

The Maryland Law Enforcement TRUST Act HB29 is schedule for a hearing on Thursday, March 6, at 1 pm in the House Judiciary Committee, HOB Rm 101.

Immigration 2014-03-06 10:26:50

Annapolis, MD - This is high priority legislation for Maryland's large immigrant community. The bill seeks to re-establish trust in local law enforcement by limiting the role it plays in the implementation of the federal "Secure Communities" program in Maryland. Secure Communities has resulted in the deportation of many individuals who have not committed serious crimes and the breakup on immigrant families. Governor O'Malley expressed his concerns with the high number of deportations in Maryland in a recent letter to the Secretary of Homeland Security. (See attached.)

For further information, please contact the office of Del. Ana Sol Gutierrez at 301-858-3181.

BILL SUMMARY: HB 29 establishes that when an individual becomes eligible for release from State or local custody, law enforcement or any other government official may not continue to detain the individual on the basis of an immigration detainer. A detainee may also not be denied bail solely because of an immigration detainer. The bill is not to be construed as undermining the authority of a court to make a bail or bond determination according to its usual procedures.

HB 29 prohibits a law enforcement official from stopping, arresting, searching, or detaining an individual for the purpose of investigating a suspected immigration violation or based on an administrative warrant in the National Crime Information Center database. A law enforcement official may not inquire into the immigration status or place of birth of an arrestee or victim of a crime. A law enforcement agency may not make an inmate available for an interview by a federal immigration agent unless (1) the inmate is given a meaningful opportunity to have counsel present; (2) the inmate signs a written consent form; and (3) the interview does not take place prior to the inmate's first appearance in court.

Once every year, each State and local correctional facility must issue a report detailing (1) the number of individuals held on immigration detainers; (2) the number of days each individual who was held on an immigration detainer was held past the date the individual was eligible for release on State charges; (3) the reason for the arrest of each individual held on an immigration detainer; and (4) the number of individuals ultimately transferred to the custody of federal immigration authorities

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CONTACT:

Ana Sol Gutierrez
asolgut@gmail.com