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HB 309
Judicial Facilities – Stops, Detentions, and Arrests - Limitations

Judiciary Committee Hearing
February 4, 2026

Position: Favorable

To the Honorable Members of the Judiciary Committee:

Community Legal Services (CLS) is a nonprofit legal services provider dedicated to ensuring equitable access to justice and due process of law for Maryland’s most under-represented populations. We write in support of all parts of this bill, and in particular with respect to its impact on access to Maryland courts for people who urgently need the court’s protection but fear seeking out that protection as a result of the potential for immigration enforcement efforts within and near courthouses.

We have seen a marked decrease in attendance in court by Latino and immigrant populations over the past year, *whether those individuals are documented citizens or not.* What results when parties don’t come to court is loss of housing, financial losses, and loss of personal safety. Family stability is shattered, even when the legal system would support family and financial stability if the parties came to court. We are told by would-be clients and partner agencies serving these communities that fear – justifiable fear of what could happen to them and their families if they are detained by ICE while at or on their way to/from court - is keeping these populations away from accessing justice through our courts.

The Need for HB 309

House Bill 309 is a crucial measure to ensure that all Maryland residents, regardless of their immigration status, can safely access the courts. Many of our clients are survivors of domestic violence and individuals threatened with eviction. For these individuals, **the courthouse is not just a place of legal recourse—it is often their last hope for safety, justice, and protection.** However, when courthouses and areas around them become sites of immigration enforcement, many individuals, particularly undocumented immigrants and mixed-status families, avoid seeking the legal remedies to which they are entitled due to fear of arrest, detention, or deportation.

This fear is especially acute for survivors of domestic violence. Many survivors need court orders to protect themselves and their children from abusive partners. If they fear that seeking such protection could expose them to

immigration enforcement, they may remain trapped in dangerous and violent situations. No person should have to choose between personal safety and the risk of deportation.

Additionally, individuals facing civil lawsuits, including debt collection actions or landlord-tenant disputes, must feel secure in appearing in court. **When people avoid the legal system due to fear of immigration enforcement, it results in default judgments, loss of housing, and further financial instability**, deepening systemic inequalities that disproportionately harm vulnerable populations.

Ensuring that courts are safe spaces where individuals can seek justice without fear is fundamental to the principles of fairness and due process. House Bill 309 aligns with Maryland's commitment to protecting the rights and dignity of all its residents, regardless of immigration status. **We therefore urge the committee to pass House Bill 309 to reaffirm Maryland's dedication to justice for all.**

Please feel free to reach out to Jessica Quincosa, Executive Director, and Lisa Sarro, Director of Litigation & Advocacy, with any questions at quincosa@clspgc.org, and sarro@clspgc.org, respectively.