

SB 478 - SUPPORT
CORRECTIONAL SERVICES - IMMIGRATION DETENTION -
PROHIBITION (DIGNITY NOT DETENTION ACT)

Judicial Proceedings Committee
February 10, 2021

Dear Chair Smith and Members of the Judicial Proceedings Committee:

As an immigrant, law student, community organizer, and soon-to-be attorney in the state of Maryland, I am writing today to support SB 478 and urge this committee to report favorably on this legislation.

I moved to the United States with my family as a young child, and have been lucky to have grown up in communities that are committed to fighting for expansive protections for immigrants and vulnerable populations. This is why I am committed to ensuring that Maryland pass SB 478, to continue to move Maryland towards being a state that is truly safe for all. Currently, our community members are facing a crisis in immigration detention throughout the state. Passage of SB 478 has never been more urgent, since the COVID-19 pandemic has shed light on the horrific conditions within detention facilities- including physical abuse, medical neglect, and emotional isolation. Individuals in detention are at the mercy of ICE abuse and a raging pandemic that they have no capacity to control. While those detained in immigration facilities- many of which are run by private entities such as Immigration Centers of America (ICA)- have often played no role in causing the spread of COVID-19, they are unjustly expected to bear the brunt of the virus. As of February 6, 2021, over 9,000 individuals detained in ICE custody have tested positive for COVID-19, and at least 9 of these individuals have died.¹ 21 individuals total died in ICE custody in 2020- the highest annual death toll since 2005.² Locally, detention has led to citations from the Inspector General and the Howard, Worcester, and Frederick County detention facilities have all contributed to the spread of COVID-19.³

Even before the onset of the COVID-19 pandemic, families and residents have been suffering due to the ongoing pain and trauma of immigration detention. I have spent the past two years working with community organizations and legal nonprofits advocating for and helping to represent individuals who are in immigration detention. On average, around 270 people are in immigration detention at any given time in Maryland.⁴ This number catches only a small snapshot, however. 270 individuals in detention means 270 families separated and forced to

¹ <https://www.ice.gov/coronavirus#detStat>

² <https://www.cnn.com/2020/09/30/us/ice-deaths-detention-2020/index.html>

³ <https://www.oig.dhs.gov/reports/2021/ice-needs-address-concerns-about-detainee-care-and-treatment-howard-county-detention-center/oig-21-03-oct20>;

⁴ <https://medium.com/up-up-with-liberation/maryland-detention-centers-101-cd96929ae5c5>

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navigate the world without a loved one. It means the unquantifiable, long-term trauma of children, which will lead to untold consequences in the future for our communities.

When I speak to family members who have just had a loved one detained, the pain in their voices is palpable. The consequences of detention are vast, and keeping an individual in detention means that they are far less likely to win their immigration case, even when they may very well have a valid legal pathway to stay in the US. Detention often leads to the wrongful and permanent separation of families and the deportation of community members who have a right to be here.

Immigrants in Maryland deserve to feel safe. For too long, ICE detention has terrorized our communities and spread fear and trauma throughout the state. SB 478 will phase out existing local and state contracts fostering immigrant detention, will ban any new local or state contracts with private immigration detention companies, will keep ICE and its contractors out of Maryland, and will make sure that nobody can profit off of the separation of families and the pain of incarceration. For these reasons, I urge a favorable report on SB 478.

Sincerely,
Farah Khan