Restrictions on Access to Information (Maryland Data Privacy Act).

I'm a proud resident of Silver Spring and have lived in Maryland most of my life. I'm an occupational therapist of 20 years and a small business owner. I am a member of Doctors for Camp Closure.

For years, I've been increasingly distressed about how our country treats immigrants. As a healthcare worker and moral human being, I believe we all have a moral obligation to care for each other. As a trauma therapist, I know how essential it is for people to feel safe in order to function in their day to day lives. Being able to trust our institutions is essential for healthy communities. However, our federal government is acting with what seems to be deliberate cruelty to make the lives of undocumented immigrants difficult and dangerous.

I'm now terrified by ways recent policy parallels the leadup to genocide at other points in history. With the opening of camps in Guantanamo, I'm reminded of the earliest iterations of the concentration camps in Nazi Germany. Our undocumented neighbors are at risk, and need protection.

We all depend on our personal data being kept safe from those who would use it to harm us. We need to be able to trust that our government will use that data for the common good, and won't allow it to be used to harm us without clear and specific cause.

In recent years, the erosion of data privacy protections has led to increased fear and uncertainty within immigrant communities. The Maryland Data Privacy Act SB 977 takes critical steps to restore trust by ensuring that state and local agencies, as well as law enforcement entities, are prohibited from sharing personal information, facial recognition data, and access to public facilities with federal immigration authorities unless a valid warrant is presented.

Without trust that our information is kept safe, my clients are afraid to register their children for health insurance - even their children who are citizens. They're afraid to get the drivers license they need to drive safely. They're afraid to get the vaccinations that protect us all.

Maryland is now able to take steps to protect our immigrant neighbors. We can make it safer to receive necessary services and participate in public life. We can make it harder for our residents to be rounded up without specific cause. We have a chance to do the right thing.

I am pleased to offer a favorable testimony in strong support of SB 977 State and Local Agencies - Enforcement of Federal Immigration Law - Restrictions on Access to Information (Maryland Data Privacy Act).

Mara Levy MSOT, OTR/L, CLT-LANA, SEP

MB Testimony Data Protection Senates SB977 (1).pdf

Uploaded by: Maria Baltodano

Position: FAV

Testimony in SUPPORT of SB 977

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

Senate Judiciary Proceedings Committee

March 24, 2025

SB: Dear Honorable Chair Smith, Vice Chair Waldstreicher, and Members of the Committee

My name is Maria Baltodano and I am pleased to offer **a favorable testimony in strong support of SB 977- State and Local Agencies - Enforcement of Federal Immigration Law - Restrictions on Access to Information (Maryland Data Privacy Act).**

I immigrated to this country from Nicaragua 11 years ago in 2004 and have been here since then. I am a domestic worker, and a proud member of the National Domestic Workers Alliance DMV Chapter—the leading voice for domestic workers—including nannies, house cleaners, and homecare workers in the United States. I am here today in full support of SB 977 to protect sensitive data from Immigration and Customs Enforcement (ICE) because even though I am fortunate enough to be a permanent resident of this country, many of our immigrant neighbors and community members other immigrants do not have documentation in this country.

In recent years, the erosion of data privacy protections has led to increased fear and uncertainty within immigrant communities. The Maryland Data Privacy Act **SB 977** takes critical steps to restore trust by ensuring that state and local agencies, as well as law enforcement entities, are prohibited from sharing personal information, facial recognition data, and access to public facilities with federal immigration authorities unless a valid warrant is presented.

Currently, there is a lot of fear in the immigrant community. I hear from my friends who are undocumented that they are afraid to leave their houses right now because of the threat of deportation. The truth is that many people have left their countries in search of a better life for themselves and their families. Many are running from dangerous conditions in their countries and look to the United States as a safe haven. Yet, the last couple of weeks have felt very scary for many.

I have raised and had my children in this country. I have planted my roots here and I can't imagine what it would be like to be separated from my family. Yet, this is the truth for my undocumented brothers and sisters that run the risk of deportation.

I stand with immigrant communities and support the Maryland Data Privacy Act because it will:

1. **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.
2. **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.

3. **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.
4. **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.

This legislation is crucial not only for protecting the privacy of all Maryland residents but also for fostering trust between immigrant communities and public institutions. By clearly delineating the boundaries of federal immigration enforcement within our state, we promote the values of dignity, safety, and fairness.

In 2021, this legislature took action to protect immigrants and safeguard their sensitive data. I urge the committee to provide a favorable report on SB 977.

Spanish:

Mi nombre es María Baltodano y me complace ofrecer un testimonio favorable en firme apoyo de SB 977- Agencias Estatales y Locales - Aplicación de la Ley Federal de Inmigración - Restricciones en el Acceso a la Información (Ley de Privacidad de Datos de Maryland).

Inmigré a los Estados Unidos desde Nicaragua en 2004 y he residido en Maryland desde entonces. Me siento obligado a apoyar el SB 977 porque aunque tengo la suerte de tener residencia permanente en este condado, muchos otros inmigrantes no tienen un estatus seguro en este país y son más vulnerables que nunca.

En los últimos años, la erosión de la protección de la privacidad de los datos ha provocado un aumento del miedo y la incertidumbre en las comunidades de inmigrantes. La Ley de Privacidad de Datos de Maryland SB 977 adopta medidas fundamentales para restablecer la confianza al garantizar que las agencias estatales y locales, así como las entidades encargadas de hacer cumplir la ley, tengan prohibido compartir información personal, datos de reconocimiento facial y acceso a instalaciones públicas con las autoridades federales de inmigración a menos que se presente una orden válida.

Actualmente, hay mucho miedo en la comunidad inmigrante. Mis amigos indocumentados me cuentan que ahora mismo tienen miedo de salir de casa por la amenaza de deportación. La verdad es que muchas personas han abandonado sus países en busca de una vida mejor para ellos y sus familias. Muchos huyen de las condiciones peligrosas de sus países y miran a Estados Unidos como un refugio seguro. Sin embargo, las dos últimas semanas han dado mucho miedo a muchos.

Yo he criado y he tenido a mis hijos en este país. He echado mis raíces aquí y no puedo imaginar lo que sería estar separada de mi familia. Sin embargo, esta es la verdad para mis hermanos y hermanas indocumentados que corren el riesgo de ser deportados.

Me solidarizo con las comunidades de inmigrantes y apoyo la Ley de Privacidad de Datos de Maryland porque:

- Limita el acceso a bases de datos e instalaciones: Las agencias de aplicación de la ley y las unidades gubernamentales estatales o locales deben negar el acceso a datos e instalaciones sensibles a las personas que tratan de hacer cumplir la ley federal de inmigración sin una orden judicial válida emitida por un tribunal.
- Proteger la información personal: La Ley prohíbe la divulgación de datos personales, fotografías e información biométrica, como escáneres de reconocimiento facial, a las autoridades federales de inmigración a menos que se sigan los debidos procesos legales.
- Rendición de cuentas y transparencia: Las agencias deben mantener registros de todas las solicitudes de acceso y presentar informes anuales al Fiscal General y a la Asamblea General para garantizar el cumplimiento y la transparencia.
- Garantizar el cumplimiento y las sanciones: El Fiscal General está facultado para hacer cumplir estas protecciones, con sanciones civiles por violaciones y medidas disciplinarias para los empleados estatales que no cumplan.

Esta legislación es crucial no sólo para proteger la intimidad de todos los residentes de Maryland, sino también

para fomentar la confianza entre las comunidades de inmigrantes y las instituciones públicas. Al delinear claramente los límites de la aplicación de la ley federal de inmigración dentro de nuestro estado, promovemos los valores de dignidad, seguridad y equidad.

