



TESTIMONY

SB0791 – Public Safety – Immigration Enforcement Agreements – Prohibition

Bill Sponsor: Senator Lam

Committee: Senate Judicial Proceedings

Organization Submitting: Maryland Legislative Coalition

Person Submitting: Aileen Alex, CoChair

Position: FAVORABLE

I am submitting this testimony in support of **SB0791** on behalf of the Maryland Legislative Coalition. We are an association of unpaid citizen advocates—individuals and grassroots groups in every district across the state—representing and supporting more than 30,000 Marylanders.

SB0791 ensures that our state and local police officers are not used as federal immigration agents. Maryland taxpayers fund local law enforcement to address community safety, respond to emergencies, and investigate crimes. Diverting their time and resources to federal civil immigration enforcement weakens their ability to meet those responsibilities. Being undocumented is a civil offense, not a criminal one, and prioritizing civil violations inevitably shifts attention away from serious crimes that truly threaten community safety.

The bill also protects local jurisdictions from costly lawsuits. Across the country, Black and brown residents—including U.S. citizens—have been questioned or detained based on assumptions about immigration status or place of birth. When this happens, local governments face significant legal exposure. SB0791 helps prevent these harms by clarifying the critical difference between an ICE detainer, which is only a request, and a judicial warrant, which is legally required before transferring someone to federal custody. Turning someone over to ICE without a judicial warrant is unlawful and places local jurisdictions at risk—even when the individual is undocumented—because they still have due process rights.

We have empathy for the many undocumented residents who are long-term community members who pay taxes, check in regularly with federal agencies, and are in the years-long process of obtaining legal status. They should not be targeted or

harassed. In contrast, SB0791 does not prevent police from identifying individuals who are on federal criminal watch lists. That information is already available through standard database checks when an officer runs a driver's license.

SB0791 strengthens public safety by ensuring that police focus on criminal activity, not civil immigration matters, and by requiring ICE to obtain judicial warrants when appropriate—something judges are available to issue at any time. This protects both residents and local governments while maintaining lawful cooperation where it is actually necessary.

For these reasons, we respectfully urge a **FAVORABLE** report on SB0791.