

2026 Post-Session Legislative Town Hall

May 13, 2026



Recapping the 2026 Legislative Session: Primary Priorities

Protect Immigrant Marylanders

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ACLU Maryland WE ARE CASA

END STATE & LOCAL COLLABORATION WITH ICE

SB 791/HB 1575

Pass the Community Trust Act

Maryland enables President Trump's cruel and lawless mass deportations by allowing localities to voluntarily funnel immigrants into ICE custody. Outside of 287(g) agreements that formally deputize local law enforcement as ICE agents, local law enforcement and jails still notify or hold and transfer individuals to ICE. Shockingly, 23 of 24 Maryland counties informally assist ICE in this way. In 2025, over 4X more Marylanders – most of whom had no criminal convictions -- were transferred to ICE custody through informal local collaboration than through a formal 287(g) program!

To protect as many immigrant Marylanders as possible from this administration's campaign of terror, we must stop colluding with ICE's paramilitary force altogether. Maryland doesn't have a legal obligation to assist ICE in immigration enforcement, which is a federal responsibility and already funded at an unprecedented level. Continued voluntary collaboration is a political choice that wastes Maryland taxpayer dollars and makes our communities less safe.

Maryland can be a firewall for the rule of law by ending unconstitutional detentions.

The Community Trust Act is needed to:

- 1) affirm that correctional facilities must have a judicial warrant to detain, or prolong a person's detention, in order to transfer them to ICE.
- 2) stop police and correctional officers from facilitating immigration arrests by reaching out to ICE directly with information about people who encounter law enforcement.

Nothing in the legislation prevents the Federal government from enforcing immigration laws or hides any information from ICE, now the most highly funded law enforcement agency in the world. ICE already has access to the FBI's National Crime Information Center ("NCIC") database, and anyone booked in a Maryland correctional facility will still have their fingerprints taken and uploaded to NCIC.

Local jails have quietly become central to Trump's mass arrest and deportation agenda.

- Nearly 1 in 3 (29%) of the 3300+ Marylanders arrested by ICE in 2025 were transferred from local jails and other lock-ups.² 82% of these transfers were non-287(g) related.
- Most people in local jails have not been convicted.³ They have only been accused, not proven guilty of any crime, and many ultimately are found not guilty or have their charges dismissed.
- Nationally, over 80% of people held in jails have not been convicted.³ They have only been accused, not proven guilty of any crime, and many ultimately are found not guilty or have their charges dismissed.
- This means local jails are voluntarily holding and helping transfer innocent people to ICE. This practice not only undermines the presumption of innocence, but also harms public safety by eroding trust and discouraging community members from engaging with local law enforcement.
- When local law enforcement aids ICE, ICE agents are freed up to perform even more community arrests, bringing more of ICE's violence into the streets.⁴

ACLU Maryland


Protect Justice and Public Safety for All. End Local Partnerships with ICE in Maryland.

SB 245/HB 444

Immigrants are being detained, disappeared, and torn from their loved ones — part of a growing authoritarian campaign to erode rights and freedoms. Every day in Maryland, immigrant families are being separated and thousands of lives are being shredded the way that the dragnet is tearing apart the lives of those who have never been arrested. ICE's actions are not only illegal, but they are also a direct threat to the safety of our communities.

WHAT IS 287(g)?

287(g) is a voluntary agreement between ICE and localities to deputize local law enforcement (LEA) to act as ICE agents after minimal training. These officers enforce federal immigration laws within their jurisdiction. As opposed to other forms of local cooperation with ICE, 287(g) turns local jails and police into extensions of ICE -- all at local taxpayers' expense. Its sole purpose is to make it easier to arrest more people who are immigrants. Added to the Immigration and Nationality Act in 1996 under the "tough on crime" agenda, 287(g) was designed to harm Black and Brown communities.