En 2021, esta legislatura tomó medidas para proteger a los inmigrantes y salvaguardar sus datos confidenciales. Instó a la comisión a proporcionar un informe favorable sobre el SB 977.

-
- *People trusted these state agencies to protect them, and people will be at risk of deportation if ICE can access this data*
- *People don't trust these agencies*
- *To protect deportations*

SB977_ZackBerger_JUFJ_FAV (1).pdf

Uploaded by: Matan Zeimer

Position: FAV

March 26th, 2025
Zackary Berger, MD, PhD
Baltimore, Maryland, 21218



TESTIMONY ON SB977 - POSITION: FAVORABLE

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

TO: Chair Clippinger, Vice Chair Bartlett, and members of the House Judiciary Committee

FROM: Zackary Berger, MD, PhD

My name is Zackary Berger. I am a resident of District 43A, writing as a representative of Jews United for Justice (JUFJ) in strong support of SB977, the Maryland Data Privacy Act. JUFJ organizes 6,000 Jews and allies from across Maryland in support of state and local social, racial, and economic justice campaigns.

Jews United for Justice is a local organization of Jews and others fighting for humane values as represented in the Jewish tradition. More than a thousand years ago, a rabbi named Rabbenu Gershom instituted a decree which some Jews observe to this day. Simple, but neither trivial or irrelevant in our age, the edict forbade people from reading others' mail. Two reasons given for the decree: that using others' information without their consent is theft; and that we should not treat others' letters in a way we would not want our own to be treated.

Besides my active involvement in Jews United for Justice, I am a proud resident of the diverse neighborhood of Charles Village in Baltimore, which includes a number of immigrants. I am also a primary care physician who sees patients at a community center in Baltimore, many of whom are undocumented immigrants.

As a physician who treats undocumented people, I see many patients who are terrified of being caught by the state when they are just trying to live a better life. They don't know if their medical, legal, or driving records can be used by ICE to deport them back to countries they left— where they faced threats of violence, poverty, and persecution. This fear is accompanied by justified mistrust. This legislation would ensure that only a legal warrant grants ICE access to information, and would mandate state departments to record instances of ICE access.

As I write this testimony I recall the patients I saw in my work day today, all trying to work hard for their families, but all terrified that a false move could jeopardize their lives. Government should help, not hurt, and data collection should be for the benefit of residents, not a playground for those wishing to deport them without duly executed warrants.

As our neighbors, immigrants deserve to be treated like anyone should be treated – private information should stay private unless there is an attested legal need with a warrant.

On behalf of JUFJ, I respectfully urge the committee to return a favorable report on SB977.

SB977_PJC_house_hearing_Favorable.pdf

Uploaded by: Matt Hill

Position: FAV



C. Matthew Hill
Public Justice Center
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Baltimore, Maryland 21201
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SB 977: State and Local Agencies - Enforcement of Federal Immigration Law - Restrictions on
Access to Information (Maryland Data Privacy Act)
House Judiciary Committee, March 26, 2025
Position: **Favorable**

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

Public Justice Center strongly supports SB 977, the Maryland Data Privacy Act, and urges you to issue a favorable report.

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 often represent tenants who are 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.

SB 977 provides critical safeguards against loopholes that entities can take advantage of to obtain personal immigration for the purposes of immigration enforcement. Data brokers hold tremendously detailed information about virtually every person in the country, including information about people's addresses, financial transactions, relationships, and detailed location from tracking people's phones and cars. Data brokers are largely unregulated and aggregate and make all of this sensitive information available for purchase. Immigration authorities are able to simply buy it without any court oversight or transparency, circumventing due process and accountability. For example, researchers have uncovered ICE's purchase of detailed cell phone location information and phone, water, electricity, and other utility records.

PJC's clients and Maryland communities will be irreparably harmed by ICE practices unless the General Assembly passes SB 977. Our renter-clients who are immigrants are already often terrified to come to court to defend their eviction cases or to hold their landlord accountable for

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.

dangerous conditions of disrepair. At times their landlords have threatened to call ICE if they complain about the lack of heat or collapsing roof. Our renter-clients who are immigrants are concerned that if they participate in a court action, ICE could gain access to case information to facilitate deportation. Our renter-clients are even sometimes concerned about reaching out for legal advice or representation to defend their cases out of fear that such information could be provided to ICE. When renters do not defend court cases and are subsequently evicted, the entire state suffers. [Preventing eviction saves the state money by reducing homelessness and state-funded safety net costs](#) related to shelter, educating students experiencing homelessness, health care, foster care, decreased incarceration, and the economic impacts of increased employment and income stability. Additionally, when renter-immigrants are terrified of coming to court because their information could be shared with ICE, they are much less likely to hold their landlord accountable for dangerous conditions through a court action – which means that the whole neighborhood suffers from the blight and decay perpetuated by negligent property owners.

SB 977 also provides important protections for clients of the PJC’s Education Stability Project, which advances equity in public education by combatting discipline practices that disproportionately push Black and brown children, and children with disabilities, out of school. The threat and fear of immigration enforcement also impedes equitable access to school and infringes upon the right of all Maryland children to receive a public education regardless of immigration status. SB 977 is necessary to protect that right. In [new guidance on immigration enforcement actions at Maryland schools issued in 2025](#), the Maryland State Department of Education noted that various existing laws protect the confidentiality of student records and advised local school officials to cooperate with law enforcement and federal immigration authorities “in accordance with their school district policies and guidelines and in consultation with their attorneys.” This guidance is insufficient to protect students and assuage their credible fears, particularly given the current climate in Maryland schools. For instance, in a [February 2025 social media post tagging ICE](#), an Overlea High School teacher stated: “If you want the names to investigate families to find illegals, let me know in dm [direct message],” . . . “I’ll give names and school. All in Md.” SB 977’s clear mandate of a valid warrant issued by a federal or state court, and penalties for violations, is vital to ensuring student privacy and protecting the right of all children to attend school in Maryland.

This legislation is crucial not only for protecting the privacy of all Maryland residents but also for fostering trust between immigrant communities and public institutions. By clearly delineating the boundaries of federal immigration enforcement within our state, we promote the values of dignity, safety, and fairness.

In 2021, this legislature took action to protect immigrants and safeguard their sensitive data. Public Justice Center once again calls on this Committee to act and provide a **favorable report on SB 977**.

Mauareen Wambui Testimony in Support of SB977 - Ma

Uploaded by: Maureen Wambui

Position: FAV

Maureen Wambui

7827 Rolling View Ave, Nottingham, MD, 21236

Maureen.w.m.2030@gmail.com

03/24/2025

Maryland Senate Judiciary Proceedings Committee

Maryland General Assembly, Annapolis, MD 21401

Testimony in Support of SB977 - Maryland Data Privacy Act

Hearing Date: March 26th, 2025

Chairperson and Esteemed Members of the Committee,

My name is Maureen Wambui, and I am a proud Immigrant, Parent, Community advocate and resident of Legislative District 8 in Maryland. I am submitting my testimony in **strong support of the Senate Bill 977, the Maryland Data Privacy Act**, I firmly believe that protecting personal data from unwarranted federal immigration enforcement is a fundamental issue of privacy, equity, and justice.

SB0977 is a necessary and urgent measure to ensure that the personal data of Maryland Immigrant residents is not improperly accessed or shared for federal immigration enforcement purposes. The misuse of state-held data to target immigrant communities erodes trust in public institutions, discourages individuals from seeking essential services, and creates an atmosphere of fear and discrimination. This bill will help restore confidence by limiting access to sensitive data and requiring transparency in any information requests.

Key provisions of SB0977, such as prohibiting unauthorized data sharing and eliminating information-sharing agreements with federal agencies, are essential to safeguarding the privacy of all Maryland residents. The bill's requirement for annual reporting on data access requests further strengthens accountability and ensures that our state agencies remain focused on serving and protecting all residents, regardless of immigration status.

