

HB1536_RichardKaplowitz_FAV

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Richard Keith Kaplowitz

Frederick, MD 21703

TESTIMONY ON HB#1536- POSITION: FAVORABLE

Maryland Enforcement Limits and Transparency (MELT) Act

TO: Chair Bartlett, Vice Chair Davis, and members of the Judiciary Committee

FROM: Richard Keith Kaplowitz

My name is Richard Keith Kaplowitz. I am a resident of District 3, Frederick County. I am submitting this testimony in support of HB#1536, Maryland Enforcement Limits and Transparency (MELT) Act

This bill is submitted to attempt to control the unconstitutional actions being committed by ICE against both citizens and immigrants. Multiple examples of this disregard of the rule of law and constitutional protections have been documented by the media and on social networks. This bill will state that, except as required by judicial warrant or state or federal law, a person may not knowingly aid in immigration enforcement in a manner that violates the constitutional rights of another. For every interaction with immigration enforcement, a person shall:

- document the person's instances of cooperation with immigration enforcement
- retain all records of instances of cooperation for not fewer than 5 years after each occurrence
- notify any individual whose information was shared, including, to the extent permitted by law, what information was shared.

A person harmed by a violation ... may bring an action against any person that violated this section; or aided another in committing a violation. In an action ... a court may award economic and noneconomic damages; declaratory relief; injunctive relief; and reasonable attorney's fees.

The attorney general may investigate an alleged violation ... by: issuing subpoenas; administering oaths; compelling the attendance and testimony of witnesses; and compelling the production of records, books, papers, contracts, and other documents.

The bill further documents the role of the Attorney General and what penalties and punishments may occur when the provisions of the bill are violated.

This bill will prohibit a person from voluntarily assisting in immigration enforcement under certain circumstances and require a person who assists immigration enforcement to make and maintain certain records; authorize a person injured by a violation of the Act to bring a certain civil suit; authorize the Attorney General to make a certain investigation and to take certain actions to enforce the Act; etc.

Providing surety that Maryland will guard the rights of its residents should help put controls over the misconduct that seems to be prevalent in ICE enforcement actions.

I respectfully urge this committee to return a favorable report on HB#1536.