

Judicial Proceedings Committee

Bill #: SB0234

**Bill Title: Personal Information - State and Local Agencies - Restrictions on Access
January 28, 2021**

****SUPPORT****

To the members of the Judicial Proceedings Committee,

I am a resident of District 33 and a member of Showing Up for Racial Justice Annapolis and Anne Arundel County.

I am testifying in support of The Driver Privacy Act (HB0023/SB0234), which requires ICE to obtain a warrant in order to access personal information that the MVA gathers about drivers.

In 2013, the General Assembly voted to extend driving privileges to all Marylanders regardless of immigration status. The Maryland Highway Safety Act was a huge win for the immigrant community. It also improved public safety by decreasing the number of unlicensed drivers on the road and ensuring that everyone who needs to drive can obtain a license in a legal and regulated way.

Unfortunately, the MD Highway Safety Act lacked clear guidance on who has access to the information the MVA collects, which has allowed ICE to mine this data and use it to harass, detain, and deport undocumented immigrants. Undocumented immigrants no longer feel safe to get their licenses — and those who have them live in constant fear of being targeted and deported.

Take, for example José, a member of our community who immigrated here from El Salvador decades ago, fleeing violence after several of his family members were killed. Earlier this year, ICE arrested José in front of his family without explanation. The arresting officer revealed they found him using his driver's license information. José then spent eight months in a local detention center, leaving his wife to support their five children on her own. Although he was released, José faces the threat of deportation every day.

Not only does this harm the immigrant community and threaten public safety by encouraging more unlicensed drivers on the road, but it also raises the issue of transparency and accountability. Currently, data searches don't have to be reported — this bill would change that. It would also monitor ICE's use of facial recognition technology, which is racially biased and frequently inaccurate.

The Driver Privacy Act will not prevent ICE and other agencies from accessing MVA information when there is probable cause of criminality. It simply adds a necessary check on ICE to balance the needs of law enforcement with the rights of all Maryland drivers.

It is for these reasons that I am encouraging you to vote in support of SB0234 and pass the Driver Privacy Act this session.

Thank you for your time, service, and consideration.

Sincerely,
Jennifer Sell

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