Moreover, by preventing personal data from being exploited by private data brokers for immigration enforcement, Maryland takes a strong stance against the predatory use of information that disproportionately harms vulnerable communities. This legislation aligns with our state's commitment to fairness, safety, and civil rights.

I urge this committee to pass SB0977 without hesitation. Maryland must lead the way in protecting personal information and upholding the rights of its residents. I respectfully ask for your full support of this bill and for its swift advancement through the legislative process.

Thank you for your time and consideration.

Respectfully submitted,

Maureen Wambui.

Mazurek-SB977-favorable.pdf

Uploaded by: Michelle Mazurek

Position: FAV

Testimony in SUPPORT of SB 977

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

House Judiciary Committee

March 24, 2025

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

My name is Michelle Mazurek and I live in Silver Spring, in District 20. I write to offer **a favorable testimony in strong support of SB977 - State and Local Agencies - Enforcement of Federal Immigration Law - Restrictions on Access to Information (Maryland Data Privacy Act).**

As a computer science professor who has spent 15 years researching digital security and privacy, I study professionally the importance of privacy rights to healthy societies, and the detrimental chilling effects that privacy violations can have on communities and individuals. Specifically in the case of immigrant communities in Maryland, erosion of data privacy protections has increased fear and uncertainty, and inhibited community members from working with state agencies that provide vital services.

I have seen these effects firsthand, not just as a privacy professional, but as a neighbor and a mom. My daughter's elementary school has a large population of immigrants and children of immigrants, and I know the fear that immigrant families are living with, which impacts people's willingness to send their children to school as well as their ability to access food assistance, social services, and medical care. It is heartbreaking to see these effects in my community.

Further, as the granddaughter of immigrants, refugees, and Holocaust survivors, I benefited from the lives my grandparents were able to build in the U.S. They started their lives over, starting with almost nothing, in the 1940s and 50s. Today's immigrants deserve the same chance to build new lives here, raise their families, and contribute to our community, and they deserve to do so without fear.

SB 977 provides critical safeguards against loopholes that entities can take advantage of to obtain personal immigration for the purposes of immigration enforcement. Data brokers hold tremendously detailed information about virtually every person in the country, including information about people's addresses, financial transactions, relationships, and detailed location from tracking people's phones and cars. Data brokers are largely unregulated and aggregate and make all of this sensitive information available for purchase. Immigration authorities are able to simply buy it without any court oversight or transparency, circumventing due process and accountability. For example, researchers have uncovered ICE's purchase of detailed cell phone location information and phone, water, electricity, and other utility records.¹

In 2021, this legislature took action to protect immigrants and safeguard their sensitive data with the passage

¹ [New Records Detail DHS Purchase and Use of Vast Quantities of Cell Phone Location Data | ACLU](#)

of the Driver Privacy Act, it did so again in 2024 with the passage of the Maryland Data Privacy Act (2024).²³ I once again call on this legislature to act to protect Marylanders' data.

With my **strongest conviction, I urge the committee to provide a favorable report on SB977.**

² 2024 [Legislation - HB0567](#), [Legislation - SB0541](#)

³ 2021, [Legislation - HB0023](#)

CASA_FAV_SB977.pdf

Uploaded by: Ninfa Amador

Position: FAV



CASA Testimony in SUPPORT of Senate Bill 977

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

House Judiciary Committee

March 26, 2025

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

CASA strongly supports Senate Bill 977, 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.

SB977 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.

SB977 Builds Public Trust

Senate Bill 977 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, SB 977 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.

Amendments to SB977 added in the Judicial Proceedings Committee

A critical amendment was added to SB977 to prevent ICE from exploiting data broker loopholes to target immigrant communities. CASA strongly supports this change.

ICE frequently bypasses legal safeguards by purchasing personal data from brokers like Equifax and LexisNexis. These brokers collect detailed information—including addresses, financial records, utility data, phone and car location data—from sources never intended for immigration enforcement.

Researchers found that LexisNexis gives law enforcement access to incarceration data, DMV and court records, property ownership, marriage and birth records, and more. In Maryland alone, ICE’s Baltimore office ran over 2,100 searches on LexisNexis’s Accurint system in just seven months.

This amendment helps close a significant loophole and reinforces critical privacy protections.

For all the reasons listed above, CASA urges a favorable report on Senate Bill 977.

Contact: Cathryn Paul, cpaul@wearecasa.org, 301-807-0788

HB1420.docx.pdf

Uploaded by: Ninfa Amador

Position: FAV

English translation below

Distinguido Presidente Smith y miembros del comite,

Mi nombre es María del Carmen Castellón Quintana y yo soy viuda de Miguel Luna quien falleció hace 11 meses, el día 26 de marzo del 2024 al caerse el Key Bridge en Baltimore en ese día.

Mi esposo y yo éramos una pareja muy feliz y compartíamos mucho juntos – tanto nuestros sueños y esperanzas para una vida larga y feliz tanto como nuestras deudas cotidianas y cuentas bancarias. El me apoyo en realizar mi sueño de emprender mi propio negocio y juntos ahorramos lo necesario para comprarnos nuestra primera casa en el 2022. Yo aporte para el enganche de mis propios ahorros y el de los suyos, y juntos logramos el sueño de tener un hogar compartido.

Desgraciadamente, hace casi un año, sufrí lo que no le deseo a nadie – la perdida trágica de la persona mas importante de mi vida.

Al empezar al reconstruir mi vida después de la tragedia, y al organizar nuestras finanzas conjuntas - lo que ya era bastante complicado dado la falta de un testimonio de parte de Miguel - me informaron de 2 situaciones inmensamente injustas y frustrantes que yo tenía que enfrentar en medio del dolor que sentía en ese momento y aun experimento. - Primero, al no aparecer yo oficialmente en las escrituras de la casa que los dos compramos, me entere que la propiedad formaría parte del patrimonio de mi difunto esposo, y segundo – yo, al no ser ciudadana de los estados unidos, no podía ser identificada como representante del patrimonio ni participar en alguna decisión directa que tenga que ver con la distribución de los bienes del patrimonio. ¡Esto a pesar de que el patrimonio consiste casi exclusivamente de la casa que yo misma compre con mi esposo y nuestros ahorros!

Esta injusticia es algo que fácilmente se puede remediar, con el simple poder que este cuerpo legislativo tiene en declarar que cualquier persona, independientemente de su estatus migratorio, puede participar como representante personal en el patrimonio de un ser querido y así asegurar que la distribución de esos bienes tome lugar según la voluntad del difunto. Con su apoyo y

acción, espero que nunca mas sufra otra persona como yo, la doble pena de perder a una pareja y no tener una voz en la distribución de los bienes compartidos solo por el estatus migratorio del sobreviviente.

Gracias por su atención y le pido un reporte favorable a proyecto de ley 1420.

Translate to English:

Dear Honorable Chair Smith and members of the Committee,

My name is María del Carmen Castellón Quintana, and I am the widow of Miguel Luna, who passed away 11 months ago, on March 26, 2024, when the Key Bridge in Baltimore collapsed that day.

My husband and I were a very happy couple and shared so much together—our dreams and hopes for a long and happy life, as well as our daily expenses and bank accounts. He supported me in achieving my dream of starting my own business, and together we saved enough to buy our first home in 2022. I contributed to the down payment with my own savings, as did he, and together we accomplished the dream of owning a home.

Unfortunately, nearly a year ago, I suffered what I would not wish upon anyone—the tragic loss of the most important person in my life.

As I began to rebuild my life after the tragedy and organize our shared finances—which was already complicated due to the absence of a will from Miguel—I was informed of two immensely unjust and frustrating situations that I had to face in the midst of my grief, which I still experience today.

