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TESTIMONY IN SUPPORT OF SB234/HB23

Personal Information - State and Local Agencies - Restrictions on Access

TO: Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee

FROM: Shana Fischer, on behalf of Jews United for Justice (JUFJ)

My name is Shana Fischer. I am a lifelong Marylander, living in Baltimore City in District 43. I am a member of Jews United for Justice (JUFJ), which organizes more than 5,500 people around the state in support of local social, racial, and economic justice campaigns. I provide this testimony on behalf of JUFJ, in support of SB234/HB23, Personal Information - State and Local Agencies - Restrictions on Access.

In 1913, my zayde, my beloved great-grandfather, arrived at the Port of Baltimore and entered this country as an undocumented immigrant. After making a 6-week-long foot trek to Bremen, Germany, from his home in Ukraine, he would finally find passage in steerage on a ship headed for The United States. As a child, I had the good fortune of growing up with my zayde; we lived together in a four-generation household in Aspen Hill until he died at the age of 98, when I was 12. My zayde gave me his most deeply-held values, both religious and secular; he thoroughly transmitted his love for this country, and his belief in service to it, to me. Entering State service as a Customer Agent for the Motor Vehicle Administration in February 2006 was a way of honoring those values.

I worked for the MVA for 8 years. At the Beltsville branch, I acted as interpreter and processed transactions of all types for Spanish-speaking customers. My customers eyed me warily as I received them from a segregated queue consisting only of undocumented residents, even after greeting them warmly in fluent Spanish. Sometimes, as I scanned their passports that bore no U.S. visa, they would apologize for troubling me to ask meekly if the MVA was allowed to send

their information to “la Migra”--what they call ICE. They were conflicted, torn; having a driver’s license is essential. But they were also scared. What if, as the gossip in the neighborhood suggested, it was a trap? What if MVA, to whom they had just handed evidence of being present without documentation, was quietly passing along all of their information so ICE could find and deport them?

“Oh, no,” I reassured them, as I had been repeatedly instructed by agency leadership. In Spanish, I would explain: “The MVA’s responsibility is to public safety. We are not the federal government and immigration is not our job. MVA wants everyone who drives on Maryland’s roads to have a license and registration and vehicle insurance because it makes everybody safer. So we don’t have any interest in turning anyone into ICE. Besides, your information is protected by the federal Driver Privacy Protection Act of 1996 and we can’t share it with anyone.”

That speech that I gave over and over should have been true. But despite the assurances that I was told to give to undocumented immigrant customers, MVA routinely permits its databases and records to be searched by ICE for enforcement purposes. As a Jewish person, my tradition teaches me that it is our responsibility to welcome migrants. Therefore, I have an absolute moral obligation to refuse cooperation with those who would treat undocumented immigrants as criminals and seek to return them to the harm from which they fled, often at great personal risk. It pains me that as an MVA employee, I was made complicit in this transgression against humanity. The duplicitous data sharing practices the MVA has engaged in are evidence that the Driver Privacy Act is a necessary and effective solution to a serious and long standing problem. **JUFJ respectfully urges a favorable report on SB234.**