



TESTIMONY FOR SB0984

Correctional Services - Immigration Detention Facilities – Zoning Requirement

Bill Sponsor: Senator Smith

Committee: Judicial Proceedings

Organization Submitting: Maryland Legislative Coalition

Person Submitting: Cecilia Plante, co-chair

Position: FAVORABLE

I am submitting this testimony in favor of SB0984 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.

We are all horrified at what we are seeing on a daily basis in relation to immigration enforcement in this country. It is no longer about deporting immigrants who have committed criminal acts. It has morphed into the rounding up and detaining of virtually anyone the ICE agents decide they don't like, regardless of citizenship or criminality.

Another thing we are seeing as part of this horrific 'immigration policy' is long-term detention of anyone who is picked up by ICE. In order to facilitate this, the Department of Homeland Security (DHS) is spending billions on creating massive detention facilities that will be run by private contractors, whose goal is to make money on the suffering of these detainees. DHS is looking for land or abandoned warehouses in order to detain 5,000 – 10,000 people at a time.

No one wants to see this happen, especially since the existence of these detention centers means that more and more people will be rounded up to fill them. Otherwise, the owners won't make enough money.

This bill, if enacted, would require that the state or local government not approve an application for the use of a building or structure as an immigration detention facility unless immigration detention facility is expressly included in the applicable zoning authority. It further specifies that a general zoning classification authorizing government, public, or institutional uses does not constitute express authorization for a building or structure to be used as an immigration detention facility. Those facilities would require specific zoning.

Additionally, if the facility houses individuals who are intended to be held in involuntary custody and will not be free to leave, or if the design, construction, or improvements to the facility contain features

consistent with secure or involuntary confinement, the building would be considered a detention facility regardless of what the application states.

If these conditions are violated, the Attorney General may bring a civil action against the operator of the facility. The court may issue temporary, preliminary, or permanent injunctive relief to prevent an act that would constitute a violation of this section. Any private entity that operates or attempts to operate an immigration detention facility in violation of this law is subject to a civil penalty not exceeding \$10,000 for each day the violation continues.

And, best of all, this legislation would be retroactive. We strongly support this bill and recommend a **FAVORABLE** report in committee.