



## **HB 193 - SUPPORT**

John Payne - Liaison

Sanctuary DMV

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#### **Probation Before Judgment - Probation Agreements**

#### **Senate Judicial Proceedings Committee**

February 4, 2023

Dear Chairman Clippinger and Members of the House Judiciary Committee,

My name is John Payne and I am a core organizer with Sanctuary DMV. We are submitting this testimony to show our support for HB193 and granting all Maryland residents access to Probation Before Judgment.

Sanctuary DMV works with immigrants and immigrant communities throughout Maryland, Virginia, and the DC area. We are an entirely volunteer organization dedicated to standing with individuals and their families during immigration proceedings, helping immigrants and their communities build power, and advocating for legislation that ensures immigrants are treated justly and with the respect they deserve. It is this last point that compels us to submit testimony on this issue, just as we did in 2022. While the years may have changed, the dangers for our immigrant neighbors remain.

When we testified on this issue last year, we stressed the importance of equality before the law. This is one of the most fundamental pillars of a democratic society, that the law must apply equally to everyone and that this statement includes our immigrant neighbors. Sadly, our legal system contains many loopholes and flaws that put immigrants in danger; a danger that can lead to being placed in a detention facility or even being deported. These are very real dangers that hurt more than a single person; they tear apart families, neighborhoods, and entire communities. No one should ever have to face the threat of detention or deportation, but especially not because of a civil immigration defense. This specific danger was created by a system that does not recognize the needs of its non-citizen residents and it is a danger we have an obligation to stop.

This legislature had a chance to close this loophole last year and ensure that Probation Before Judgment was available for every Maryland resident. Unfortunately, that chance was not taken and the conviction of simple civil offense can still lead to our non-citizen neighbors being torn from their homes and families. If the Maryland justice system determines that an individual's offense is not serious enough to warrant a formal criminal conviction that carries potential jail time, then they should be released back into the community, regardless of immigration status. But this is not what happens. Instead, individuals can be taken into detention and then deported. This is not justice. It flies in the face of compassion, decency, and equality under the law. This situation puts entire families and communities at risk. Sanctuary DMV has worked alongside friends and family of departed individual and we know first-hand that when someone is lost like this, it creates an open wound that hurts everyone that knows them and is affected by their absence.



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We are asking this body again to help make sure that we do not lose any more Maryland residents. HB 193 will help eliminate this life shattering possibility and allow every Marylander to use Probation Without Judgment. While this change is small, the impact on our non-citizen neighbors will be great and it will be another step in creating a just Maryland where all people are truly equal under the law. We cannot not let this change slip by us again.

Sanctuary DMV urges you to support HB 193.