

Dear Members of the **Economic Matters Committee**,

This testimony is submitted in collaboration with Showing Up for Racial Justice Baltimore, and CASA. I am a resident of **District 46, a resident of Baltimore, community association board member, workforce development civil servant, and organizational psychology practitioner. 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 cooperate with any kind of authority, because they know that any information they provide will inevitably be weaponized by ICE. Our community association operates several cameras under a community safety grant, and today's surveillance state and free flow of information to parties that weren't originally intended to have it has come up during discussions about administering those cameras and made me very hesitant even to share access with our own police. I switched my home cameras to local storage out of fear that my home would be a part of a growing surveillance police state. This sort of low-trust environment wears on citizens of a country and destroys social fabrics, akin to having an automated secret police. This bill won't resolve that, but any steps toward segregating data by original intended uses are good steps to take.

These 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,

**John Preston Ford**

**529 S East Ave, Baltimore, MD 21224**