



ACLU MARYLAND 2026 LEGISLATIVE REPORT

PRIORITY BILLS

SB 245/HB 444: End 287(g) in Maryland - SUCCESS

Voluntary federal agreements, such as 287(g) contracts, that allow local law enforcement and corrections officers to act as federal immigration agents bypass due process, disproportionately target Black and Brown immigrants, and enable Immigration and Customs Enforcement (ICE) agents to detain and deport people, often for minor offenses and before they ever see a judge. This session, we supported **SB 245/HB 444** to ban these partnerships – a critical first step toward ending Maryland’s cooperation with cruel and lawless mass deportations.

The harm of these agreements is well documented in Maryland. Since 2008, when Frederick County became the first locality to enter a 287(g) agreement, nearly 2,000 people have been transferred from its jail into ICE custody – most of them without any criminal conviction or having committed only a minor offense. Nationally, 76% of individuals detained and deported under 287(g) had no criminal convictions. In Maryland, the fear that even a routine traffic stop could lead to permanent family separation has devastated communities and severely eroded public trust in law enforcement. When community members fear that any encounter with local law enforcement could end in ICE custody, they stop calling the police to report crime, making all of us less safe.

After the House passed a ban on 287(g) agreements last year only to have it fail to get a Senate vote, the number of Maryland counties with 287(g) contracts tripled from three to nine. This time, after months of organizing led by directly impacted community members and public outrage over ICE’s tactics, the bill entered the session with support from Senate leadership and became the first bill the Governor signed in 2026.

Passage of this bill was more than a decade in the making, but more work remains. Advocates will press the General Assembly to address the pervasive, informal forms of cooperation between local agencies and ICE that still put our communities at risk.

SB 791/HB 1575: Community Trust Act - SUCCESS

Banning 287(g) programs in Maryland ended formal partnerships with ICE, but most local collaboration has always been informal and just as dangerous. We supported the **Community Trust Act (SB 791/HB 1575)**, a bill that would limit informal collusion with ICE. The bill protects people who are innocent or awaiting trial from being transferred to ICE custody without a court order or a judicial warrant, and it bans the unconstitutional practice of jailing people past their release date in local correctional facilities so that ICE can pick them up. Nearly 5,000 Marylanders were arrested by ICE in the past year alone, a threefold increase, with 1 in 3 arrests stemming from informal, local collaboration.

After the bill missed the Crossover deadline and was widely declared dead, advocates launched a week of action that generated thousands of calls and emails to legislative targets, capped by a large emergency rally just days before Sine Die. The bill passed on the final day of session as emergency legislation and takes effect upon the Governor's signature.

Unfortunately, weakening amendments were added during final negotiations that broadened exemptions in the bill to include all felony convictions. We will keep fighting to fully disentangle Maryland's criminal legal system from immigration enforcement so that our communities are protected by the law, not targeted by it.

SB 255/HB 350: Maryland Voting Rights Act - Vote Dilution - SUCCESS

In the final minutes before the session's midnight deadline, Maryland took a major step to protect voter rights. ACLU of Maryland supported **SB 255/HB 350**, a key part of the **Maryland Voting Rights Act**, which passed as emergency legislation in those closing moments, and was signed into law by the Governor on April 28th.

The bill confronts the enduring reality of voter discrimination by creating a state-based pathway for the Attorney General and impacted voters to challenge vote dilution in county or municipal elections. Recent cases in Baltimore County, the town of Federalsburg, and Wicomico County have put a spotlight on the fundamental harm of vote dilution resulting from unfair district maps and other discriminatory election

systems that deny Black and Brown communities a fair chance to elect their preferred local representatives – while impacted communities can cast their ballots, their votes do not carry equal weight under a dilutive system. With the U.S. Supreme Court continuing to gut federal voting protections, SB 255/HB 350 is a historic act of leadership essential to protecting fair, local elections.

HB 219: Maryland Voting Rights Act - Voter Suppression and Intimidation - DISAPPOINTMENT

Voter intimidation, deception, and obstruction remain serious threats to democracy in Maryland, and federal law no longer offers sufficient protection. We supported **HB 219**, another key component of the **Maryland Voting Rights Act**, to give Marylanders the power to take civil action against voter intimidation, deception, and obstruction themselves without relying on prosecutors to enforce existing criminal penalties. The bill also took aim at suppressive standards, policies, and practices that block historically disenfranchised communities from the ballot.

