



## **SB 234 / HB 23 – SUPPORT PERSONAL INFORMATION – STATE AND LOCAL AGENCIES – RESTRICTIONS ON ACCESS**

Judicial Proceedings Committee

*Dear Chair Smith and Members of the Senate Judicial Proceedings Committee:*

Takoma Park Mobilization is a grassroots organization with 2,300 members that advocates and works to ensure equal treatment and justice for all at every level of government. We are in SUPPORT of SB 234 / HB 23.

The passage of SB 234 (Driver Privacy Act) requires federal authorities to obtain a warrant in order to access personal information that the MVA gathers about drivers. The bill protects vulnerable members of our community from misuse of their sensitive and private data by limiting Immigration and Customs Enforcement's (ICE) ability to use the MVA database without oversight.

As it stands, ICE can log in to Maryland's law enforcement database and conduct wide ranging searches of MVA records, looking through information about anyone who applies for a Maryland driver's license. ICE can search for names, birthdates, addresses, and can even run facial recognition searches on MVA license photos.

This law requires law enforcement using the MVA records to have a valid reason for looking through the personal information of Marylanders. It prevents state agencies like the MVA from participating in federal immigration enforcement. It also stops ICE from using facial recognition technology—notoriously unreliable when identifying people of color—to target immigrants. Rep. Bennie G. Thompson (D-Miss.), chair of the Committee on Homeland Security, noted that a NIST report showed “facial recognition systems are even more unreliable and racially biased than we feared.”

Years ago, Maryland extended driving privileges to every qualified person regardless of immigration status. The intent of that law was to ensure that everyone who needs to drive would be able to do so in a legal and regulated way—so that no one would end up in immigration court because they were forced to drive without a license. This action improved public safety as it resulted in a dramatic decrease in the number of unlicensed drivers on the road. (Approx. 275K undocumented immigrants in MD.)

Since then, research from several organizations including the Center on Privacy and Technology at the Georgetown Law Center has exposed rampant data sharing between the MVA and ICE. ICE has been targeting states like Maryland that extended driving privileges to undocumented immigrants—detaining and deporting residents in states with laws that were meant to increase community safety.

Passage of this bill is essential to fulfill legislators' promise to undocumented community members that they could safely get a driver's license. California, New York and New Jersey have already passed similar legislation.

The proposed law does not conflict with any federal law related to information sharing, as MVA does not collect information specifically about immigration status.

The Eastern part of Montgomery County, where most of our members live, has one of the most diverse populations in Maryland, with recent immigrants accounting for a significant segment of our population. We value this diversity and appreciate what immigrants add to our community—they are small business people, service providers and enrich our culture through the arts. We believe all people should have an opportunity to live in peace and realize their aspirations without harassment.

**We urge a favorable report on SB 234.**

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