



Testimony for the House Judiciary Committee
March 13, 2018

**HB 1308 State and Local Correctional Facilities - Undocumented Immigrants -
Transfer to United States Department of Homeland Security
(Keep Our Communities Safe Act of 2018)**

TONI HOLNESS
PUBLIC POLICY DIRECTOR

UNFAVORABLE

The ACLU of Maryland respectfully urges an unfavorable report on HB 1308, which would require state and local correctional facilities with custody of an undocumented immigrant who is serving a sentence in the facility for conviction of a crime to transfer the individual to the U.S. Department of Homeland Security (DHS) on request.

Under HB 1308, facilities would notify DHS, even if the person was being incarcerated for a low-level offense. Between 2008–2014, over 43% of persons deported from Maryland under the Secure Communities program had no criminal convictions of any kind. An additional 33% had convictions only for minor offenses.¹ These deportations have a negative impact on Maryland’s working families and children because they penalize individuals who are living and working peacefully in our communities, sometimes for years or even decades, simply because they have been detained, however briefly and for whatever reason.

More and more jurisdictions across the country are refusing to act as surrogates for the federal government in these overzealous and inhumane immigration enforcement efforts. In particular, they are refusing to detain individuals who should otherwise be released for the sole purpose of helping route them into deportation proceedings.

Moreover, HB 1308 effectively shifts the burden of federal immigration enforcement efforts onto our local agencies, which is a waste of local resources.

For the foregoing reasons, the undersigned organizations urge an unfavorable report on HB 1308.

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¹ ICE Interoperability Statistics through May 31, 2013, http://www.ice.gov/doclib/foia/sc-stats/nationwide_interop_stats-fy2013-to-date.pdf.