

HB 403 Immigration Enforcement – Public Schools, Hospitals, and Courthouses –  
3 Policies  
(Testimony)

Good Afternoon, My name is Maricé Morales, and I am a former State Delegate of Maryland for District 19 and the owner of my own law practice, The Law Office of Maricé Morales located in Montgomery County. My practice includes working with the immigrant community as it may refer to a personal injury claim, their representation in a criminal or immigration matter.

I come before you today to voice my support for HB 403. I am the original sponsor of the bill that inspired HB403 called the Trust Act. The Trust Act passed every time it was brought to this committee and also passed in the House every single time it was introduced. As a criminal defense attorney, I have had first hand experience with clients who are currently undocumented and have expressed to me their concerns of entering a courthouse or hospital. Given that they do not have current legal status, my clients believe that the risk of going to court for a court date, that is overwhelmingly mostly for a traffic or non-violent matter, or if in an accident, forgoing immediate medical attention, is too much for them to bear.

When facing any of the above-mentioned scenarios, the immigrant defendant is eager to cooperate with law enforcement, attend court dates and resolve the matter the quickest way possible. Most folks want to go on with their lives by resuming their employment or returning to their small businesses and tending to their families .

Failing to appear in court for a jailable offense means that a bench warrant will be issued for that immigrant defendant. Arrest warrants issued even for a minor offense can have major collateral consequences for immigrant defendants that later may seek relief to adjust the immigrant status. By restricting ICE's access to our courts, you are incentivizing immigrant defendants to resolve their matters, which is good public policy. The current situation allows for the looming fear being picked up by ICE, when the immigrant defendant is actually seeking to "get right" with the law. A decrease in FTA's would result in a decrease funds and resources used for the enforcement of bench and arrest warrants, which could be used for more efficient public policy practices. The type of policy that Del. Wilkins has planned to implement in HB 403, was included in the recommendations published by Attorney General Brian Frosh in his Immigration Guidance Memorandum. Similarly, The Maryland Trust Act was once endorsed by The Washington Post Editorial Board, as they described it as set of common sense policy practices that keeps our communities safe, by creating the proper incentives in place that shape the immigrant experience when coming into contact with law enforcement and our criminal justice system.

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For those reasons, I urge you to pass a FAVORABLE REPORT on HB 403.