First, since my name did not officially appear on the title of the home we purchased together, I learned that the property would be considered part of my late husband's estate. Second, because I am not a U.S. citizen, I was not eligible to be designated as the representative of his estate or to have any direct role in decisions regarding the distribution of its assets. This, despite the fact that the estate consists almost entirely of the home that I myself purchased with my husband using our savings!

This injustice is something that can easily be remedied with the simple power that this legislative body holds in declaring that any person, regardless of their immigration status, can serve as the personal representative of a loved one's estate. This would ensure that the distribution of those assets takes place in accordance with the deceased's wishes.

With your support and action, I hope that no one else will have to suffer the double burden of losing a partner and then being denied a voice in the distribution of shared assets solely because of the survivor's immigration status.

Thank you for your attention, and I respectfully request a favorable report on HB 1420.

SB 977 Testimony.pdf

Uploaded by: Odette Ramos

Position: FAV



Odette Ramos

Baltimore City Councilwoman

District 14

(410) 396 - 4814

odette.ramos@baltimorecity.gov

100 N. Holliday Street, Room 553

Baltimore MD 21202

**SB 977 - Enforcement of Federal Immigration Law - Restrictions on Access to Information
(Maryland Data Privacy Act)**

March 24, 2025

FAVORABLE

Honorable Chair Clippinger and Members of the Judiciary Committee:

I am writing to urge your support of **SB 977 Enforcement of Federal Immigration Law - Restrictions on Access to Information (Maryland Data Privacy Act)**.

The objective of this bill is to prohibit and restrict state and local governments from sharing sensitive information and records for the purpose of enforcing federal immigration law.

According to the American Immigration Council in 2016, around 29 percent of Maryland's population consisted of undocumented immigrants. In Baltimore City, there are approximately 135,600 people who are undocumented (Vera Institute of Justice, n.d.). Allowing for sensitive information to be shared for the purpose of enforcing federal immigration law jeopardizes the livelihoods and safety of our immigrant population. Immigrants are integral to the fabric of our city. We cannot allow for records and databases containing sensitive information of our vulnerable community members to be compromised.

It is crucial that SB 977 passes to protect the sensitive information of individuals whose information may be collected when receiving necessary services such as at a hospital, educational institutions, or through non-profit organizations. The uncertainty created by the new administration's immigration policies make it imperative to advocate for our immigrant community. We must be steadfast in our commitment to securing the information of every citizen.

I implore you all to pass a favorable report for SB 977.

Please do not hesitate to contact me should you have any questions. I can be reached by phone at: 410-396-3814 or by email at: odette.ramos@baltimorecity.gov

Respectfully Submitted:

A handwritten signature in dark ink, appearing to read 'Odette' followed by a stylized surname.

Odette Ramos
Baltimore City Councilwoman, District 14

Testimony SB 977 in House-Data Privacy.pdf

Uploaded by: Terrence Fitzgerald

Position: FAV



Testimony on SB 977
State and Local Agencies - Enforcement of Federal Immigration Law - Restrictions on
Access to Information (Maryland Data Privacy Act)

House Judiciary Committee

Date: March 26, 2025

Position: SUPPORT

Chesapeake Physicians for Social Responsibility (CPSR) is a statewide evidence-based organization of over 900 physicians and other health professionals and supporters that addresses public health threats as seen through the intersectional lens of environmental, racial and social justice.

In recent years the sharing of contact information and other identifying data has created fear in the immigrant community because a trip to the doctor, the hospital, or a social services agency could result in detention and the disruption of life, even if the detention is without legal basis. Patients who live with such fear often delay seeking medical care for themselves or their children or even contacting the services that can make medical care accessible. This can be very risky, and sometimes has tragic consequences – both for the individuals involved and for the wider community.

CPSR strongly supports SB 977, which takes critical steps to restore trust by ensuring that state and local agencies, as well as law enforcement entities, are prohibited from sharing personal information, facial recognition data, and access to public facilities with federal immigration authorities unless a valid warrant is presented.

The eminent German physician and legislator Rudolf Virchow opined that “politics is nothing else but medicine on a large scale.” By enacting SB 977 Maryland will be clearly delineating the boundaries of federal immigration enforcement within our state, which will promote the values of dignity, safety, and fairness and will result in decreased fear and increased trust. This will clearly be an act to promote Public Health.

CPSR urges the Committee to provide a favorable report on SB 977.

Terrence T. Fitzgerald, MD

SB0977_HB1431 - Maryland Data Privacy Act.pdf

Uploaded by: Theresa M. Hoffman

Position: FAV

Dear Members of the Judiciary Committee,

This testimony is being submitted by Showing Up for Racial Justice Baltimore, a group of individuals working to move white folks as part of a multi-racial movement for equity and racial justice in Baltimore City, Baltimore County, and Howard County. We are also working in collaboration with CASA de Maryland. I am a resident of District 43b. **I am testifying in support of SB0977/HB1431, the Maryland Data Privacy Act.**



Showing Up for Racial Justice

President Trump's cruel attack on immigrants has already begun, and it is incumbent upon Maryland to protect the people he is dedicated to demonizing: our friends, our neighbors, hard-working people who help build our communities and don't deserve to live in fear. Federal immigration authorities have a history of abusing state-held databases containing personal information in order to help them target immigrants; after Maryland allowed undocumented immigrants to apply for driver's licenses in 2013, ICE began using MVA data in this way. In 2021, the General Assembly passed the Driver Privacy Act over the governor's veto to shut down this tactic. However, many other agencies in Maryland maintain databases of personal information that can include immigrants, and those databases are still open to ICE scrutiny. With the federal government on a mission to imprison as many immigrants as possible, we must act to close this loophole in our data privacy.

SB0977/HB1431 would ban all Maryland state and local government agencies from sharing access to their databases of sensitive personal information, or information taken from those databases, with federal immigration authorities—unless those authorities have a real warrant, signed by a judge, authorizing their access to private information. In addition, SB0977/HB1431 seeks to fight back against the president's revocation of the "sensitive locations" policy by requiring government agencies to deny access to their buildings and facilities to immigration authorities unless they have a warrant signed by a judge. While this does not provide complete protection to people attempting to access resources and services, it at least makes it more difficult for ICE to target local and state government facilities for raids/general enforcement actions.

The law does not require us to freely lend the federal government our resources to help President Trump conduct his anti-immigrant campaign. We must stand up for our friends and neighbors by refusing to be complicit. It is for these reasons that I am encouraging you to vote **in support of SB0977/HB1431, the Maryland Data Privacy Act.**

Thank you for your time, service, and consideration.

Sincerely,
Theresa M. Hoffman
803 Seaward Rd., Towson, MD 21286
Showing Up for Racial Justice Baltimore

House JUD SB977 - Data Privacy Act - SWASC - FAV.d

Uploaded by: UM SWASC

Position: FAV

TESTIMONY IN SUPPORT OF SB 977

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

House Judiciary Committee

March 26, 2025

Social Work Advocates for Social Change strongly supports SB 977, which will ensure that federal immigration authorities cannot access sensitive information without a valid warrant. SB 977 takes critical steps to protect private data and shore up trust between the state's immigrant communities and public institutions by ensuring that state and local agencies, as well as law enforcement entities and third-party data brokers, are prohibited from sharing personal information with governmental entities for the purposes of immigration enforcement unless a valid warrant is presented.

SB 977 will protect personal information and mandate measures for transparency and accountability from state and local government entities. By requiring court-issued warrants to access sensitive data to enforce federal immigration law, SB 977 prohibits the disclosure of personal information to federal immigration authorities unless due legal processes are followed. The bill requires agencies to maintain records of all requests to access private data and to submit annual reports to the Attorney General and the General Assembly.

