

House Judiciary Committee

SUPPORT - HB388

Testimony of Nicholas Katz, CASA de Maryland

February 11, 2020

Good Afternoon Mr. Chairman and members of the Committee:

My name is Nicholas Katz and I am the Senior Manager of Legal Services for CASA de Maryland (“CASA”). CASA is the largest membership-based immigrant rights organization in the mid-Atlantic region, with more than 90,000 members in Maryland. Thank you for this opportunity to testify today in support of HB388

CASA’s strong support for HB388 stems from the experiences of our members. Each year thousands of community members come through CASA’s doors, seeking assistance with legal issues, access to benefits, and for many other services. After President Trump took office in 2017, his administration has engaged in a systemic attack on immigrant communities, seeking to sow fear among families and deport as many undocumented members of our communities as possible. CASA has fought back against these assaults on all fronts, including through community organizing and mobilization, engaging in a robust program of Know Your Rights presentations, and through legal actions in federal court. In many of these efforts, we have acted in concert with the State of Maryland. Governor Hogan has come out against some of President Trump’s more controversial policies and Attorney General Frosh has joined with Attorneys General from across the country in suing to prevent the administration’s unconstitutional actions from going into effect.

Nearly one million Marylanders are foreign born, representing more than 15% of our state’s population. Almost all of CASA’s members have ties to another country, and many live in mixed status families, where some members have lawful immigration status in the United States and others may not. As we seek to protect our members, and their communities, from the rogue and often unlawful immigration policies of the current federal administration, it is absolutely crucial that Marylanders have faith that interacting with local and state government officials will not be a pipeline to deportation. That is why HB388 is such a crucial piece of legislation. By prohibiting government agents from inquiring about the immigration or citizenship status of an individual, and by prohibiting collaboration with federal immigration authorities unless they have a valid judicial warrant, HB388 represents a commitment by the state to protect its residents and ensure they have access to the services they need.

One example of why HB388 is necessary is that it will help to ensure Marylanders feel safe seeking the aid of local law enforcement agencies. Over the last year, we have seen CASA members suffer from the collaboration of local law enforcement with U.S. Immigration and Customs Enforcement (“ICE”). One of CASA’s long-standing leaders, Roxana Orellana Santos, was detained by ICE on January 8. Despite the fact that she has multiple pending application for immigration relief, and is currently litigating a federal civil rights case against the Frederick County Sheriff’s Office, it was only after weeks of tireless advocacy and pressure that ICE finally released Roxana. Roxana was the victim of racial profiling by the Frederick County Sheriff’s Office more than a decade ago and continues to fight to stay in this country.

Sadly, hers is not an isolated story. Just days after Roxana was detained, another CASA member experienced an emergency on the highway when her car caught fire. After seeking help from the police, she was identified as having an old deportation order and transferred to ICE. Just a few weeks ago, a CASA member came to our Tuesday intakes and informed us that after she had been in a car accident, local police had facilitated her transfer to ICE and she is now fighting imminent deportation.

More recently, we saw Department of Natural Resources (DNR) police target one of our members for trying to help his family trim the branches of a tree that was overgrown. This member was just trying to help his family avoid a fine from the County and be good neighbors in their community, but DNR not only gave him a ticket for operating an unlicensed tree expert business, they unlawfully detained him for several hours after finding that he had a civil immigration warrant based on an old immigration case. Now he is fighting to remain with his family, where he belongs, here in the United States.

Even though such detentions are already unlawful under Fourth Circuit precedent, the fact that they continue to happen make clear the urgent need to pass HB388. By enacting a general prohibition on government agents inquiring about the immigration or citizenship status of individuals they encounter, and by explicitly prohibiting law enforcement collaboration with federal immigration authorities, HB388 goes a long way in ensuring that Maryland residents feel safe interacting with their government.

For all of these reasons, CASA support HB388 and urges a favorable report from the committee.