...nt, up from just three before Trump took office. (JEM), Warrant Service Officer (WSO) and the jail-based versions, JEM and WSO, exist. allows local law enforcement to act like ICE. ed by Maryland's 2021 Dignity Not Detention into a 287(g) agreement in 2008 says TFM enforcement into local policing, eroding filing. Maryland's 287(g) programs, which for any reason can be funneled to ICE tools: to ICE database, to identify those not ing of immigration case; ers after their release from jail, to of Maryland warned of potential

The Baltimore Banner, 17 Dec. 2025. www.thebanner.com/article/MIKPP2LQJXJXID3R3ICZFNN2AE/

SB 245/HB444: End 287(g) in Maryland

- 287(g) agreements deputize local law enforcement and corrections staff as ICE agents. 287(g) embeds federal immigration enforcement into local policing, eroding public trust, diverting resources, and fueling racial profiling.
- There are three models of 287(g): Jail Enforcement (JEM), Warrant Service Officer (WSO) and the Taskforce Model (TFM). In Maryland, only the jail-based versions, JEM and WSO, existed due to restrictions codified under the 2021 Dignity Not Detention Act. By virtue of operating out of local jails, these programs target people who are held in pretrial, have been found not guilty, had charges dismissed, or served short sentences for minor offenses.
- In Maryland, from 2016 to 2023, 92% of the 287(g) detainees were for people with no criminal conviction or only the least serious "level 3" conviction.

SB 245/HB444: End 287(g) in Maryland

- Last year, the House passed a ban on 287(g) agreements, however it failed to get a vote in the Senate, where leadership claimed it would invite retaliation from the Trump administration. However, after the 2025 Session, Maryland was targeted for retaliation anyways and within months the number of counties with a 287(g) contract tripled from three to nine.
- In the interim, advocates around the state worked to build upon existing, widespread momentum around the bill and make it a top priority for leadership in Annapolis.
- Thanks to this grassroots movement, the bill entered the 2026 Session with the support of Senate leadership and was the first bill to be signed by the Governor this year and went into effect immediately. As passed, SB 245/HB 444 bans formal agreements between local governments and ICE, specifically 287(g).

SB 791/ HB 1575 : Restrict Informal Local Collaboration with ICE

- While banning 287(g) programs ended formal law enforcement agreements with ICE, the vast majority of Maryland's collaboration with ICE has always been *informal*.
- Following the passage of the 287(g) ban, local Sheriffs vowed to exploit all routes available to continue funneling our neighbors to ICE custody.
- In the past year alone, nearly 5,000 Marylanders were arrested by ICE, a threefold increase, with 1 in 3 arrests stemming from voluntary local collaboration.
- 82% of these transfers were non-287(g) related. Nationally, over 80% of people held in local jails have not been convicted.

SB 791/ HB 1575 : Restrict Informal Local Collaboration with ICE

- This years Community Trust Act built on wins at the local level and previous versions of the bill since 2017.
- The bill had been declared dead by many after it did not pass out of either chamber by the crucial Crossover deadline. However, advocates ramped up public pressure.
- SB 791/HB1575 passed on Sine Die as emergency legislation and will take effect upon the Governor’s signature.



SB 791/ HB 1575 : Restrict Informal Local Collaboration with ICE



As passed, the bill sets limits on local involvement in immigration enforcement by:

- 1) protecting people who are innocent or have yet to be convicted of a crime from notification and transfer to ICE without a judicial warrant, and by
- 2) banning the unconstitutional practice of holding people who are released from local correctional facilities past their release date for the purposes of immigration enforcement without a judicial warrant.

Ban Racial Profiling by Law Enforcement

Tierra Bradford
Senior Policy Counsel

ACLU Maryland

SB 854/HB 1262

Ban Racial Profiling by Law Enforcement and Limit Federal Abuses in Maryland

Dangerous developments at the federal level necessitate state action.

