

## **TESTIMONY ON SENATE BILL 791 - FAVORABLE**

### **Correctional Services and Public Safety - Immigration Enforcement - Prohibitions (Community Trust Act)**

**Senate Judicial Proceedings Committee, February 25, 2026**

Joanna Silver  
Silver Spring, Maryland

Dear Honorable Chair Smith, Vice Chair Waldstreicher, and Members of the Committee,

My name is Joanna Silver. I am testifying in my personal capacity, but I have worked for over 20 years as a Federal Public Defender in the District of Maryland, representing people involved in both the criminal and immigration systems.

From that experience I would like to share a few points in support of SB791, the Community Trust Act:

First, it is easy for ICE to obtain a judicial warrant if there is probable cause to believe someone committed a federal crime. ICE can alert our US Attorney's Office and present a complaint to a Federal Magistrate, who can in turn issue a warrant; there is a US Attorney and a Magistrate judge on call at both federal courthouses in Maryland at all times. Similarly, if ICE or DHS needs information about someone for a criminal investigation, it can easily get a subpoena for that information from a federal court; this is a routine part of how all federal law enforcement agencies conduct their investigations.

Second, ICE does not need the assistance of our local law enforcement or corrections departments to do their job. I have represented many people over the years who were released into the community from local or state jails, or who were never in our jails to begin with, and ICE has used their resources to find them, put them into removal proceedings, and charge them with the federal crime of illegal reentry.

Third, as I've testified to previously this session, in the past year, I have witnessed ICE prioritize deportation over everything else, acting with a complete disregard for due process and undermining, rather than enhancing public safety. Among other things, they are repeatedly deporting people instead of allowing their federal criminal prosecutions to go forward. If the Department of Homeland Security is willing to undermine the efforts of the United States Department of Justice in furthering public safety, then you can be sure that DHS is not interested in public safety here in Maryland.

We can keep our state safe without enabling a cruel and unjust immigration system. I urge you to issue a favorable report.