Despite years of advocacy, this bill failed to pass out of the new Government, Labor, and Elections Committee and did not advance to enrollment this year. We will keep working with partners and impacted community members to get these necessary protections on the books.

SB 854/HB 1262: Racial Profiling Protections - DISAPPOINTMENT

This session, we supported **SB 854/ HB 1262** to codify Maryland's existing constitutional protections against racial profiling. The bill also sought to clarify that federal agents relying on Maryland law, as well as local officers participating in federal task forces, are subject to the same Maryland standards as state and local law enforcement.

The bill was a necessary response to a deepening crisis. For more than a year, federal agents in Maryland have engaged in blatant racial profiling, baseless arrests, and excessive force against people trying to live their lives. In *Vasquez Perdomo v. Noem* (2025), the U.S. Supreme Court signaled acceptance of explicit racial profiling by ICE, inviting law enforcement to target people based on perceived race or ethnicity. This bill would have protected Marylanders and limited federal abuses to the maximum extent allowable by law. Unfortunately, the bill did not advance out of committee in

either chamber, but our efforts to protect Marylanders from racial profiling will continue.

OTHER CRITICAL LEGISLATION

The ACLU of Maryland also dedicated resources to defeat bills that sought to roll back progress and protections in justice reform, civil rights, education, police accountability, and other critical areas.

SB 323/HB 409: Youth Auto Charging Reform Act - PROGRESS

Maryland children as young as 14 can be automatically charged as adults for certain offenses, and 16 and 17-year-olds are automatically charged as adults for 33 different criminal offenses. In our state, automatic charging sends more young people per capita to adult court based on offense type than any other state except Alabama. This disproportionately harms Black children and denies them the recognition of childhood and presumption of innocence afforded to their white peers. We have long supported legislation to end this practice and require, regardless of the offense, that children start in juvenile court where they can access mental health support, education, and other services designed for kids involved in the criminal legal system.

As introduced, the **Youth Auto Charging Reform Act (SB 323/HB 409)**, removed seventeen charges for which children could automatically be charged as adults. However, the Senate Judicial Proceedings Committee narrowed the bill to remove only seven charges, mainly firearm offenses. While most children facing charges excluded from this bill will have their cases dismissed or transferred to juvenile court, the months and sometimes years they spend in the adult system cause irreversible harm.

Still, the legislation is a step in the right direction, adding important safeguards for the safety and well-being of children in the judicial system such as limiting the use of adult jails and strengthening protections against contact with incarcerated adults. Unfortunately, despite our best efforts to restore the bill's original scope in the House, SB 323 ultimately passed in the same posture as it did in the Senate.

HB 336: District Court - Issuance of Summonses and Arrest Warrants – DISAPPOINTMENT

Right now, anyone can walk into to a District Court Commissioner's office and file charges against another person, with few to no safeguards against false reporting. That broken system routinely results in people being wrongly charged and arrested without any law enforcement investigation or prosecutorial review, triggering collateral consequences that can follow the person for years even if they were never convicted.

As introduced, **HB 336** would have required that a District Court Commissioner only issue an arrest warrant based on an application by a law enforcement officer or State's Attorney. As amended in the House, the bill called for prompt prosecutorial review of applications that result in a summons and a process for upgrading a summons to an arrest warrant if requested by a State's Attorney and approved by a judge. The bill passed out of the House and later the Senate just minutes before the session ended. However, it did not pass the Senate with enough time to get a final vote in the House before the clock ran out.

We'll build on this near-win next year with legislators and our directly impacted partners.

SB 504/HB 711: Data Privacy Act (Consumer Data, Public Records, and Message Switching System) - SUCCESS

ICE aggressively exploits government databases and private data brokers to track, detain, and deport Maryland residents, turning routine acts like enrolling a child in school or applying for benefits into deportation risks. Although the General Assembly has taken steps in recent years to limit data sharing, glaring loopholes still leave families vulnerable. Championed by our partners at We Are CASA, **the Data Privacy Act (SB 504/HB 711)** prevents state and local agencies from sharing personal information from MVA records, school enrollment data, and public benefit applications for federal immigration enforcement purposes.

This is a victory for civil liberties and dignity, and another step toward ensuring Maryland's systems serve our communities rather than endangering them.

SB 241/HB 115: Election Law - Automatic Restoration of Voter Registration for Returning Citizens - SUCCESS

Restoring voting rights to people returning home from prison is a racial justice issue. Too often, administrative barriers block returning citizens from exercising a right guaranteed by the Constitution. We supported **SB 241/HB 115** as a remedy to one of those barriers, making voting registration restoration automatic.

