



## Unitarian Universalist Legislative Ministry of Maryland

*Shared Voices for Liberal Religious Values in Maryland*

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### TESTIMONY ON SB 478, THE “DIGNITY NOT DETENTION” ACT FOR THE FEBRUARY 10th HEARING OF THE JUDICIAL PROCEEDINGS COMMITTEE POSITION: FAVORABLE

#### SUBMITTED BY

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To: Senator William Smith, Jr., Chair, and Members of the Judicial Proceedings Committee

I strongly support SB 478, the “Dignity Not Detention Act” sponsored by Chairman Smith. As you know, the bill would prohibit involvement by private entities in the operation of immigration detention facilities; require adequate public notice of any plans for a new private detention facility; prohibit state and local government entities entering into or renewing any immigration detention agreement with the federal government, and require entities with existing agreements to exercise the termination provisions no later than October 1, 2022.

The merit of some of those provisions should be blindingly obvious. Of course detention, the deprivation of an individual’s liberty, is an inherently governmental function—and the potential for abuse when a for-profit entity is involved is too great to be countenanced. Fortunately, no private entities are involved in the operation of Maryland’s three immigration detention centers; SB 478 would merely maintain the sensible state of affairs that already exists.

So I want to focus on the part of SB 478 that is likely to arouse the most controversy: the requirement that Frederick, Howard, and Worcester counties end their agreements with the federal Immigrations and Customs Enforcement agency (ICE) by October 2022. The argument surely will be raised that SB 478 encroaches on the prerogatives of local jurisdictions. But let’s be clear: the issue is money. The counties would have no interest in detaining people for suspected violations of civil immigration laws if ICE were not paying them to do so. In effect, the three counties are renting out their law enforcement authority, their coercive police powers, for profit. That is NOT a legitimate exercise of local discretion. It cannot be acceptable in Maryland (the Free State!) for basic human rights like freedom of movement to vary from one jurisdiction to another, or for individual governments to decide that they will use vulnerable residents as tools to help balance their budgets.

For-profit companies should have no role in detaining immigrants, and Maryland counties should not be acting like for-profit companies in detaining immigrants for ICE. I urge the members of the Committee to pass SB 47, without any weakening amendments.

Thank you for your attention.

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