For more than a year, we have seen federal agents acting lawlessly as they flood American cities across the country. We have witnessed them abusing their authority as they have engaged in blatant racial profiling, illegal and baseless arrests, and excessive force against people trying to live their lives. These brutal tactics have made 2025 ICE's deadliest year in two decades.¹ DHS and Immigration Agents are routinely defying court orders and engaging in mass civil rights violations – as seen recently in Minnesota, where two legal observers were killed by agents.² There have been 16 shootings by DHS officers since July, including one in Glen Burnie. No officers have faced charges for these shootings. ICE's operation in Los Angeles showed agents sweeping up, brutalizing, and detaining anyone who looked Latino at Home Depots, farms, and car washes. Similar abuses have been documented around the country. Alarmingly, a recent memo to ICE agents directs them to enter homes and private spaces without a judicial warrant.³

These abuses have only escalated and are emboldened by the U.S. Supreme Court's (SCOTUS) continued dismantling of bedrock constitutional rights and refusal to check federal abuses. Last summer, in *Yaquez Perdomo v. Noem*, SCOTUS telegraphed a troubling acceptance of expanded racial profiling by ICE. In a ruling issued through the Court's infamous "shadow docket," the Court suspended implementation of two lower court orders that had prohibited ICE from racial profiling based in part on apparent race or ethnicity. The effect of the SCOTUS investigative steps based in part on apparent race or ethnicity, Justice Gorsuch's opinion, was to allow this racial profiling to continue. In a shocking concurring opinion, Justice Alito justified and defended the practice, downplaying the individual and social harms of ICE's considered blatant violations of the Fourth and Fourteenth Amendments of the U.S. Constitution and all but inviting law enforcement to profile based on perceived race or ethnicity.⁴

These erosions at the federal level also threaten our rights under Maryland's state Constitution. Maryland courts almost always interpret provisions of the state Constitution to mirror what the federal Constitution, relying heavily on federal court decisions to interpret the

Further, although we cannot make clear that Maryland law in their same are subject to the same all other law enforcement agents' ability to engage in other abuses. And, of action, this bill's protections are

What this bill does

This bill seeks to ensure we keep existing constitutional protections and limit federal abuses. It (1) Codifies existing constitutional protections against racial profiling through language explicitly forbidding racial profiling by law enforcement; (2) Makes clear that federal agents seeking to rely on Maryland law as a basis for their activities are subject to the same Maryland standards as state and local law enforcement; and (3) Ensures these rights are enforceable through a private cause of action. We need this bill. Without clear state-level protections, federal rulings can weaken how our rights are protected in Maryland.

As recent events have plainly shown, Maryland must take affirmative steps to ensure existing protections against racial profiling are not eroded here, and to protect Marylanders from racial profiling and other abuses by federal agents to the maximum extent allowable by law.



What is Racial Profiling?

When police target someone in any way based on that person's perceived or actual race, ethnicity, nationality or religion, rather than evidence of criminal activity, they are engaging in racial profiling. Racial profiling does not include seeking to apprehend a specific suspect wanted in connection with a specific offense whose race, ethnicity, or national origin, in combination with other identifying factors, is part of the description.

We Have Overwhelming Evidence of Racial Profiling's Devastating Impacts on Public Safety

Racial profiling alienates people from law enforcement, undermines community-policing efforts, and erodes trust. As a result, law-enforcement officers and agencies lose credibility with the very communities they are sworn to protect and serve.

Racial profiling violates the Fourteenth Amendment and harms community trust.

Every time someone is stopped, questioned, searched, or otherwise targeted by law enforcement based on their actual or perceived identity, it violates the constitutional requirements that police and other government officials accord all people equal protection under the law. It also causes real harm that persists beyond that encounter. The person stopped is affected by being singled out based on who they are, rather than their conduct, and this impact ripples through their loved ones and broader community. It's not about whether an officer was abusive – it's about whether happened at all. Research shows that these experiences often lead people to believe the law is not meant to protect them, and that belief spreads and is reinforced by seeing others with similar experiences. Further, these harms are not shared equally. Communities of color bear them most heavily.⁵

Racial profiling violates the Fourth Amendment and undermines public safety.

Because racial profiling means basing decisions on racial bias or false assumptions, it violates the Fourth Amendment guarantee to be free of unreasonable searches and seizures. It invites police to focus on the wrong people—time that could be spent instead on high-quality investigating and enforcement.

