



Prince George's County, Maryland

Inter-Office Memorandum

Office of Law

LEGISLATIVE COMMENT

DATE: February 27, 2026

TO: David Murray, Council Administrator

THRU: Anthony D. Jones, County Attorney

THRU: Jason A. Alston, Deputy County Attorney

FROM: Dinora A. Hernandez, Associate County Attorney

RE: CB-007-2025

The Office of Law has reviewed CB-07-2026 as presented on February 17, 2026. We find the bill to be in proper legislative form. However, the Office of Law has identified potential legal impediments to its enactment as follows:

While the County possess broad police powers under its home rule authority, those powers may not extend to regulating or impeding federal immigration enforcement activities.

In Arizona v. United States, 567 U.S. 387 (2012), the Supreme Court held that state measures intruding into the field of immigration enforcement were preempted by federal law. Similarly, any requirement that County police demand documentation or judicial warrants or other sources of legal authority from federal immigration agents could be characterized as an obstacle to the accomplishment and execution of federal objectives.

The portions of the bill that require PGPD to request specific information from immigration enforcement agents make the bill vulnerable to a potential legal challenge. The PGPD's current practice is to visually verify that masked individuals are indeed federal law enforcement officers. The PGPD does not otherwise request any form of verification from immigration enforcement

agents. To the extent that any provisions of the bill can be viewed as an impediment to carrying out federal immigration enforcement, it is highly susceptible to legal challenge.

The Office of Law also notes that Section 3, which declares a public emergency caused by unlawful federal immigration enforcement activity, makes the bill susceptible to a legal challenge. The official declaration that federal immigration enforcement activity constitutes a public health emergency could be viewed by a court as the County's attempt to regulate an area where only the federal government has the ability to regulate in violation of the Constitution's Supremacy Clause.