



# Maryland Chiefs of Police Association

## Maryland Sheriffs' Association



### MEMORANDUM

TO: The Honorable Sandy Bartlett, Chair and  
Members of the Judiciary 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 4, 2026

RE: **HB 309 - Judicial Facilities - Stops, Detentions, and Arrests - Limitations**

POSITION: **OPPOSE**

The Maryland Chiefs of Police Association (MCPA) and the Maryland Sheriffs' Association (MSA) **OPPOSE HB 309**. This bill would prohibit law enforcement from stopping, detaining, or arresting an individual for an alleged or adjudicated civil offense while the person is in a judicial facility or traveling within 1,000 feet of a judicial facility for the purpose of attending official court proceedings. The bill further provides that evidence obtained in violation of this prohibition is inadmissible and authorizes a civil cause of action against law enforcement officers, including potential awards of damages, injunctive relief, attorney's fees, and court costs.

Police chiefs and sheriffs understand and respect the bill's stated intent to ensure access to judicial spaces. However, HB 309 creates an unworkable standard for law enforcement in practice. There is no reliable or lawful way for an officer to determine, at the time of a stop, whether an individual is traveling to or from court. The bill offers no guidance as to what process officers should follow to make this determination. Officers would be placed in the untenable position of having to ask individuals to produce court paperwork, summonses, or hearing schedules during traffic or pedestrian stops, which raises practical, legal, and safety concerns and could escalate otherwise routine encounters.

In addition, a member of the public committing an infraction such as smoking in a public space or causing an altercation would not be able to be stopped or detained for corrective action. Additional civil infractions include Speeding (non-criminal levels), failure to obey a traffic control device, failure to yield, expired registration or inspection, equipment violations (broken taillight, headlight out), seat belt violations, possession of cannabis over 1.5 oz but not more than 2.5 oz, smoking cannabis in a vehicle, and use of a handheld phone while driving.

HB 309 includes strict liability framework and private right of action that would discourage lawful enforcement activity in broad areas surrounding courthouses. Officers acting in good faith could face litigation and financial exposure for routine civil enforcement simply because a court later determines the

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individual was within the protected zone or claims to have been on their way to court. This uncertainty would undermine effective policing, create hesitation in situations that may implicate public safety, and expose officers and agencies to significant legal risk without clear standards or protections. For these reasons, we respectfully request an unfavorable report.

For these reasons, MCPA and MSA **OPPOSE HB 309** and urge an **UNFAVORABLE** committee report.