



Testimony in Support of SB 718: Criminal Procedure - Government Agents - Requests for and Use of Immigration Status Information

To: Senator Bobby A. Zirkin, Chair and Members of the Judicial Proceedings Committee

From: Jim Caldiero, Co-Chair, Immigration Task Force

Date: February 21, 2019

The principles of my Unitarian Universalist faith to respect the inherent worth and dignity of every person and to promote and affirm justice, equity and compassion in human relations call us to ensure that everyone should feel safe in the community where they live. Yet, at a meeting several months ago of Catholics, Jews, Protestants from several denominations, Muslims and Unitarian Universalists, we heard stories of fear in our community: a young woman afraid to report domestic abuse, an elderly man afraid to report a theft, a mother afraid to take her sick child to a hospital because they could face detention and possible deportation if they had contacted the police or went to an emergency room.

Fear of local law enforcement and other public institutions like hospitals in immigrant communities is rampant throughout our country. Fear of reporting crimes lets criminals go free and makes our community less safe. Fear of taking a sick child to a hospital endangers our public health.

A May 2018 ACLU report said “immigrants are fearful of immigration consequences, including the possibility of deportation, so they are not helping police. Also, some immigrants who are crime victims are staying away from courthouses where they could testify because they fear arrest by immigration authorities.” The study is based on interviews with 232 law enforcement officers in 24 states as well as judges, prosecutors and legal aid providers in all 50 states. The study reports that “more than 50 percent of police officers surveyed said domestic violence, human trafficking as well as sexual assault cases are now harder to investigate.”

The New York Times wrote that there had been significant decreases in crimes reported by the Hispanic communities in Houston, Los Angeles, San Diego and Denver because of the fear of deportation or separation from children.

The Nashville police report that immigrants are afraid to call 911 and “despite positive efforts by the police and the community, hard-won trust is eroded every time an immigrant ends up in deportation proceedings after contacting the police.”

The California Health Report notes a Kaiser Family Foundation study that fear of deportation is pushing immigrant families to decrease health care use.

Maryland is not exempt. You may recall the case of Roxana Orellana Santos, a Salvadoran woman who won a civil rights lawsuit against the Frederick County sheriff and a subsequent restraining order against U.S. Immigration and Customs Enforcement when she was unexpectedly detained after a routine check-in. Or you may have heard the story about the alleged sexual assault of an undocumented Latina woman who feared reporting the crime because the assailant was a Maryland police officer.

Fortunately, we have a way to help make our community safe for everyone. Currently pending in the state legislature is SB 718/HB 1165, a bill designed to create and restore trust in our immigrant communities. Bill SB 718/HB 1165 will prohibit a state employee, including those who work in social services and in hospitals, as well as law enforcement officers, from inquiring about the immigration or citizenship status of any person.

This bill will help to create and restore trust between our public institutions, particularly hospitals and law enforcement, and immigrant communities, making our state safer for all.

We encourage you to vote in favor of this bill.

Thank you,

James Caldiero

Sources:

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