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POSITION ON PROPOSED LEGISLATION

BILL: SB810 Immigration Enforcement - Expanding Sensitive Locations, Notification, and Guidance (Maryland Values Act of 2026)

FROM: Maryland Office of the Public Defender

POSITION: Favorable with Amendment

DATE: March 30, 2026

The Maryland Office of the Public Defender respectfully requests that the Committee issue a favorable report on SB810, with an amendment to adopt this committee's language to ensure that courthouses, like other sensitive locations where visitors are subject to security screening, are protected from access for the purpose of civil immigration enforcement in the absence of a judicial warrant or exigent circumstances. *See* [H.B. 1341](#) (amending Md. Crim. Proc. 2-104.2(b)(2) to include courthouses along with other sensitive locations requiring a security screening, with a carveout in 2-104.2(b)(1) for the detention facilities located inside courthouses).

Courthouses must be safe for everyone if real justice is to be done there. If some Marylanders must fear that any appearance in a courthouse carries the threat of detention, family separation, and exile, they will be less likely to contest an illegal eviction; file a lawsuit when they have been wronged; testify – for either side – in a criminal case; engage with any of the valuable specialty court programs that we have across the state; perhaps even less likely to fight for custody or parental rights, if by doing so they would risk an even more insurmountable separation. Our state is at its best and safest when we offer equal recourse to all who need the protection of Maryland courts, and fairness and accountability to those accused of breaking Maryland law.

Our noncitizen clients, and the other immigrants who come into contact with the courts, are children, parents, breadwinners, caretakers, neighbors, and parishioners. They are human beings trying to hold themselves and their families together in the face of great upheaval and uncertainty. Many left their homes, whether recently or many years ago, to escape a situation where interacting

with institutions and authorities felt dangerous, and came to the United States hoping to live under the robust rule of law. Over the last year, between the rhetoric of mass deportation and the reality of new immigration enforcement policies, our own institutions feel increasingly dangerous to our immigrant clients. I have continued to receive inquiries from Public Defenders around the state wondering how – and if – they can honestly reassure their fearful clients that it is safe to appear in court. These inquiries came not only on behalf of clients facing criminal or traffic trials, but also on behalf of juvenile respondents who are U.S. citizens with noncitizen parents; clients who wanted to pursue post-conviction relief based on constitutional violations, but worried it was too dangerous to risk attending a hearing; and many who wanted the help they could get in drug or mental health courts, but were concerned about the risk of regular courthouse appearances.

We have seen these fears spread beyond those who are legally subject to ICE arrest to impact permanent residents and others with lawful status, as news has spread of ICE arrests of citizens, permanent residents, and others with status both in MD and around the country. And we have seen what we feared during last year’s legislative session come to fruition, with courthouse arrests not only of defendants whose Maryland cases in many instances remained adjudicated, but also those whose charges had already been dismissed; a man responding to a Department of Natural Resources citation; and at least one witness for the prosecution in a criminal case. Each of these arrests feeds the perception that courthouses are unsafe, and helps to chill engagement with the legal system, undermining both public safety and access to justice.

This committee’s language including courthouses as important sensitive locations worthy of continued and strengthened protection was valuable, and for that reason we urge the committee to amend SB810 to conform with the House bill in that regard.

For these reasons, the Maryland Office of the Public Defender urges this Committee to issue a favorable report with amendment on SB810.

**Submitted by: Maryland Office of the Public Defender, Government Relations Division.
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