



Testimony for the House Judiciary Committee

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HB 1613

FAVORABLE

NICK STEINER
Equal Justice Works
Immigrants' Rights Fellow

The ACLU of Maryland supports HB 1613, which would allow family members of individuals who are removed from the United States the opportunity to petition for standby guardianship to ensure that family unity is preserved, and children of removed individuals can continue their daily routine without the State interfering and uprooting them from their lives.

Expanding the number of individuals who may petition for someone to receive standby guardianship for their children is extremely important in family emergency planning for individuals at risk of being removed by the Department of Homeland Security in their immigration enforcement duties. Immigration arrests within the interior of the United States has increased by 40 percent, and the targets for immigration enforcement have expanded to virtually anyone who has a potential immigration violation. Trump's January 25, 2017 Executive Order expanded the priorities for immigration enforcement, opening the door to target every undocumented individual in the United States.

Parents at risk of being removed from the U.S. have begun looking to different ways they can plan for their possible detention and removal from the country, including ensuring that their children can continue living their day-to-day lives. This might include financial planning (designation of power of attorney to someone they trust) and arranging where children will go in case a parent does not come home because they were kidnapped by ICE.

Under Maryland law, simple power of attorney forms are insufficient to give a third party the ability to make day-to-day decisions for the children of another person. This bill would allow those parents at risk of being removed to plan for their removal and designate someone who could take care of their children while ICE expels them from the United States.

If the Federal government intends to rip families apart by deporting the parents of children, traumatize Black and Brown families by targeting them, caging them, and ejecting them with no sense of decency, the least we can do at the state level is provide the means to allow these families a little preparation.¹

For these reasons, we urge you to issue a favorable recommendation for HB1613.

¹ For a discussion of the similarities between the Fugitive Slave Act and the Federal government's prosecution of local efforts to protect immigrants, *see* <http://www.latimes.com/opinion/op-ed/la-oe-meyerson-immigration-fugitive-slave-20180301-story.html>.

AMERICAN CIVIL
LIBERTIES UNION
OF MARYLAND

MAIN OFFICE
& MAILING ADDRESS
3600 CLIPPER MILL ROAD
SUITE 350
BALTIMORE, MD 21211
T/410-889-8555
or 240-274-5295
F/410-366-7838

WWW.ACLU-MD.ORG

COLEMAN BAZELON
PRESIDENT

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EXECUTIVE DIRECTOR

ANDREW FREEMAN
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