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**TESTIMONY ON SB# 0245 – POSITION: FAVORABLE**

**Public Safety – Immigration Enforcement Agreements - Prohibition**

**TO:** Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee

**FROM:** Clifford S. Fishman

I live in Leisure World in Silver Spring (the 19<sup>th</sup> legislative district). I have lived in Montgomery County since 1977, and am an active member (and past-president) of Tikvat Israel Congregation in Rockville. I am writing in support of **Senate Bill 0245, Public Safety – Immigration Enforcement Agreements – Prohibition**, i.e., prohibiting local law enforcement agents to act as ICE agents. I urge passage on four general grounds: personal, professional, religious, and practical.

**Personal:** When I look at this generation's immigrants, I see my grandparents. Today's immigrants come from different countries and have different religions and languages and skin colors than my grandparents did, but they come here for the same reasons as my grandparents did: to escape discrimination or grinding poverty, or both. They had little education. Each took low-paying "scut work" while they learned English and learned what it means to be an American. My grandparents proudly became American citizens, and passed their love of our country to their children. Their children did better, and their grandchildren went to college and graduate school. You must now decide whether to help assure today's immigrants have a decent chance to realize those same hopes and dreams, or to make that difficult or impossible.

**Professional:** From 1969-1977, I was a prosecutor in New York City. I worked closely with city, state and federal law enforcement agencies to assure that their investigations complied with the Fourth Amendment's protection against unreasonable searches and seizures. As a law professor from 1977-2019, I taught, spoke and wrote about the Fourth Amendment. The Amendment's protection against unreasonable searches and seizures is a fundamental American value. One key measure of the professionalism of a law enforcement agency is whether it respects and conforms to the Fourth Amendment. **It is outrageous that ICE, a federal agency, routinely ignores and violates the Fourth Amendment. To allow local law enforcement agencies in Maryland to collaborate with ICE is even worse, because such collaboration will inevitably encourage local officials to ignore and violate the Amendment in their own cases as well.**

**Religious:** In the very heart of the Torah's holiness code, *Leviticus* 19:33-34 demands: "When strangers reside with you in your land, you shall not wrong them. The strangers who reside with you shall be to you as your citizens; you shall love each one as yourself, for you were strangers

in the land of Egypt: I the Lord am your God." Nor is this command a one-off; the Torah insists on protecting and helping strangers *thirty-six times*.

Practical: Many immigrants in Montgomery County do jobs that have no prestige and low pay, but that make life better all of us. Many of them stock grocery shelves, wash dishes and bus tables, clean our schools and hospitals. Many work as home personal aides or companions for the elderly and disabled. Many help harvest our food or provide unskilled labor that helps build and repair our roads and other infrastructure. Without them, our lives would be less healthy, less productive, and less convenient, and our economy would suffer.

We must insist on due process, equal protection under the law, and humane and sympathetic treatment for all of our neighbors, regardless of their immigration status. And we must, to the extent legally permissible, prevent state officials from assisting ICE when it sweeps up dozens or hundreds of people merely because of their appearance or accent.

**I respectfully urge this committee to return a favorable report on Senate SB0245.**