The bill directs the Department of Public Safety and Correctional Services to send the State Board of Elections a monthly list of people released from state correctional facilities and requires the Board to then promptly restore the registration to anyone who was registered before their incarceration.

We will build on this win to ensure that every Marylander, including those currently or formerly incarcerated, can access the ballot box with ease.

SB 162/HB 759: Repeal of Sentencing Date Limitation - SUCCESS

Recent resentencing reforms in Maryland mean that for the first time, people who committed offenses as children today have a meaningful chance at sentence reduction. However, the efforts left gaps that meant young people sentenced after October 1, 2021, would not have the same opportunity to petition for resentencing as those sentenced before that date. We supported **SB 162/HB 759** as a commonsense, technical fix to create uniformity across age groups.

The bill passed out of the General Assembly with unanimous support in the Senate. We look forward to building on this win to shift our system away from permanent punishment and expand second chances in Maryland.

SB 810/HB 1222: Maryland Values Act of 2026 - SUCCESS

This session offered several opportunities to push back against ICE's efforts to weaponize "sensitive locations" and everyday acts like going to school, riding the bus, or seeking care as tools for its deportation agenda. The **Maryland Values Act of 2026 (SB 810/HB 1222)** expands Maryland's "sensitive locations" protections to cover bus stops, buses, and other school vehicles. It also bars public school personnel including school resource officers, contracted security officers, and other contracted staff, from engaging in immigration enforcement activities. They can't produce or share student educational records, employee personnel records, or any other information for the purpose of immigration enforcement, and they must notify the

county superintendent about any known immigration enforcement activity in the area.

The bill also says that if school staff are presented with a judicial warrant, judicial subpoena, or legal order, they must immediately contact the county superintendent and the district's legal counsel, who are responsible for responding to the federal order. Finally, the Maryland Values Act requires the Attorney General to update guidance relating to sensitive locations and immigration enforcement by October 1 each year beginning in 2026.

HB 1017/SB 984: Private Immigration Detention Facilities - SUCCESS

Large-scale detention facilities have repeatedly been linked to dangerous and inhumane conditions, inadequate care, and preventable harm. Earlier this year, we challenged a federal move to convert a Maryland warehouse into a human detention facility that could have cycled as many as 1,500 people through its doors every day. This bill, **HB 1017/SB 984**, supports that effort and ensures no building in Maryland can be quietly repurposed for mass detention without public scrutiny.

Under its provisions, no state or local government can approve construction or operation of a private detention facility. If the legislation is challenged in court, an alternate version of the bill takes effect: private detention facilities would require express local zoning authorization, a 120-day public notice and comment period, and at least two open meetings to examine the facility's impact on surrounding communities.

When the state confines someone, it assumes full responsibility for their safety, medical care, and basic human needs – obligations that warehouses and other repurposed structures cannot meet. This law is one part of our broader fight to advance public accountability for detention practices and end the abusive infrastructure that fuels mass deportation in Maryland.

SB 187/HB 935: The Monica Cooper Prerelease Act (Correctional Services - Comprehensive Rehabilitative Prerelease Services - Female Incarcerated Individuals) - SUCCESS

This session, ACLU of Maryland proudly supported passage of the **Monica Cooper Prerelease Act (SB 187/HB 935)**, to finally make good on the state's promise to build and operate a prerelease center for incarcerated women as required by the Gender-Responsive Prerelease Act of 2020. The original legislation required Maryland to build the facility by 2023, but the project stalled under Governor Hogan and again last year when the Moore administration failed to secure an adequate site.

This bill puts the project back on a firm timeline: the state must identify, acquire, and design a site plan for the women's prerelease center by October 2027, begin construction by July 2028, and begin providing services in the facility by September 2031. The Baltimore City facility center will house up to 115 women who are within 36 months of their release date, and offer education, vocational training, mental health care, and life-skills programming to ensure successful reentry and to minimize recidivism.

HB 649: Advancing Equal Educational Opportunities for All Students in Maryland - DISAPPOINTMENT

The federal government has cut staffing at the U.S. Department of Education's Office of Civil Rights by over 50% and shifted its focus away from traditional civil rights enforcement – dismissing or stalling thousands of active complaints, including more than 270 cases from Maryland.

