

Testimony on Senate Bill-Favorable

SB 985 Correctional Services- Immigration Detention Facilities-Minimum Mandatory Standards

Senate Judicial Proceedings Committee-March 10, 2026

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

I write in support of **SB-985** Correctional Services-Minimum Mandatory Standards.

This Bill provides necessary expansions to the Secretary's authority. There is no legitimate public policy reason that civil detainees lack the same protection in care, custody, and conditions as criminal detainees.

The minimal standards become meaningful with the increased accountability provisions. Reporting requirements imposed on security guards and health care staff, and concomitant potential disciplinary actions, are pivotal in assuring compliance. Similar reporting requirements already exist for many health care licensees. See Md Occupations Article and implementing regulations. Similarly, discipline for failure to report counterbalances the incentive to "keep quiet" in solidarity with fellow guards at the risk of being ostracized.

The public record is replete with examples of conditions that shock the conscience in detention facilities. Two of the most recent, local examples are found here:

[Court records reveal gutting of DHS oversight: Incredibly dangerous' | US immigration | The Guardian](#)

[Maryland congressional members find empty Baltimore ICE holding rooms during unannounced visit - CBS Baltimore](#)

Even a cursory review of these facilities supports the need for increased remedies and accountability. Recourse to the justice system rightfully is reposed in the Attorney General, an independently elected constitutional officer. Moreover, giving the Maryland Commission on Correctional standards the authority to cease operation of such facilities under certain circumstances ensures the standards are appropriately enforced administratively and hold all similarly situated facilities accountable. Access to both administrative and judicial remedies is essential to make rights meaningful.

The fiscal note estimates no current costs but suggests "potential significant increase in General Fund expenditures." However, failing to take meaningful, timely action to protect constitutional rights in this historic moment compels investment. If not now, when?

I urge the Judicial Proceedings Committee to issue a favorable report on SB 985.

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