

BILL NO: House Bill 388  
TITLE: Criminal Procedure – Civil Immigration Enforcement - Restrictions  
COMMITTEE: Judiciary  
HEARING DATE: February 11, 2020  
POSITION: **SUPPORT**

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The Women's Law Center of Maryland (WLC) is a statewide nonprofit law firm that seeks to ensure the safety, economic security, and autonomy of women. Among the free legal services we provide is our MEDOVI project, which serves foreign-born victims of domestic violence, sexual assault, and human trafficking who are seeking immigration status independent of their abusers who typically threaten our clients with deportation or refuse to provide the documentation necessary to obtain legal status in an attempt to maintain control over their relationship. These foreign-born victims face unique challenges; cultural differences, language barriers, and fear of deportation frequently prevent them from seeking help. As mentioned above, victims are often sponsored for their green cards by the very same abuser who threatens to have them deported. The vast majority of our clients (96%) are women, and their children face similar challenges, including abuse and forced separation from their mother. Deportation is a particularly acute concern for victims who as a result may be separated from U.S.-born children. Until she is assured she has the option of petitioning for legal immigration and work status, without the sponsorship of the abuser, she is unlikely to pursue the criminal and civil legal remedies that will protect her safety.

Because of our clients' unique and vulnerable position in our society, the WLC supports HB388. Our clients cooperate with law enforcement regularly to assist in the prosecution of crimes of violence, but have become increasingly fearful of doing so out of concerns of deportation for themselves and their children. This legislation would do a number of things to ensure our clients are able to continue working with law enforcement without fear of reprisal, including:

- (1) prohibiting law enforcement from inquiring about an individual's immigration status, citizenship status, or place of birth during a stop, a search, or an arrest;
- (2) prohibiting law enforcement from transferring an individual to federal immigration authorities unless required by federal law;
- (3) prohibiting law enforcement from transferring an individual to federal immigration authorities, detaining an individual, notifying federal immigration authorities of an individual's location, address, or release date, without a judicial warrant; and
- (4) prohibiting local law enforcement from utilizing local resources to enforce federal civil immigration law.

The legislation does not alter the criminal legal system, but rather works to restore community trust in our law enforcement officials, improve public safety, and stop the expenditure of precious local dollars on federal enforcement efforts. For all the foregoing reasons, the WLC supports House Bill 388 and urges a favorable report.

***The Women's Law Center of Maryland is a private, non-profit, legal services organization that advocates for the rights of women through legal representation to individuals and strategic initiatives to achieve systemic change. The Women's Law Center operates two hotlines, the Protection Order Advocacy and Representation Projects in Baltimore City, Baltimore County and Carroll County, and the statewide Collateral Legal Assistance for Survivors and Multi-Ethnic Domestic Violence Projects.***