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February 10, 2021

TO: The Honorable William C. Smith, Jr.
Chair, Judicial Proceedings Committee

FROM: Office of the Attorney General

RE: SB 478 Correctional Services – Immigration Detention – Prohibition (Dignity Not
Detention Act) (**SUPPORT IN CONCEPT**)

The Office of the Attorney General supports the goal of SB 478, to ensure that the State and local jurisdictions are not facilitating immigration detention by private entities. As expressed in the findings of the General Assembly that undergird the bill's prohibitions, these responsibilities should rest with the federal government. Civil detention of immigrants experiencing the challenges and vulnerabilities associated with leaving their countries, homes, and families, often fleeing persecution, is an inherently governmental function, imbued with the exercise of coercive police powers, that should not be delegated.

In sum, the Office of the Attorney General supports the principle that civil immigration enforcement should be the province of the federal government and should not be delegated to private entities.

cc: Members of the Judicial Proceedings Committee