We supported **HB 649** to establish state level protections for students and families by expanding the jurisdiction of the Maryland Commission on Civil Rights to cover discrimination complaints in public and private PreK–12 schools and higher education institutions. In addition, the bill would have created a private right of action so students and families could bring cases in state court themselves. The bill passed the House with a 100-35 vote but stalled in the Senate.

HB 467/SB 822: Correctional Services - Maryland Parole Commission and Erroneously Convicted Individuals - Improvements in Transparency and Equity - SUCCESS

After opposing an earlier version of this legislation in 2025 over concerns that its transparency measures risked injecting political influence into parole decisions, we

pushed for revisions to **HB 467/SB 822** this year to better accomplish the goal of moving Maryland closer to a more fair and effective parole process.

The final bill, which was recently signed into law, primarily works to increase transparency, efficiency, and fairness in parole decision making. Key provisions include a 12-month deadline for parole decisions following a hearing; a ban on the practice of permanently denying parole; and a process to help ensure both candidates and their legal representatives are provided timely access to important information like risk assessments and pre-parole summaries. In addition to these parole-related improvements, this important legislation also limits county participation in cases brought by exonerees under the Walter Lomax Act in order to address harmful legal tactics by county lawyers against those wrongfully convicted. The law takes effect on October 1.

HB 16/ SB 823: Correctional Services - Maryland Parole Commission – Member - DISAPPOINTMENT

Last session, this legislation included language eliminating parole hearing examiners and we were successful in our efforts to prevent it from advancing. ACLU of Maryland worked with community partners this year to offer amendments to **HB 16** that both preserved hearing examiners and ensured that incarcerated people and their families could have a voice in nominating parole commissioners as part of a revamped Maryland Parole Commission selection process. Unfortunately, the bill failed to move out of the Senate Judicial Proceedings committee. A parallel measure, **SB 823**, advanced further but did not include our proposed changes and ultimately failed in the House.

SB 202/HB 31: Police Discipline - Order to Show Cause – SUCCESS

Lawmakers introduced **SB 202**; a bill backed by the Fraternal Order of Police that would have restored provisions allowing show cause proceedings under the former Law Enforcement Officer Bill of Rights (LEOBR). The provision would resurrect officers' ability to take alleged rights violations to court mid-process, potentially running out the clock on discipline altogether. No other public employees have this right, and officers have other existing pathways to raise violations.

The option was repealed in 2021 by the Maryland Police Accountability Act along with most of the unnecessary and harmful special rights for police officers under the

former LEOBR. Bringing it back would have needlessly eroded Maryland's progress on police accountability. The bill passed out of the Senate, but thanks to determined pushback with the Maryland Coalition for Justice and Police Accountability (MCJPA) and other impacted partners and community members, SB 202 and similar provisions under **HB 31** failed to move out of the House Judiciary Committee.

SB 620/ HB 1061: Criminal Law - Wearing, Carrying, or Transporting a Handgun - Prior Convictions - SUCCESS

Maryland's punitive sentencing laws have produced one of the most racially disproportionate criminal legal systems in the country, and "tough on crime" mandatory minimums have repeatedly failed to reduce violent crime or recidivism. We opposed **SB 620/ HB 1061**, which would have enhanced sentencing for out-of-state crimes involving wearing, carrying, or transporting a handgun. The bill would have also handed prosecutors additional leverage to pressure or coerce defendants into plea deals, pulling more Black and Brown Marylanders into prison without making our communities any safer. Although SB 620 passed the Senate, both versions ultimately died in the House Judiciary Committee.

HB 171/ SB 406: Criminal Law - Drug Trafficking Crime Definition--SUCCESS

Lawmakers introduced **HB 171/ SB 406** to change the definition of “drug trafficking crimes”, mandating lengthy prison sentences for people merely presumed to be involved in unlawful cannabis activity while in general possession of a firearm, regardless of their legal right to the firearm and despite Maryland’s broad legalization of cannabis. We opposed the legislation as it would have reversed years of progress by incarcerating people for conduct that is lawful for those with the right paperwork. That punishment falls hardest on Black and Brown entrepreneurs, who have been historically shut out of legal cannabis commerce and face harsher penalties for the same activities deemed lawful for those who can afford to operate a legal cannabis business. The bill failed in committee in both chambers.

