

WRITTEN TESTIMONY IN SUPPORT OF SB 0505 WITH AMENDMENTS

Before the Senate Committee on Finance

Hearing Date: February 18, 2025

Submitted by: Robert J. Cornet, Ph. D.

On behalf of: The Frederick County ICE/BWI Coalition (The Democracy Action Team of the Unitarian Universalist Congregation of Frederick, Indivisible Frederick, Indivisible Frederick Forward, Washington County Indivisible)

Position: Support with Amendments

Chair Beidle, Vice Chair Hayes, and Members of the Committee:

My name is Robert Cornet, and I am a resident of Frederick and an organizer working with community and faith-based partners concerned about immigration detention and deportation operations in and through Maryland. I am writing in strong support of SB 0505, with targeted clarifying amendments to make the bill more workable for administrators while better protecting people who are transported on ICE deportation flights.

Purpose and importance of the bill

This legislation addresses a narrow but urgent problem: people being moved for deportation on flights using Maryland airports often have serious medical needs, ongoing legal claims, or other vulnerabilities, yet there is no clear, state-defined process to identify those needs or ensure that they are communicated to the appropriate professionals before an individual is put on a plane. The bill seeks to create basic, practical protections—like access to medical and legal screening and standardized forms—so that no one is placed on a deportation flight from Maryland without reasonable steps being taken to prevent avoidable harm.

The state has a long-standing and well-recognized interest in protecting the health, safety, and legal rights of people within its borders, particularly where state-regulated entities, contractors, and licensees are involved. This bill fits within that traditional role by setting expectations for how Maryland-based actors interact with people in their custody or care when they are being moved by air for deportation.

Clarifying what the bill regulates – “on the ground,” not immigration policy

Some concerns have been raised about where Maryland’s authority begins and ends in the highly federalized context of aviation and immigration enforcement. It is crucial to underscore that this bill does not attempt to tell the federal government whom to deport, whether to deport, or how to operate an aircraft. Instead, the bill is properly understood as directing the conduct of Maryland-licensed or Maryland-contracted actors—airport

contractors, medical providers, and other state-regulated entities—who interact with people being transported on deportation flights.

To strengthen this point and address concerns about overreach, I respectfully recommend that the committee:

1. Ensure that the operative provisions are explicitly framed in terms of duties for state-regulated actors (such as airport tenants, ground-service or charter-service vendors operating under contract with the Maryland Aviation Administration or with local airport authorities, and medical/legal providers), rather than as directives to federal immigration officers or flight crew.
2. Include, either in statutory text or committee narrative, clear language that the bill does not purport to interfere with federal decisions about whom to remove or with the operational control of aircraft but instead establishes standards for Maryland actors to identify and respond to health and legal needs.

These clarifications will help align the bill with the state’s recognized authority over health, safety, and professional regulation, while reducing the risk of confusion or unnecessary resistance from agencies that are understandably sensitive to federal–state boundary questions.

Ensuring the bill applies to all Maryland airports

Although public attention has understandably focused on Baltimore/Washington International Thurgood Marshall Airport, deportation or transfer flights can be staged at any public-use airport in Maryland, including county-owned facilities such as Hagerstown Regional Airport. The protections created by this bill should follow the people at risk, not be limited to a single state-owned facility.

As I read it, most sections of the bill are drafted broadly and can be interpreted to apply to any Maryland airport and any Maryland-regulated contractor. However, one subsection (subsection (C) on page 5) refers specifically to BWI. To avoid any doubt or loophole, I respectfully recommend that the committee:

- Either replace the specific reference to “Baltimore/Washington International Thurgood Marshall Airport” with a more general phrase such as “any public-use airport in the State,” or
- Add a clarifying sentence such as: “For purposes of this subsection, ‘airport’ includes any public-use airport owned or operated by the State, a county, or a municipality.”

A change along these lines would make the bill's statewide applicability unmistakable and prevent a scenario where deportation flights are simply shifted to county-run airports to avoid these protections.

Voluntary forms, who handles them, and how data is protected

Another recurring concern has been practical: Who distributes and collects the forms? Are the forms voluntary or mandatory? What happens to the data? These are important implementation questions that can be answered in ways that both protect individuals and make the bill easier to administer.