SB 977 is a necessary protection to help immigrants feel safe in Maryland. Drastic changes in immigration policies over the last two administrations have shown that the fear and uncertainty immigrant communities experience in response to attacks on their families contribute to adverse health outcomes and avoidance of safety net programs.¹ At the start of his second term, President Trump has threatened to expand surveillance for the capture and deportation of millions of immigrants around the country. The Maryland Data Privacy Act is just one among many other safeguards that must be put in place to limit these grounds for further violence against the state's immigrant communities.

Protecting immigrants in Maryland supports the state's economy during a time of extreme labor shortages and a nearly \$3 billion budget gap.² In a report by the Institute on Taxation and Economic Policy, it was estimated that undocumented immigrants paid \$779.3 million in state and local taxes in 2022.³ Undocumented

¹Gonzalez, D., Bernstein, H., Karpman, M., & Kenney, G. (2024). *Mixed-Status Families and Immigrant Families with Children Continued Avoiding Safety Net Programs in 2023*. Urban Institute.

²Cates, L., Melhorn, S.F. (2024). *Understanding America's Labor Shortage: The Most Impacted States*. U.S. Chamber of Commerce.
<https://www.uschamber.com/workforce/the-states-suffering-most-from-the-labor-shortage>

³Davis, C., Guzman, M., Sifre, E. (2024). *Tax Payments by Undocumented Immigrants*. Institute on Taxation and Economic Policy.



For more information, please contact

Selome Ejigu

umswasc@gmail.com

immigrants help fund the social programs that keep many Marylanders afloat. Based on the Governor's proposed FY 2026 appropriations⁴, immigrant contributions alone could fully fund the Uninsured Employers' Fund, the Department of Disabilities, the Workers' Compensation Committee, the State Board of Elections, the Governor's Office for Children, the Department of Aging, the Maryland Energy Administration, and the Department of Veterans and Military Families with money to spare. Without the immigrant workforce, the state will be forced to cut more programs and watch as small businesses suffer the loss of both the workers and customers needed to flourish. By working to keep immigrants in the state safe, Maryland can harness the economic contributions offered by the immigrant community.

Social Work Advocates for Social Change urges a favorable report on SB 977. This legislation is crucial for protecting the privacy of all Maryland residents and for fostering trust between immigrant communities and public institutions. By clearly delineating the boundaries of federal immigration enforcement within our state, we promote the values of dignity, safety, and fairness.

Social Work Advocates for Social Change is a coalition of MSW students at the University of Maryland School of Social Work that seeks to promote equity and justice through public policy, and to engage the communities impacted by public policy in the policymaking process.

Yasmine Juhar - Written Testimony SB0977.pdf

Uploaded by: Yasmine Juhar

Position: FAV

Dear Members of the Judiciary Committee,

My name is Yasmine Juhar, and I am a student at Montgomery College, a diverse institution known for its inclusivity and opportunities for students from all backgrounds. I reside in Silver Spring, Maryland, in District 14, and as a constituent, I strongly support SB0977.

The main reason for my support is my deep concern about the current climate and rhetoric surrounding immigrant communities in our country and state.

As the child of immigrant parents, I have witnessed firsthand the struggles and hardships that many immigrant families face. Montgomery College has been a place of refuge and empowerment for me, where I've had the opportunity to grow, organize, and advocate for change. However, as we continue to navigate this current administration, I have become increasingly uneasy about the current state of affairs, which seems to encourage fear and distrust toward immigrants and marginalized communities.

Unfortunately, this is not a new phenomenon. The cycle of targeting immigrant communities, fueled by misinformation and fear, has existed for many years. I recall hearing stories from my mother about the propaganda of fear and Islamophobia that emerged in the aftermath of 9/11, when misinformation about Muslims and immigrants spread like wildfire, causing serious harm and distrust.

In 2017, the country witnessed the Muslim Ban, an executive order that furthered this climate of fear and division. At its core, this issue is not about safety or protecting people, but rather about choosing fear over understanding and using that fear as an excuse to harm communities that are seen as "different." We saw this then, and we are seeing it again today, where those who seek to make a better life for themselves and their families are vilified and pushed to the margins of society.

As an immigrant rights advocate and student leader, I have had the privilege of working alongside others who are passionate about creating spaces for people of all backgrounds, including those who are undocumented, refugees, and those seeking asylum. I've seen firsthand how communities of immigrants contribute to the fabric of our society—whether in classrooms, workplaces, or communities. I want these contributions to be recognized over the fear-based policies that target immigrant communities.

I implore you, as legislators and community leaders, to stand against these divisive measures and support SB0977 as a step forward. This measure is not only essential to preserving the trust between immigrant communities and local law enforcement, but it also ensures that individuals are not subject to unlawful surveillance and profiling simply based on their immigration status.

This issue is personal to me. It is about my parents, my peers, and my community. It is about choosing compassion over fear, unity over division, and strength over weakness. Immigrants are not a threat to our safety—they are a part of what makes this country, and this state, great.

SB0977 crossover FWA - State and Local Agencies -

Uploaded by: Richard KAP Kaplowitz

Position: FWA

SB0977_Crossover Bill_
RichardKaplowitz_FWA
03/26/2025
Richard Keith Kaplowitz
Frederick, MD 21703-7134

**TESTIMONY ON CROSSOVER BILL SB#0977 - POSITION: FAVORABLE WITH
AMENDMENTS**

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

TO: Chair Clippinger, Vice Chair Bartlett, and members of the Judiciary Committee
FROM: Richard Keith Kaplowitz

My name is Richard Kaplowitz. I am a resident of District 3, Frederick County. I am submitting this testimony in support with its amendments of crossover bill SB0977, State and Local Agencies - Enforcement of Federal Immigration Law - Restrictions on Access to Information (Maryland Data Privacy Act)

This bill passed the Senate with amendments 33-14 on 03/17/25, there was no cross-filed bill.

This bill is predicated on the United States Constitution and its interpretation: ¹

The Constitution protects all people living in the United States, regardless of immigration status. Most constitutional provisions apply based on personhood, not citizenship. In other words, if an individual is physically present in the US, they are entitled to the protections granted by the Constitution. This includes the right to due process and equal protection under the law.

The [Fifth Amendment](#), for example, states that “No person shall be deprived of life, liberty, or property, without due process of law.” And the Fourteenth Amendment uses the [Due Process Clause](#) that describes the legal obligation of all state governments to provide equal protection of the laws to all persons, regardless of immigration status. So while undocumented immigrants are not specifically mentioned in the Constitution, they are still protected by its principles.

When ICE or other government entities attempt to enforce laws, they must do so within the context of the Constitution of the United States and the Constitution and statutes of the state of Maryland. ²

¹ <https://clearwaterlawgrouptricity.com/5-rights-of-undocumented-immigrants/#:~:text=Although%20undocumented%20immigrants%20are%20not,and%20the%20right%20to%20education.>

² <https://www.aclu.org/issues/immigrants-rights/ice-and-border-patrol-abuses>

In recent years, U.S. Immigration and Customs Enforcement (ICE) has detained and deported record numbers of people from the United States. Many of ICE's removal tactics take away even the right to a fair hearing in court, as the government rushes to judgment and tries to ram people through a rubber-stamp system that ignores individual circumstances. These enforcement programs pose a variety of threats to civil liberties: They implicate the Fourth Amendment's protection against unreasonable searches and seizures, the constitutional guarantee of due process, and the constitutional guarantee of equal protection and freedom from discrimination based on race, ethnicity, and national origin. ICE's enforcement practices also impose heavy social costs, tearing American families apart and undermining community trust in law enforcement.