Endnotes

- [1 https://www.app.org/2025/10/23/tr-41-3538090/](https://www.app.org/2025/10/23/tr-41-3538090/)
- [2 https://www.dhs.gov/ice-detention-custody-immigration-arrest-enforcement-dhs-trump](https://www.dhs.gov/ice-detention-custody-immigration-arrest-enforcement-dhs-trump)
- [3 https://www.fatal-shooting-sizes-pretti-federal-stories/129547198](https://www.fatal-shooting-sizes-pretti-federal-stories/129547198)
- [4 https://www.documentcloud.org/documents/2699371-dhs-ice-memo-1-21-26/](https://www.documentcloud.org/documents/2699371-dhs-ice-memo-1-21-26/)
- [5 https://www.hks.harvard.edu/centers/wiener/programs/criminaljustice/research/publications/departments/racial-bias/takeaway2](https://www.hks.harvard.edu/centers/wiener/programs/criminaljustice/research/publications/departments/racial-bias/takeaway2)

SB 854/HB 1262: End Racial Profiling by Law Enforcement

- Federal agents (ICE) have been abusing their authority as they have engaged in blatant racial profiling, illegal and baseless arrests, and excessive force against people trying to live their lives in cities like Minneapolis, Los Angeles, and right here in Glen Burnie, MD.
- These abuses are legitimized by the U.S. Supreme Court. In the summer of 2025, *Vasquez Perdomo v. Noem*, SCOTUS telegraphed a troubling acceptance of explicit racial profiling by ICE. The ruling essentially allows racial profiling to continue, inviting law enforcement to profile based on perceived race or ethnicity.
- SB 854 codifies existing constitutional protections against racial profiling through language explicitly forbidding racial profiling by law enforcement.

SB 854/HB 1262: End Racial Profiling by Law Enforcement

- The bill also clarifies that federal agents seeking to rely on Maryland law as a basis for their activities are subject to the same Maryland standards as state and local law enforcement.
- The bill makes clear that when state or local law enforcement officers are participating in federal task forces, they remain bound by the limits on their authority in state law.
- SB 854 and HB 1262 received hearings in the Senate Judicial Proceedings Committee and House Judiciary Committee, respectively. However, the bills were not brought up for a vote.

SB 255/HB 350: End Vote Dilution

- SB 255 protects against local vote dilution: As a key part of the MD Voting Rights Act, this emergency bill provides a state-based pathway for litigation by the Attorney General and impacted voters to challenge vote dilution in county or municipal elections.
- Local vote dilution still silences voters of color in Maryland: Recent successful advocacy in places like Baltimore County, the town of Federalsburg, and Wicomico County have put a spotlight on the continuing harm of vote dilution caused by unfair district maps and other discriminatory election systems that deny Black and Brown communities a fair chance to elect their preferred local representatives. When vote dilution happens, voters of color can cast their ballots, but their votes do not carry equal weight due to the structure of the process itself.

SB 255/HB 350: End Vote Dilution

- SB 255 is now law, helping to fill the recent loss of federal protections
 - In the last few minutes before the final midnight deadline to pass legislation this session, SB 255 was successfully pushed out of House and became law when the Governor signed it on April 28th – one day before the Supreme Court’s decision in *Louisiana v. Callais* effectively nullified federal vote dilution protections. SB 255 is truly a landmark victory fundamental to protecting fair local elections in Maryland.

HB 219: End Voter Suppression and Intimidation

- **More work is needed to pass HB 219:** Despite years of advocacy with local and national partners uplifting the need for the state-level civil protections provided by HB 219, these provisions unfortunately did not advance to enrollment this year as part of the MD Voting Rights Act.
- **Maryland voters need tools to fight back against intimidation and suppression:** This key bill, which failed to pass out of the new House Government, Labor, and Elections Committee, centers on (1) empowering Marylanders to take civil action against voter intimidation, deception, and obstruction without relying on prosecutors to enforce existing criminal penalties, and (2) combatting suppressive standards, policies, and practices that disproportionately impair access to the ballot among historically-disenfranchised communities.
- **State-level protections are especially needed right now:** As federal law continues to lack sufficient protections against these major affronts to democracy, we are continuing our efforts with partners and impacted community members to ensure this necessary legislation gets on the books.

