

Testimony for SB984/Favorable
Correctional Services - Immigration Detention Facilities – Zoning Requirement
Judicial Proceedings Committee
Hearing Date: March 12

Across the country, immigration enforcement has increasingly relied on large-scale detention. The Department of Homeland Security is investing billions of dollars to expand detention capacity, often through privately operated facilities designed to hold thousands of people at a time. These facilities create powerful incentives to detain more people to keep beds filled.

SB984 establishes an important safeguard by ensuring that immigration detention facilities cannot operate in Maryland without explicit local approval. The bill requires that a building or structure may not be used as an immigration detention facility unless that use is specifically authorized under the applicable zoning designation. A general zoning category for government, public, or institutional uses would not be sufficient.

The bill also clarifies that any facility designed to hold individuals in involuntary custody—such as those with secure confinement features—will be considered a detention facility regardless of how the application describes the use.

To ensure compliance, the Attorney General may bring civil actions against operators that violate the law. Courts may issue injunctive relief to stop violations, and private entities operating unlawful facilities may face civil penalties of up to \$10,000 for each day the violation continues.

By requiring explicit zoning approval and providing strong enforcement mechanisms, SB984 gives Maryland communities a clear voice in whether immigration detention facilities may operate in their jurisdictions.

For these reasons, I respectfully urge the committee to give SB984 a favorable report.

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