This bill will protect Maryland resident's privacy by altering certain provisions of law. The Maryland Data Privacy Act would compel law enforcement agencies and units of state or local government to **deny access to personal information and photographs and certain databases, facilities, or buildings by certain individuals seeking access for the purpose of enforcing federal immigration law** unless presented with a valid warrant issued by a federal or state court. It also mandates the Attorney General to enforce these provisions and outline disciplinary actions for state employees who violate the act.

My Jewish faith provides to me the commandment to care for the stranger which is mentioned more times than *any* other commandment in the Torah — more even than the command to love God (*v'ahavta*). According to the Talmud, Rabbi Eliezer the Great noted that "the Torah warns 36 times, and some say 46 times, not to oppress the stranger" (Babylonian Talmud, *Bava M'tzia* 59b). The decree is articulated in a number of ways: "You shall not wrong nor oppress the stranger, for you were strangers in the Land of Egypt" (Exodus 22:20). "The strangers who reside with you shall be to you as your citizens... for you were strangers in the land of Egypt" (Leviticus 19:34).³

This bill respects that commandment in treatment of our immigrant population in Maryland.

I respectfully urge this committee to return a favorable report with its amendments on crossover bill SB0977.

³ [https://reformjudaism.org/learning/torah-study/torah-commentary/commandment-love-and-help-stranger#:~:text=The%20decree%20is%20articulated%20in,%22%20\(Leviticus19%3A34\)](https://reformjudaism.org/learning/torah-study/torah-commentary/commandment-love-and-help-stranger#:~:text=The%20decree%20is%20articulated%20in,%22%20(Leviticus19%3A34))

OPPOSITION TESTIMONY SB0977.pdf

Uploaded by: Glen Geelhaar

Position: UNF

Glen Geelhaar
2514 Windsor Rd
Parkville, Maryland 21234
March 24, 2025

Testimony in opposition of SB0977
Enforcement of Federal Immigration Law - Restrictions on Access to Information
(Maryland Data Privacy Act)

Dear Chair Delegate Luke Clippinger and Members of the Committee,

Thank you for providing me the opportunity to testify in opposition of Senate Bill SB0977.

Maryland made national news with the murder of Kayla Hamilton and Rachel Morin both in Harford County at the hands of illegal aliens. How are Maryland law makers responding? You guessed it, they are poised to make Maryland a sanctuary State to protect illegal aliens like Rachel and Kayla's killers!

Since many of you have seemed to have forgotten, let me remind you that 74 Marylanders were killed on 9/11/2001 in the terror attacks that struck our Country.

According to an article by The Center for Public Integrity published in 2008, "The Federal Bureau of Investigation (FBI), the Central Intelligence Agency (CIA), and other U.S. intelligence and law enforcement agencies had pieces of information before the September 11, 2001, terrorist attacks that, had they been shared, might have led to the unraveling of Al Qaeda's plot." Please see this link for the full article: <https://publicintegrity.org/politics/agencies-failed-to-share-intelligence-on-9-11-terrorists/>

Sanctuary policies like this one endangers our citizens and legal permanent residents alike.

Maryland is also facing unprecedented budget challenges, and the passage of SB0977 potentially jeopardizes millions of dollars in Federal funding at a time of extreme financial need for our State.

This is why I strongly urge you to vote no on SB0977!

Thanks,

Glen Geelhaar 443 695-3556

SB0977-unfavorable.pdf

Uploaded by: Jade Chang

Position: UNF

SB0977-Unfavorable-Restriction on Access to Information

I vote unfavorable to SB0977. If the bill gets approved, it will limit cooperation with ICE, resulting criminal illegal immigrants remain in the State of Maryland even after committing serious crimes. This will endanger public safety. This bill prioritizes the protection of undocumented immigrants over the safety of Maryland residents.

SB977 Enforcement of Federal Immigration Law - Res

Uploaded by: Mary Ann Thompson

Position: UNF



SB977
Enforcement of Federal Immigration Law – Restrictions
on Access to Information (Maryland Data Privacy Act)

MCAA Position: **OPPOSE**

TO: Judicial Proceedings

DATE: March 24, 2025

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

The Maryland Correctional Administrator's Association (MCAA), an organization comprised of our statewide jail wardens and administrators for promoting and improving best correctional practices, appreciates the opportunity to provide information regarding SB 977

Law enforcement and correctional agencies collaborate to enhance public safety, share resources and information, and build stronger communities. This collaboration ultimately leads to effective crime prevention and response. SB977 would prevent open lines of communication between allied criminal justice agencies.

The Maryland Correctional Administrators Association strongly opposes this bill and respectfully requests that this committee issue an **UNFAVORABLE REPORT** on Senate Bill 977.

Oppose SB977 MD Data Privacy Act.pdf

Uploaded by: Nancy Shih

Position: UNF

I strongly oppose SB977 for the following reasons:

SB977 is a dangerous bill that prioritizes shielding illegal immigrants over enforcing the law. It undermines public safety, restricts cooperation with federal authorities, and puts Maryland communities at risk. Here's why it should be opposed:

1. Blocks Cooperation with Federal Immigration Enforcement

- **SB977 prohibits law enforcement agencies and state/local government units from sharing data or assisting with federal immigration enforcement.**
- This would **turn Maryland into a de facto sanctuary state**, making it harder to remove dangerous criminals from our communities.

2. Endangers Public Safety

- Limiting cooperation with ICE means that **criminal illegal immigrants could remain in Maryland**, even after committing serious crimes.
- Without access to law enforcement facilities, databases, or resources, **federal agents will struggle to do their jobs**, making Maryland a safe haven for lawbreakers.

3. Overrides Local Authority & Ties Law Enforcement's Hands

- **Local law enforcement should have the right to decide how they cooperate with federal authorities**, not be forced into noncompliance.
- The bill **prioritizes the protection of undocumented immigrants over the safety of Maryland residents.**

4. Encourages Illegal Immigration & Burdens Taxpayers

- **By making it harder to enforce immigration laws, SB977 will encourage more illegal immigration into Maryland.**
- Maryland taxpayers will have to bear the cost of **healthcare, education, and social services for a growing undocumented population**, straining already limited resources.

5. Conflicts with Federal Law

- **SB977 directly interferes with federal immigration enforcement efforts**, potentially violating **federal supremacy laws.**
- If Maryland blocks ICE from doing its job, **the state could face federal consequences**, including the loss of federal funding.

Conclusion: SB977 Must Be Defeated

This bill is a **reckless step toward making Maryland a full sanctuary state**, undermining both **public safety and the rule of law**. Lawmakers should focus on protecting **legal residents and upholding immigration laws**—not shielding those who break them.

Please vote NO to SB977!

Nancy Shih

Howard County

MCPA-MSA X SB 977 Restrictions on Access to Inform

Uploaded by: Samira Jackson

Position: UNF



Maryland Chiefs of Police Association

Maryland Sheriffs' Association



MEMORANDUM

TO: The Honorable Luke Clippinger, Chair and
Members of the House Judiciary Committee

FROM: Darren Popkin, Executive Director, MCPA-MSA Joint Legislative Committee
Andrea Mansfield, Representative, MCPA-MSA Joint Legislative Committee
Samira Jackson, Representative, MCPA-MSA Joint Legislative Committee

DATE: March 26, 2025

RE: **SB 977 – Enforcement of Federal Immigration Law - Restrictions on Access
to Information (Maryland Data Privacy Act)**

POSITION: **OPPOSE**

The Maryland Chiefs of Police Association (MCPA) and the Maryland Sheriffs' Association (MSA) **OPPOSE** SB 977. This bill prohibits the distribution of “covered records” or the disclosure of personal information to any person or government entity for the purpose of federal immigration enforcement, unless the requester is in possession of a valid warrant.

