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March 5, 2026

**TO:** The Honorable J. Sandy Bartlett  
Chair, Judiciary Committee

**FROM:** Tiffany Clark  
Director, Legislative Affairs, Office of the Attorney General

**RE:** House Bill 1036 – Office of the Attorney General – Independent  
Investigations Division – Federal Law Enforcement or Immigration  
Enforcement(Support with Amendments)

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The Office of the Attorney General (OAG) supports House Bill 1036 - Office of the Attorney General – Independent Investigations Division – Federal Law Enforcement or Immigration Enforcement, with the amendment described below. House Bill 1036 requires the Independent Investigations Division of the OAG to investigate the death or serious physical injury of a person occurring in connection with an interaction with federal law enforcement or federal immigration enforcement, and to authorize the Attorney General to prosecute any resulting case where sufficient grounds exist.

We appreciate the intent of this legislation to ensure that Marylanders who are killed or seriously injured during encounters with federal law enforcement and immigration enforcement officers receive the same independent, transparent, and thorough investigative oversight that the OAG currently provides for incidents involving state and local law enforcement. At a time when federal oversight mechanisms may be unavailable or inadequate, extending the IID's mandate to cover these incidents is essential to ensuring accountability and protecting the rights of all Marylanders.

**About the Independent Investigations Division.** The OAG's Independent Investigations Division investigates all police-involved incidents in the State of Maryland that result in either the death of a civilian or injuries that are likely to result in the death of a civilian. IID cases fall into four categories: shootings, use of force incidents, in-custody deaths, and vehicle pursuits.

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This bill letter is a statement of the Office of Attorney General's policy position on the referenced pending legislation. For a legal or constitutional analysis of the bill, Members of the House and Senate should consult with the Counsel to the General Assembly, Sandy Brantley. She can be reached at 410-946-5600 or sbrantley@oag.state.md.us.

The Division operates independently and is specifically designed to bring impartiality and public accountability to the investigation of the most serious law enforcement-involved incidents.

We appreciate the intent of this legislation to extend that accountability framework to interactions with federal law enforcement and immigration enforcement personnel. However, to ensure effective implementation and alignment with the existing statutory framework governing IID's operations, we respectfully recommend the following amendment:

1. **Incorporate the bill's provisions into the existing IID statutory framework rather than creating a standalone section.** House Bill 1036 proposes to add a new Section 6-605 to the State Government Article. The IID currently operates under the existing framework set forth in Title 6, Subtitle 6 of the State Government Article. Integrating the bill's requirements into that existing subtitle, rather than establishing new section, would ensure consistency in the Division's investigative standards, reporting requirements, and prosecutorial procedures across all categories of cases. A standalone section risks creating ambiguity about which procedural rules, definitions, and oversight mechanisms apply to federal enforcement investigations versus the IID's existing caseload.

With this amendment, the legislation will ensure that investigations of federal law enforcement and immigration enforcement incidents are conducted under the same rigorous and well-established framework that governs all IID investigations, maximizing both operational efficiency and public confidence in the process. We have shared proposed amendment with the bill sponsor and remain available to work collaboratively with the Committee to refine this legislation.

For the foregoing reasons, the Office of the Attorney General respectfully urges the Committee to give House Bill 1036 a favorable report with the amendment described above.

Cc: Member of the Committee