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March 3, 2021

To: Maryland General Assembly House Judiciary Committee
Bill: HB750
Bill Name: Office of the Attorney General – Right to Counsel in Immigration Proceedings
Coordinator
Position: Support

Dear Chair Clippinger, Vice-Chair Atterbeary, and Judiciary Committee Members,

The Maryland Legislative Asian-American and Pacific-Islander (AAPIC) Caucus is made up of Senators and Delegates in the General Assembly who seek to represent the interests of the AAPIC communities in Maryland. As the fastest-growing racial minority group in the US, it is crucial that the legislative goals of AAPIC individuals and communities are well-represented in Maryland public policy. Thank you for allowing the Caucus the opportunity to express our support of HB750.

HB750, Right to Counsel in Immigration Proceedings Coordinator, is a bill that stands for the principle that all people are entitled to due process under the law. This bill would ensure that all immigrants in Maryland - including the 266,000 Asian American immigrants currently residing within the state - are provided with high quality legal representation, and guarantee that systemic injustices like the racial inequalities that are evident within our immigration system are witnessed, reported, and ultimately prevented.

The bill would 1) ensure prompt legal representation to detained Maryland residents facing deportation proceedings, including Habeas Corpus proceedings, Federal Appeals, or any other legal matter affecting deportation; 2) ensure access to counsel for Maryland residents detained in facilities outside of the state; and 3) provide community support and outreach to the families and communities of detained individuals and those at risk of detention.

Currently, a person who is placed in immigration deportation proceedings does not have the right to free legal representation; 81% of detained immigrants in the state of Maryland had no legal representation at any point in their case. Immigrants are often forced to represent themselves in Court. In June 2018, there were 4,881 Asian American immigrants detained nationwide. There are an estimated 35,000 undocumented Asian Americans living in Maryland, and around 39% of Maryland's Asian American population are limited English proficient. This is put into further context by statistics showing that nationwide, individuals with legal representation are 10.5% more likely to win their immigration case. In Baltimore Immigration Court specifically, individuals with representation were 4 times more likely to win their case. Only 7% of the detained, non-represented immigrants who appeared before a Baltimore Immigration Court Judge won their cases.

An estimated 530 individuals in Maryland are in need of representation annually; approximately 400 of these individuals are Maryland residents facing deportation proceedings within the state and about 130 are being detained by federal immigration authorities in other states. The Universal Representation Act is an opportunity to take bold action in protecting Asian American immigrants from the Trump administration's ongoing legacy of discrimination and harassment.

The AAPIC Caucus urges a favorable vote on HB750.