This bill raises concerns due to its language, on page 2, lines 25-27, prohibiting the exchange of data for anything of value, which could have unintended consequences for law enforcement agencies and government transparency. Many agencies routinely charge fees for accident reports and responses to Maryland Public Information Act (“MPIA”) requests to cover administrative costs and ensure timely processing. By broadly prohibiting the exchange of data for compensation, the bill could inadvertently hinder agencies from recouping necessary expenses, placing a financial burden on already limited resources and potentially delaying public access to important information.

Additionally, the bill’s broad definition of “person” within the Business Regulation Article, which includes governmental entities, could create unforeseen regulatory and compliance challenges. Government agencies function differently from private businesses and applying the same restrictions to both may lead to operational inefficiencies or conflicts with existing laws and policies. A more precise definition would help clarify the bill’s intent while avoiding unnecessary obstacles for public institutions that rely on structured data-sharing practices to serve their communities effectively.

For these reasons, MCPA and MSA **OPPOSE SB 977** and urge an UNFAVORABLE committee report.

Written Testimony for SB 977_ Enforcement of Fede

Uploaded by: Trudy Tibbals

Position: UNF

Written Testimony for **SB 977**: Enforcement of Federal Immigration Law -
Restrictions on Access to Information (Maryland Data Privacy Act) -
Please **VOTE NO** on this bill.

Dear Judiciary Committee:

SB 977 puts all Americans at risk. It goes directly against President Trump's EO regarding illegal immigrants in our country. And our LEOs are going to be the ones who suffer for it. How are our LEOs supposed to do their jobs and keep Americans safe unless they have access to information leading them to illegal criminal immigrants?!! I do not want illegal immigrant criminals near my home and places that I frequent with my family. Since foreign immigrants entered our country illegally, we have seen an increase in crime, especially in violent crime and rape and sexual assault, an increase in drugs, especially Fentanyl, and an increase in Fentanyl related deaths, just to name a few of the negative effects. I'm not against all immigration. I have friends whose families have immigrated legally to this country. I simply want **illegal** immigrant criminals removed from our country and returned to their country of origin. They have committed a crime by entering our country illegally and should be returned to their countries of origin. All immigrants should come here legally so that our government can vet them and make sure to keep all Americans safe from foreign criminals.

Please **VOTE NO** on this bill.

Thank you.

Respectfully,

Trudy Tibbals

sb977amendfinal.pdf

Uploaded by: Will Vormelker

Position: UNF

HON. STACY A. MAYER
CIRCUIT COURT
JUDGE
BALTIMORE COUNTY
CHAIR

HON. RICHARD SANDY
CIRCUIT COURT
JUDGE
FREDERICK COUNTY
VICE-CHAIR



KELLEY O'CONNOR
ASSISTANT STATE COURT
ADMINISTRATOR
GOVERNMENT RELATIONS
AND PUBLIC AFFAIRS
P: (410) 260-1560

SUZANNE PELZ, ESQ.
SNR. GOVT. RELATIONS AND
PUBLIC AFFAIRS OFFICER
P: (410) 260-1523

MARYLAND JUDICIAL COUNCIL LEGISLATIVE COMMITTEE

MEMORANDUM

TO: House Judiciary Committee
FROM: Legislative Committee
Suzanne D. Pelz, Esq.
410-260-1523
RE: Senate Bill 977
Enforcement of Federal Immigration Law – Restrictions on Access
to Information (Maryland Data Privacy Act)
DATE: March 21, 2025
(3/26)
POSITION: Oppose

The Maryland Judiciary continues to oppose Senate Bill 977 to the extent it would apply to the Judiciary as a unit of State Government.

This bill as amended requires a unit of state government to deny access to a database to any individual who is or appears to be seeking access for the purpose of enforcing federal immigration law unless the individual has a valid warrant and clearly identifies the record to be accessed. In addition, each unit of state government shall maintain a record of each request seeking access to a database, record or information described in this bill and report on these requests to the Office of the Attorney General.

This would be completely unworkable for the Judiciary. Currently, the Judiciary operates Maryland Electronic Courts (MDEC), public kiosks in the courthouses, Case Search and Secure Case Search. For those with direct access to MDEC and Secure Case Search, it would be impossible to know what their purpose for accessing the database is and when they access the information. It would also be impossible to track users on Case Search and the public kiosks in courthouses. To do so, the Judiciary would need to require that all users enter their name, address, email and phone number for every visit to each

webpage. The Judiciary would then need to ask if the user is accessing data for federal immigration enforcement and electronically deny access to those who click yes. It is unclear how this could be enforced or how this data could be validated. In addition, this would cause delays in data retrieval as system performance would be impacted. This also poses transparency concerns of capturing personal information for someone to access public data.

To further describe the impact this legislation would have on the Judiciary, it is important to note that there are 12,000 visits to Secure Case Search daily, 1.8 million visits to Case Search daily, and 80,000 visits to the MDEC Attorney Portal. This is estimated at 454,080,000 webpage and database visits annually to the Judiciary's databases and over 454 million records of name, address, email and phone numbers would need to be sent to the Attorney General each year. This estimation does not include the number of users who access the public kiosks in courthouses around the state but would raise the number of records provided to the Attorney General. There would be absolutely no ability for the Judiciary to track access of all these webpage and database visits and the purpose of those visits.

cc. Hon. Clarence Lam
Judicial Council
Legislative Committee
Kelley O'Connor

SB977_USM_XFHOUSEJUDICIARY.pdf

Uploaded by: Andy Clark

Position: INFO



HOUSE JUDICIARY COMMITTEE

Senate Bill 977

Enforcement of Federal Immigration Law - Restrictions on Access to Information (Maryland Data Privacy Act)

March 26, 2025

Letter of Information

Chair Clippinger, Vice Chair Bartlett and members of the committee, thank you for the opportunity to provide comment on Senate Bill 977 as amended. Senate Bill 977 aims to enhance the protection of personal information by restricting state and local agencies from sharing data with federal entities for immigration enforcement without a valid warrant. The bill seeks to make existing standards more stringent, particularly in situations where immigration enforcement may be involved. The USM has not taken a formal position on this bill but acknowledges its intent to safeguard private information.

The University System of Maryland (USM) is comprised of twelve distinguished institutions, and three regional centers. We award eight out of every ten bachelor's degrees in the State. Each of USM's 12 institutions has a distinct and unique approach to the mission of educating students and promoting the economic, intellectual, and cultural growth of its surrounding community. These institutions are located throughout the state, from Western Maryland to the Eastern Shore, with the flagship campus in the Washington suburbs. The USM includes three Historically Black Institutions, comprehensive institutions and research universities, and the country's largest public online institution.

The bill adds units of state or local government to the section of the law that already requires law enforcement to deny access to records in certain situations. The amended text would require all units of state or local government to deny access to records to that may be used in enforcing federal immigration law unless the individual presents a valid warrant issued by a state or federal court and which ***"...clearly identifies the record to be accessed..."***.

The USM recognizes two potentially significant problems with this, and other provisions of Senate Bill 977.

First, not all activities "enforcing federal immigration law" require a warrant. USM institutions, like all employers, are subject to [I-9 inspections](#), and this does not require a judicially issued warrant. Also, any USM universities that act as visa sponsors have compliance obligations. For example, we must report information about international students, visiting scholars, and employees on F-1 and J-1 visas in a Department of Homeland Security database called [SEVIS](#) (Student & Exchange Visitor Information System). Likewise, when we sponsor employment-based visas (H-1B, O-1, TN, E-3), USM institutions may (and occasionally do) receive site visits from the Fraud Detection and National Security (FDNS)

unit within Homeland Security Investigations. They are seeking to confirm that the institution has represented the nature of the employment correctly in filings. Some of the employment-based visas (H-1B and E-3) have U.S. Department of Labor (DOL) components that are subject to audit. Even though that is a separate agency, it is related to an immigration application and DOL can refer the findings from those audits to immigration authorities to act on the immigration status piece.

