

Dear Members of the Economic Matters Committee,

This testimony is submitted by Showing Up for Racial Justice Baltimore, a group working to move folks as part of a multi-racial movement for equity and racial justice, in collaboration with CASA. I am a resident of District 43b. **I am testifying in support of HB711, the Data Privacy Act.**

This bill is critical in closing dangerous loopholes and limiting ICE's ability to access our state and local agency databases. It would prevent all Maryland state and local government agencies from releasing personal/private data to federal immigration officers without a judicial warrant. Maryland's past experience with ICE's use of MVA data illustrates the threat: as one example, a CASA member who was applying for asylum was deported after ICE admitted they received his information directly from the MVA database, violating the trust the state had established with undocumented immigrants encouraged to get a driver's license. While the 2021 Driver Privacy Act limited access to MVA data, federal authorities have escalated their tactics, attempting to dig into Medicaid and utility data, among others. This new legislation is necessary to fully shut down this pipeline.

The federal government's free use of state and local databases to track down immigrants creates a climate of fear in which immigrants and people of color are afraid or unable to seek services they are entitled to if they need to cooperate with any kind of authority, because they know that any information they provide will inevitably be weaponized by ICE. This impacts everyone's lives for the worse. I know a young working woman—a Guatemalan immigrant—who is also the mother of a four-year-old girl. This mother wants to enroll her daughter in public school next year but is afraid doing so might jeopardize her whole family's safety. Imagine the long-term impact on the life of that little girl, and generations to come, if her education is delayed or incomplete due to the climate of fear created under this presidential administration.

These data searches occur without warrants, oversight, or auditing, leaving the door wide open for misuse. In addition, data access has been used with Facial Recognition Technology (FRT), which is less accurate for people of color and significantly likely to result in the misidentification of individuals

This bill specifically closes critical loopholes left by the previous legislation by addressing:

- Third-party brokers, who can circumvent restrictions by selling our databases to ICE so they do not have to approach the agencies holding the data
- the Nlets program, an interagency data sharing database that could allow agencies at every level of government to access local data.
- geolocation data tracking and license plate readers, as well as reports of ICE accessing utility data to track an individual's location and patterns.

By passing this bill, Maryland joins other states that have taken strong action: California Values Act (2017) and New York Green Light Law (2019) successfully cut off ICE access to state databases without a warrant. Furthermore, this legislation is legally sound, since federal law only restricts states from barring their own entities from sharing information about citizenship or immigration status, which the databases the bill seeks to protect do not contain. It is for these reasons that **I am encouraging you to vote in support of HB711, the Data Privacy Act.** Thank you for your time, service, and consideration.

Sincerely,

Theresa M. Hoffman

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Showing Up for Racial Justice Baltimore



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