SB 322/ HB 414: Courts - Jury Service – Disqualification - SUCCESS

A jury of one's peers is foundational to justice, but Maryland has long shrunk that pool by permanently barring anyone who served more than a year in prison from jury

service. Because 71% of Maryland's prison population is Black, this rule has systematically thinned the number of Black jurors available to judge Black defendants and created conditions where implicit bias can go unchecked in jury deliberations.

This session, ACLU of Maryland supported **SB 322/ HB 414**, an effort to repeal that lifetime ban on jury service. The bill instead disqualifies people only while they are actively serving a sentence, including parole or probation. Versions of this proposal have cleared the Senate in past years, only to stall in the House Judiciary Committee. The bill finally cleared both chambers this session and is awaiting the Governor's signature.

A carve-out remains for convictions under Title 8 of the Criminal Law Article, which we will keep working with partners to remove. Still, this victory expands who gets to decide matters of justice in Maryland and helps end the second-class citizenship that is too often imposed on people after they've served their time.

SB 55/HB 81: Safer Traffic Stops for All - Secondary Enforcement and Excludable Evidence - DISAPPOINTMENT

Maryland has a long history of racial disparities in traffic enforcement. Statewide data from 2023 reveals that Black drivers constitute at least 43% of all vehicle traffic stops, despite only making up 30% of the state's population. Additionally, Black drivers are more than four times as likely to be subjected to a warrantless vehicle search than white drivers. Pretextual traffic stops for minor, non-safety issues fall hardest on black drivers, are often dangerous, and sometimes lead to tragedy – without making anyone safer.

For those reasons, ACLU of Maryland supported **SB 55/HB 81**, which would have helped reduce risks of unnecessary traffic stops, decrease racial disparities in traffic enforcement, and improve public safety. The proposal made several minor violations like a broken license plate light, window tints, or registration issues secondary offenses, and prohibited police from using them as the sole reason for a traffic stop. Introduced for the second year in a row, the bill failed to move in either chamber.

SB 554: Baltimore City Board of School Commissioners - Appointment Process and Compensation – SUCCESS

Baltimore families, teachers, and students deserve a school board chosen through a process that takes their voices seriously. This session, the ACLU of Maryland stood with Baltimore education advocates to defeat **SB 554**, which would have stripped community stakeholders of their formal role in vetting school board candidates and handed that power to the mayor with confirmation by the state senate.

Under current law, a 13-member community panel comprised of organizations that represent key stakeholders of Baltimore's education system, including the ACLU of Maryland, Baltimore Teachers Union, Associated Student Congress of Baltimore City, Disability Rights Maryland, PTA Council of Baltimore City, and other groups that represent school employees and families, reviews applicants and forwards a list of top candidates to the mayor. This proposal would have replaced that stakeholder-driven review with a single city-wide hearing and allowed the mayor to ignore candidates backed by community members.

HB 396/SB 402: Residential Child Care Programs – Education and Practitioner Training - SUCCESS

Children living in group homes, emergency shelters, and alternative living facilities often receive inadequate support for their education as they advance toward adulthood. This session, we supported **HB 396/ SB 402**, a proposal that would require residential childcare (RCC) providers to take critical steps to ensure children in their care are not left behind. Specifically, the law requires RCC programs to enroll each child in the right school upon arrival, meet with teachers to build an education support plan, establish regular study time, support children in completing school assignments or tests, and follow through on any existing Individualized Education Plan or Behavioral Intervention Plan. It also requires RCC staff to be trained in child development, disability, mental and behavioral health, learning differences, and working with families.

HB 449: Juvenile Justice Restoration Act - SUCCESS

In 2022, the ACLU of Maryland worked with members of the Maryland General Assembly to pass the **Child Interrogation Protection Act (CIPA)**, which required that a parent or guardian be notified, and an attorney be consulted before the police interrogate a child in custody. Since then, we have defended CIPA from attacks and mischaracterizations by law enforcement, prosecutors, and local media outlets.

This session, lawmakers introduced **HB 449**, a bill that would have undermined CIPA protections by allowing parents the authority to waive them on their child's behalf. But rights under CIPA – including the choice to remain silent or consult an attorney, also known as Miranda Rights, are not transferrable. Adults often overestimate their understanding of their Miranda Rights, and children are even less equipped to grasp what those rights mean, or the risks associated with waiving them. In high-pressure situations, the best advisor is a trained attorney who can provide an age-appropriate explanation and meaningful guidance.

Alongside our partners, the ACLU of Maryland strongly opposed this bill. Ultimately, it received an unfavorable report in the House Judiciary Committee and failed to advance.