I urge the committee to:

1. Affirm voluntariness. Clarify that any medical or attorney-contact forms contemplated by the bill are voluntary. Completing a form should not be a condition of transport, release, or access to services. This reduces the risk of coercion and aligns with basic principles of informed consent and due process.
2. Designate appropriate personnel. Specify that, wherever feasible, forms should be distributed and collected by designated ground-side personnel or contracted medical/legal liaisons—not by federal immigration officers or flight crew. At airports that host deportation flights, that will often mean charter-side vendors, fixed-base operators, or on-site medical providers who already have defined relationships with the state or the airport authority.
3. Establish clear data custody and privacy protections.
 - Assign custody of completed forms and related records to a clearly identified state-regulated entity (for example, an appropriate state agency, an ombuds office, or a designated medical/legal partner), rather than leaving them in a generic “airport operations” category.
 - Provide that the information is treated as confidential health/legal information, with access limited to those who need it to provide medical care, ensure legal access, or respond in emergencies.
 - Limit disclosure to circumstances necessary for emergency response, hospital treatment, or legal representation, and require appropriate safeguards against unauthorized sharing.

These refinements would respond directly to administrator concerns about who is responsible for data, how privacy will be maintained, and what operational steps are expected of them.

Including charter-side operations and vendor contracts

A further practical gap relates to the way deportation flights often operate at Maryland airports. These flights may use a separate charter terminal, with a distinct vendor handling fueling, ground handling, cleaning, and other services through a different entrance and different workers than the main commercial terminal. If the bill's protections are limited—intentionally or accidentally—to the commercial side of airport operations, they will miss many deportation flights altogether.

To address that risk, I recommend that the committee:

1. Explicitly state that the bill's requirements apply to charter operations and to any charter-side vendors that operate under contract with or under the authority of the Maryland Aviation Administration or any local airport authority.
2. Direct the relevant agency (likely MAA, potentially in coordination with another state entity) to report back before the next session on the implementation of these requirements in charter operations, including any barriers and recommendations for further statutory clarification.

This approach recognizes that charter operations are structured differently from scheduled commercial flights but still ensures that the bill's protections follow the people most at risk, wherever ICE chooses to stage its flights.

Why this bill remains worth passing now

Some have asked whether, if deportation flights can shift between airports—BWI, Dulles, Reagan, or federal facilities such as Joint Base Andrews—it is still worth Maryland's time to set strong standards for flights that operate here. My view is yes, for at least three reasons:

1. Maryland retains a responsibility to the people who are transported through its territory, regardless of where other states or federal facilities may choose different standards.
2. Clear, state-level expectations can help guide how Maryland agencies and airport partners respond when they are asked to support deportation flights, reducing ad hoc decision-making and the fear-driven assumption that “there is nothing we can do.”
3. As other states and jurisdictions grapple with similar questions, Maryland can contribute a concrete, rights-respecting model for how to protect health and legal access around deportation operations while respecting legitimate federal authority.

This bill is not the last word on what Maryland might ultimately do with respect to contractors, fixed-base operators, and other airport tenants. But it is an important, targeted step that the General Assembly can and should take this session, and it should clearly apply across all Maryland airports where deportation flights may operate.

Conclusion

For all of these reasons, I urge the committee to give SB 0505 a favorable report with clarifying amendments that:

- Anchor the bill firmly in the regulation of Maryland-licensed and Maryland-contracted actors;
- Clarify the voluntariness of forms, designate appropriate personnel for distribution and collection, and specify data-custody and privacy protections;
- Ensure that charter-side operations and vendors are clearly covered; and
- Make explicit that the bill's protections apply at all public-use airports in Maryland, whether owned or operated by the State, a county, or a municipality.

Thank you for your consideration and for your work to protect the health, safety, and rights of people who pass through Maryland's airports. I am happy to provide any additional information that may be useful to the committee.

Respectfully submitted,

Robert J. Cornet, Ph. D.

On behalf of: The Frederick County ICE/BWI Coalition (The Democracy Action Team of the Unitarian Universalist Congregation of Frederick, Indivisible Frederick, Indivisible Frederick Forward, Washington County Indivisible)

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