



Morningside Police Department

6901 Ames Street
Morningside, MD 20746
Phone: 301-736-7400



Daniel J. Franklin
Chief of Police

TO: Senate Judicial Proceedings Committee
The Honorable Senator William C. Smith, Jr. – Chair

FROM: Chief Daniel J. Franklin #0255
Morningside Police Department

RE: Written Testimony Opposing SB 0660
Public Safety - Law Enforcement - Response to Immigration Enforcement Actions

DATE: February 23, 2026

Greetings Chairman Smith and the members of the Maryland Senate Judicial Proceedings Committee.

My name is Daniel Franklin, and I am the Chief of Police for the Morningside Police Department in Prince George's County, Maryland. I provide this testimony representing the Maryland Chiefs and Sheriffs Associations. After careful review of SB 0660 sponsored by Senator Love, I am submitting this written testimony **STRONGLY OPPOSING** the passage of the bill.

Title 18 U.S. Code § 1512 refers to hindering a federal investigation. Under the below sections of Title 18 Section 1512, it is stated that:

(d) Whoever intentionally harasses another person and thereby hinders, delays, prevents, or dissuades any person from

(3) arresting or seeking the arrest of another person in connection with a Federal offense;

or attempts to do so, shall be fined under this title or imprisoned not more than 3 years, or both.

In contrast, the proposed legislation titled **Senate Bill 0660** requires:

Public Safety Article 3-535

(B)(1)(IV) - FILE A REPORT DOCUMENTING THE ACTIVITY OF IMMIGRATION ENFORCEMENT OFFICIALS, INCLUDING:

1. THE DATE, TIME, AND LOCATION OF THE ACTION;

2. IF APPLICABLE, THE TYPE OF WARRANT USED FOR THE IMMIGRATION ENFORCEMENT ACTION;

3. WHAT FEDERAL AGENCIES WERE INVOLVED WITH THE IMMIGRATION ENFORCEMENT ACTION;

4. *A DESCRIPTION OF ANY FORCE USED DURING THE IMMIGRATION ENFORCEMENT ACTION;*
5. *WHETHER ANY MEDICAL ATTENTION WAS REQUIRED AS A RESULT OF THE IMMIGRATION ENFORCEMENT ACTION;*
6. *WHETHER THE LAW ENFORCEMENT OFFICERS WERE RESTRICTED FROM OBSERVING OR RECORDING THE IMMIGRATION ENFORCEMENT ACTION; AND*
7. *ANY VIOLATIONS OF LAW THE OFFICER OBSERVED DURING THE IMMIGRATION ENFORCEMENT ACTION; AND*

(V) PRESERVE ANY EVIDENCE RELATED TO THE IMMIGRATION ENFORCEMENT ACTION.

Effectively, this bill requires a “Law Enforcement Agency”, (meaning a governmental police force, sheriff’s office, or security force or law enforcement organization of the State, a county, or a municipal corporation that by statute, ordinance, or common law is authorized to enforce the general criminal laws of the State) to assign an Officer or Deputy to violate Title 18 of the U.S. Code, which can result in their arrest. Title 18 does not specify what degree of federal offense is being enforced. This means that any Federal offenses that Federal agencies are attempting to arrest for are covered by this section of Title 18. While I presume the argument will be made that this is requiring Maryland law enforcement to “do their jobs”, I will provide some insight on exactly what that involves pertaining to this proposed legislation.

First, this legislation seeks to override approved departmental policy on incidents that require a report to be written or filed. **This immediately removes a law enforcement officer from service to their community and has a negative impact on service to the citizens of their respective jurisdictions.** Adding another required report (especially with the mandates noted in this proposed legislation) and the mandated retention of video and documentation adds fiscal constraints. Police are already required to record and retain nearly every action or encounter daily, and this proposed legislation adds more recording and retention with no fiscal relief to absorb the budget impact. For a smaller department such as mine (11 sworn Officers), this poses a significant increase in cloud storage fees, data processing fees, and added man hours to review these incidents. In short, this is another unfunded mandate. The increased data costs as well as the increased personnel hours to document and manage the requested information will increase budgets with zero fiscal assistance. For a small agency such as mine, the unfunded mandates have a significant effect on the yearly budget.

Second, this legislation requires (if applicable) the type of warrant used for the immigration action to be noted in the report. The legislation provides no standard of documentation. Sworn law enforcement officers cannot file a false report under penalties of law, so they will then be **required to verify** the warrant being served. Speaking from personal experience, verification of a warrant requires a physical inspection of a physical document, especially since Maryland law enforcement does not have access to Federal databases to request a verification by radio or phone. This process intentionally unnecessarily delays the arrest, **which is a violation of Title 18 that an Officer or Deputy can be arrested for.** As a Chief of Police, I cannot fathom willingly sending one of my Officers to disobey Federal law and knowingly commit an act that will cause their arrest. I am sworn to do the opposite of what this proposed legislation requires.

(2) WHILE RESPONDING TO AN IMMIGRATION ENFORCEMENT ACTION, A LAW ENFORCEMENT OFFICER SHALL CONTINUE TO PERFORM THE CONSTITUTIONAL OBLIGATIONS OF THE OFFICER’S POSITION.

The most Constitutional obligation that a police officer has is to uphold the law. If this potential legislation is enacted, that Constitutional obligation is immediately compromised as it requires an officer to knowingly hinder a federal investigation. As I have previously stated, hindering a federal investigation is a crime.

Lastly, this proposed legislation effectively requires a State, County, or Municipal Officer (or Deputy Sheriff) to exercise authority over Federal agencies while they are performing essential functions of their jobs. The supremacy clause of the United States Constitution is very clear that this cannot happen, and that laws made under the authority of the United States “shall be the supreme law of the land.”

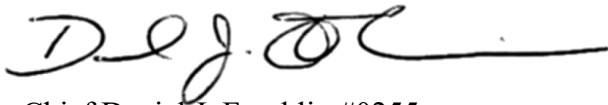
The Constitution of the United States: Article VI, Clause 2:

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

For all the reasons that I have listed above, I respectfully request your consideration of my position of **OPPOSING** the passage of SB 0660 and further respectfully request an unfavorable recommendation on this proposed legislation.

Thank you for your time.

Sincerely,

A handwritten signature in black ink, appearing to read "D.J. Franklin", with a long horizontal flourish extending to the right.

Chief Daniel J. Franklin #0255
Morningside Police Department