HARFORD COUNTY SHERIFF'S OFFICE
COURAGE HONOR INTEGRITY
Sheriff
Jeffrey R. Gahler

September 18, 2026

The Honorable Anthony G. Brown
Attorney General of Maryland
Office of the Attorney General
200 Saint Paul Place
Baltimore, MD 21202

RE: Request for Formal Attorney General Opinion regarding the Applicability of Criminal Law §§ 4-301 and 4-302 to Sworn Correctional Deputies

Dear Attorney General Brown:

The Harford County Sheriff's Office maintains a dual public safety mission encompassing both law enforcement and corrections. While these functions are distinct in their statutory responsibilities, they are united by the fundamental responsibility of protecting the public.

As Sheriff of Harford County, I am responsible for the operational control and security of the Harford County Detention Center, which is staffed by certified correctional deputies responsible for secure custody, inmate management, and out-of-facility transport. As part of their assigned duties, correctional deputies routinely transport inmates to court proceedings, medical appointments, hospitals, other detention facilities, and various off-site locations throughout Harford County and the State of Maryland. These critical transportation and security duties require our correctional deputies to be armed while performing their official duties to ensure their own safety and the safety of the public and the inmates themselves.

A critical operational question has arisen regarding the legal authority of sworn correctional deputies to possess and carry an agency-issued firearm that may be classified under Criminal Law §4-301 as a "machine gun convertible pistol." While the Department of State Police has not yet published the official list identifying specific prohibited models, our Office must prepare for full implementation prior to the statutory effective date of January 1, 2027.

Criminal Law §4-302 establishes an explicit exemption permitting active law enforcement officers in good standing to possess firearms otherwise restricted by the statute. However, §4-302

does not expressly name correctional deputies certified under Correctional Services §8-201(e), creating an apparent statutory gap.

Harford County Sheriff's Office correctional deputies complete the identical Maryland Police and Correctional Training Commissions (MPCTC) mandated basic firearms curriculum and qualification as our sworn law enforcement deputies. They adhere to the exact same safety, accountability, and annual recertification standards and are issued the standard agency-owned Glock handgun purchased by our Office for official duty use.

If our agency-issued firearm is designated by the Department of State Police as a "machine gun convertible pistol," the lack of an explicit reference to correctional deputies in §4-302 could potentially prohibit our correctional deputies from possessing the very weapons provided to them by this Office to fulfill their sworn duties.

Therefore, I am requesting an opinion from your Office regarding the applicability of Criminal Law §§4-301 and 4-302 as they relate to sworn correctional deputies within my Office.

Thank you for your time, attention, and continued guidance on this vital public safety matter. I look forward to your opinion.

Respectfully,

Jeffrey R. Gahler
Sheriff