Recapping the 2026 Legislative Session: Selected Secondary Priorities

HB 336: Reform the District Court Commissioner System

- HB 336 seeks to reform Maryland's broken District Court Commissioner system under which anyone can go to a District Court Commissioner and apply for a Statement of Charges against another person.
- As introduced, the bill would have limited District Court Commissioners to issuing arrest warrants only in cases in which the application for charges were filed by the police or the State's Attorney. The bill was tweaked throughout its lifespan in Committee, maintaining the original intent of the legislation.
- The bill passed both the House and the Senate, where Senators resisted attempts to water down the bill. Unfortunately, the Senate passed the bill out with just minutes left in the 2026 Legislative Session and it did not receive a final vote in the House before the clock ran out.

SB 323: Save Children from the Harsh Adult System

- In 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. Due to this long list of automatic charges, Maryland sends more kids people per capita to adult court based on offense type than any other state except for Alabama.
- Initially, SB 323 removed 17 charges for which children can automatically be charged as adults. However, the bill was watered down and, as passed, now removes only 7 charges, leaving several charges that continue to subject children to automatic adult prosecution.
- The bill also limits the use of adult jails for young people and strengthens protections to ensure that children are not held in facilities where they have contact with incarcerated adults—an important safeguard for their safety and well-being.

SB 187/HB 935: Establish a Women's Pre-Release Center

Back on Track After Years of Delay!

- The State shuttered the only women's prerelease center in 2009 — men currently have 6 prerelease centers!
- The Maryland Women's Prerelease Equity Coalition advocated for the 2020 Gender Responsive Prerelease Act.
- The State delayed the project for years, passage of SB 187 puts the project back on track.

Comprehensive Services to Promote Successful Reentry:

- Gender-responsive, evidence-based, & trauma-informed
- Employment services, vocational training, health & wellness, social & family reunification, housing assistance, basic support & life skills to ensure

Who is Eligible?

- Incarcerated women who have Prerelease and/or Minimum Security classification
- Women who are within 3 years of their release date

SB 187/HB 935: Establish a Women's Pre-Release Center

Facility & Site Design

- Community-based facility, no perimeter, barbed wire, or tower!
- Non-emergency medical suite
- Outdoor area
- Family visitation space
- Recreational and educational rooms
- Access to public transportation

Timeline

- Oct 2027: Site acquisition in Baltimore City, and design
- Jul 2028: Construction/renovation begins
- Mar 2031: Construction/renovation complete
- Sep 2031: Fully operational

HB 1017: Ban Private Immigration Detention Centers

- HB 1017 prohibits the State or a unit of local government from approving the construction or operation of a building or structure as a private detention facility.
- If challenged in state or federal court, then another version of the bill will go into effect requiring express authorization for private detention facilities through local zoning processes and with additional requirements around notice and public comment.
- HB 1017 passed out of the General Assembly and was signed by the Governor on April 28th.

SB 810/HB 1341: Expand Sensitive Locations Protections

The bill expands “**Sensitive Locations**”, strengthening the Maryland Values Act of 2025.

For Public Schools:

- Expands definition of sensitive locations to include bus stops and school vehicles.
- Prohibits all school personnel and school police from engaging in immigration enforcement.
- Prohibits the sharing of any student, family, or employee records, data, and personal identifying information for the purposes of immigration enforcement.
- School personnel must notify the superintendent about ICE activity at school or in the area.
- If presented with a judicial warrant or subpoena, superintendent and legal counsel must be notified — they are solely responsible for responding to and fulfilling any legal order.

For Buildings that Require Security Screening (e.g. Courthouses, County Council buildings, etc.)

- Personnel at these locations cannot grant access to anyone for the purpose of immigration enforcement unless a judicial warrant is presented or if exigent circumstances exist

State Attorney General will update guidance on sensitive locations by October 2026

2026 Session by the Numbers

66 *testimonies provided*

3 out of 4 *primary priorities across the finish line*

8 *secondary priorities across the finish line*

10 *bad bills killed*

1,000+ *email actions taken by Marylanders around the state*

1,000+ *calls to legislators*

secondary bills across the
finish line



Keep up with the ACLU of Maryland!

Get involved

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<https://secure.ngpvan.com/kbSsmNfRr02CT4s7ykyYrQ2>



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