

Maryland Should Ensure that Immigrants' Data is Secure and Privacy is Guaranteed

Position Statement Supporting Senate Bill 504

Given before the Senate Finance Committee

Like all Marylanders, immigrants should feel confident in the privacy and security of the data they share with state and local agencies. They must be assured that unless there is a valid court-issued warrant, their data cannot be shared by law enforcement agencies or state and local government for the purposes of immigration enforcement. **The Maryland Center on Economic Policy supports Senate Bill 504 because it will ensure that immigrants' data, like that of all Marylanders, is secured and help guarantee their privacy.**

At its core, Senate Bill 504 is about upholding Maryland's commitment to privacy, fairness, and the protection of all its residents. Right now, dangerous loopholes in the current law allow sensitive personal data collected by state agencies to be funneled to Immigration Customs Enforcement (ICE) through third-party data brokers and law enforcement data-sharing networks. This bill closes those loopholes and stops the flow of Marylanders' data into the hands of ICE and other federal agencies that use it to fuel deportations, family separation, and racial profiling.

Specifically, this bill strengthens protections by closing driver data loopholes to prevent third-party entities from sharing driver information with ICE; updating the Maryland Public Information Act to ensure that records requests cannot be weaponized for immigration enforcement and to protect data currently treated as "public" but used to target immigrants; and strengthening Maryland Online Data Privacy Act by limiting what counts as "publicly available information," explicitly protecting geolocation data from phones and vehicles, ending the law enforcement exemption that ICE exploits, and prohibiting the use of non-sensitive data to infer sensitive personal information. These reforms are essential to restoring trust between communities and state government.

Mass surveillance and unchecked data sharing threaten the privacy and safety of all Marylanders—not just immigrant communities. When state agencies become pipelines for federal immigration enforcement, community trust erodes and public safety suffers. Maryland must ensure that state-collected data is never used to harm the families and residents it is meant to protect. State agencies should be a shield, not a conduit, for ICE.

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.

Further, Marylanders benefit from state policies that make our state a welcoming place for immigrants. Just over 1 million immigrants reside in Maryland, working sectors across our state's economy. About 36 percent of Main Street business owners in Maryland are immigrants, operating storefront shops that help keep downtown areas

vibrant. About 21 percent of Maryland's workers are immigrants including 33 percent of child care workers, 29 percent of registered nurses and 27 percent of software developers.

Immigrant workers and business owners generate \$85 billion of economic output in Maryland. In fact, when immigrants move to Maryland the economy grows and this doesn't mean fewer jobs, it means more jobs, more consumers, more workers and more business owners.

In 2021, this legislature took action to protect immigrants and safeguard their sensitive data. **The Maryland Center on Economic Policy**, once again calls on the General Assembly to take further action to ensure that the private data of all Marylanders is protected.

The Maryland Center on Economic Policy urges **the committee to provide a favorable report on SB 504.**