



Maryland Chiefs of Police Association

Maryland Sheriffs' Association



MEMORANDUM

TO: The Honorable William C. Smith, Jr., Chair and
Members of the Judicial Proceedings Committee

FROM: Darren Popkin, Executive Director, MCPA-MSA Joint Legislative Committee
Andrea Mansfield, Representative, MCPA-MSA Joint Legislative Committee
Samira Jackson, Representative, MCPA-MSA Joint Legislative Committee

DATE: February 25, 2026

RE: **SB 791 Correctional Services and Public Safety - Immigration Enforcement -
Prohibitions (Community Trust Act)**

POSITION: **OPPOSE**

The Maryland Chiefs of Police Association (MCPA) and the Maryland Sheriffs' Association (MSA) **OPPOSES SB 791**. This bill places sweeping new restrictions on how Maryland law enforcement officers and correctional personnel interact with federal immigration enforcement and individuals in custody. Under this bill, officers would be barred from asking about immigration status during stops, searches, and arrests, prohibited from notifying federal immigration authorities that a person is in custody unless they have a judicial warrant or court order, and forbidden from transferring individuals to federal immigration authorities absent a warrant. The bill would also apply to correctional facility staff, severely limiting any engagement with federal partners on immigration matters and erecting broad civil liability for alleged violations.

These provisions would dramatically constrain routine operational cooperation between local law enforcement and federal agencies, cooperation that has long been a critical element in addressing violent crime and public safety threats. Officers routinely rely on federal partners to help identify individuals with serious criminal histories, including those involving cross-jurisdictional offenses. By eliminating the ability to share custody notifications and transfer detained individuals to federal immigration authorities unless a warrant exists, this bill could leave local agencies with zero practical alternatives when they detain individuals who pose a threat, but whose immigration status is relevant to their prosecution or removal. This undermines decades of established interagency cooperation and creates artificial barriers to keeping communities safe.

When an undocumented individual who has committed a criminal offense comes into local custody, law enforcement currently has limited but clear pathways: prosecute the underlying crime, coordinate with federal authorities where appropriate, and ensure that custody decisions are handled in accordance with law. SB 791 removes that coordination pathway unless a judicial warrant is already in place. In practice,

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federal immigration authorities frequently rely on notification from local detention facilities to seek or obtain such warrants. By prohibiting notification absent a warrant, the bill creates a procedural dead. Local agencies are restricted from engaging federal partners, yet federal authorities may lack the information necessary to act. This leaves local agencies with no alternative but to release individuals into the community once local charges are resolved, even where federal removal proceedings may otherwise be appropriate.

In addition, the bill requires every law enforcement agency to adopt new policies and impose internal disciplinary measures for violations, while simultaneously exposing officers and agencies to civil liability for actions taken in the course of their duties. Individuals may bring suit for alleged violations, and the Office of the Attorney General is authorized to investigate and enforce compliance. This layered enforcement structure significantly increases legal exposure and administrative burden, without providing an alternative pathway for law enforcement to cooperate with federal agencies and remove criminals from our communities. For these reasons, MCPA and MSA **OPPOSE SB 791** and urge an **UNFAVORABLE** committee report.