



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 24, 2026

RE: **SB 854 - Public Safety – Law Enforcement Officers – Restrictions**

POSITION: **OPPOSE**

The Maryland Chiefs of Police Association (MCPA) and the Maryland Sheriffs' Association (MSA) **OPPOSE SB 854**. The bill first requires federal law enforcement officers operating in Maryland to act “in accordance with State law.” While we understand the intent of this language, it must be recognized that federal officers derive their authority from federal statutes and the United States Constitution. To the extent there is any conflict between federal authority and state-imposed limitations, the Supremacy Clause would control, and the provision risks being preempted. Conditioning federally granted enforcement authority on compliance with state law, without clearly addressing potential conflicts, creates legal uncertainty and invites litigation that may ultimately undermine the bill’s enforceability.

With respect to the bill’s prohibition on racial profiling, MCPA and MSA unequivocally support the principle that policing must be fair, impartial, and free from bias. In Maryland, racial profiling is already prohibited under agency policies, training standards, and existing accountability frameworks. Our concern is with the bill’s enforcement language and evidentiary standard. Without clear evidence of discriminatory intent or animus, it is unclear how an alleged violation would be determined. Reliance on circumstantial evidence alone, particularly where the threshold is undefined, creates a highly subjective standard that may lead to inconsistent application and second-guessing of lawful enforcement actions.

MCPA and MSA remain committed to just and equitable policing and share the goal of preventing discriminatory practices. However, legislation must be carefully structured to avoid constitutional conflict and to provide clear, objective standards for enforcement. For these reasons, MCPA and MSA **OPPOSE SB 854** and urge an **UNFAVORABLE** committee report.