Moreover, USM employees are public employees that could be “obstructing justice” by standing in the way of a lawful warrant. By expanding the scope of this Law Enforcement Database law to all state agencies, the bill puts ordinary public employees (who are generally expected to uphold the law) in the role of determining whether a search warrant is “valid” and responsible for pushing back if the warrant does not “clearly identify the records to be accessed.” However, the validity of warrants (including questions about the specificity of the warrant) are generally things to be challenged in a court of law, not during an execution of the search.

Also, as a matter of criminal law, USM understands search warrants can be kept under seal in certain circumstances, and when it comes to data, they typically describe the thing to be seized (e.g., someone’s cell phone, computer, server, etc.) – not the specific record to be accessed on the thing to be seized.

The current political and policy climate around immigration is complex and rapidly evolving, which increases the likelihood of federal and state agencies holding actors accountable for errors, intentional or not. These concerns are part of a broader debate happening on college campuses nationwide. As the committee moves forward, it’s important to have clear guidelines that help universities respond to immigration enforcement actions while safeguarding the rights and privacy of students.

If the Committee intends to move forward with Senate Bill 977, the USM would like to ask for consideration of the following:

On page 4 line 24 after Subtitle 7 of the Criminal Procedure Article insert **(2) ANY PUBLICLY AVAILABLE DATA OR (3) ANY DATA THAT MUST BE DISCLOSED PURSUANT TO A COURT ORDER, SUBPOENA OR THE REGULATORY AUTHORITY OF A STATE OR FEDERAL AGENCY.**

On page 5, in line 5, strike “**AND**” through “and” in line 6.

On page 5, in line 13, strike “**AND**” through “**ACCESSED**”.

On page 5 after line 15, that the Committee adopt a Rule of Construction noting:

(3) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO REQUIRE OR AUTHORIZE AN EMPLOYEE OF A UNIT OF STATE OR LOCAL GOVERNMENT TO INTERFERE WITH A PERSON AUTHORIZED TO SERVE OR EXECUTE A SEARCH WARRANT OR CONDUCT A LEGALLY AUTHORIZED SEARCH AND SEIZURE.

(4) NOTWITHSTANDING ANY OTHER PROVISION IN THIS SECTION “ENFORCING FEDERAL IMMIGRATION LAW” DOES NOT INCLUDE INSPECTION OF I-9 RECORDS OR PROVISION OF INFORMATION REQUIRED BY A FEDERAL AGENCY WHEN A UNIT OF STATE OR LOCAL GOVERNMENT HAS SPONSORED A VISA FOR A STUDENT, EMPLOYEE OR AFFILIATE.”

Thank you for allowing the USM to provide this information regarding Senate Bill 977.



SB0977-JUD_MACo_LOI.pdf

Uploaded by: Sarah Sample

Position: INFO



MARYLAND
Association of
COUNTIES

Senate Bill 977

Enforcement of Federal Immigration Law - Restrictions on Access to Information (Maryland Data Privacy Act)

MACo Position:

To: Judiciary Committee

LETTER OF INFORMATION

Date: March 26, 2025

From: Sarah Sample

The Maryland Association of Counties (MACo) takes **NO POSITION** on **SB 977** but offers this **LETTER OF INFORMATION**. Counties do not take issue with the intent of the bill to protect the private information of an individual that is not legally required to be shared with Immigration and Customs Enforcement (ICE), or any other federal agency for that matter. SB 977 appears to make existing standards more stringent regarding the protection of information that shall be denied in an instance where immigration enforcement may or may not be the cause for the request. To that end, the challenges the bill presents are numerous and this letter of information is intended to add to the conversation as lawmakers consider next steps, if inclined to advance this bill. Broadly, county concerns touch on three areas which cover bookended penalties, perception of intent, and responsibility for fines.

The intersections of federal, state, and local immigration laws have been the subject of extended and nuanced debate across governments and the courts. The areas of concern cover constitutionality, enforcement, information handling, sanctuary policies, and court procedure to name just a few. Under more common circumstances, counties can appreciate that the letter of the law will not always foresee perfectly the contradiction, consequences, and potential new liabilities additional requirements can provoke in the courts. Unfortunately, the reality of the current political and policy climate around immigration presents a high likelihood that federal and State agencies are proactively and aggressively intending to hold even good faith actors accountable for errors. Any faltering, intentional or not, as these policies are rapidly evolving and competing has the potential to result in increased claims and significant disruption to local government workforces and functions.

Bookended Penalties

The bill creates a counter penalty in conjunction with penalties that currently exist under federal law, thus creating a scenario where an accidental violation is bookended with consequences regardless of the denial or disclosure of information. The area of SB 977 that

elicits the most urgent and immediate concern that could lead to penalties is the new language that says, "OR APPEARS TO BE seeking access for the purpose of enforcing federal immigration law." This explicitly exposes local government employees to potential liability for making guesses in a necessarily gray area. It is important to note that these challenges will not only exist for official record custodians but any employees and managers across all divisions with access to an electronic database in a public or private area of a facility.

The consequence in its most basic form is that if an employee does not provide data, pending certain circumstances, they can be charged with a violation of federal law. If an employee does provide information because it didn't appear to be private or for the purpose of immigration enforcement, they could be subject to a \$1000 fine and, depending on how the bill is interpreted, also have their employment terminated. This illustrates that exposure to penalties is not limited to the circumstances outlined in SB 977 but is extended to both federal and state agencies. Without all employees understanding the exact nuances of the rapidly evolving intersections of local, state, and federal immigration law there will, very likely, be no way to avoid increased liability.

Perception of Intent

It is unclear how an employee of a county or state government could accurately perceive the intention and nature of a request to determine whether a request for data is going to be used for immigration. This is especially a concern in situations where the identification and expression of intent of an ICE agent is not required. This determination can also be complicated by the fact that law enforcement can misrepresent their intentions when making certain requests. The bill almost assumes a scenario where all information would be denied without a warrant. This is even more precarious when the information requested is required to be disclosed without a warrant.

As an example, this could be the case for a request of an I-9 document of an employee. When immigration enforcement agents work in conjunction with the U.S. Department of Labor, the requirement to hand off I-9 information is mandatory, with or without notice or a warrant. An employee who fails to cooperate with federal law enforcement in this instance is likely to be found in violation of federal law. This could expose the employee to civil and/or criminal liability, if in the process of withholding, their refusal is misconstrued as a false statement to federal law enforcement or obstructing a federal investigation. This is particularly the case in instances where the employee's expression to withhold information is considered a misrepresentation of whether the record exists.

Responsibility for Fines

Another concern is the lack of clarity around the penalty provision. It is unclear who is subject to the \$1000 fine; specifically, whether it is the individual who is thought to have erroneously produced the data or the employer. To illustrate that concern, several interpretations are listed below:

- employee shall pay one fine for one violation
- employer shall pay one fine on behalf of the employee for one violation
- they both shall pay two separate fines for the same violation
- the employer shall pay two fines for one violation on behalf of the employee and employer

Any number of those scenarios is complicated by the potential that one conversation could lead to a denial or disclosure of multiple pieces of information. In those instances, it is unclear whether the federal- or state-level violation would constitute one or more penalties based on the number of records or pieces of information unlawfully shared or denied.

Conclusion

The question of how best to ensure that privacy is maintained for all employees and detainees of a local government is an important one to address. Due to the current and shifting guidance around immigration enforcement laws and regulations, SB 977 – without clarification – has the potential to further complicate an already difficult situation and fall short of its overall goal.

Local governments will continue to ensure standards remain high and appropriate compliance is managed. Counties look forward to continuing this important conversation, not just around SB 977, but as this issue evolves more broadly.