

Testimony on Senate Bill 0854 Racial Profiling.pdf

Uploaded by: Catherine Morrison

Position: FAV

Testimony on Senate Bill– Favorable SB 0854
Public Safety - Law Enforcement Officers - Restrictions

February 24, 2026

Dear Chairperson Smith and Vice Chair Waldstreicher:

My name is Cathy Morrison, and I am a resident of Marriottsville, MD. I am writing as a concerned Maryland resident to urge you and your colleagues in the General Assembly to pass legislation that explicitly bans racial profiling, especially as it relates to cooperation between state and local authorities and Immigration and Customs Enforcement (ICE).

Racial profiling—the practice of targeting individuals for law enforcement action based on race, ethnicity, or national origin rather than on evidence or behavior—is discriminatory, unconstitutional, and deeply harmful to our communities. When law enforcement agencies or local authorities collaborate with ICE using racial or ethnic criteria, it fosters fear, erodes trust, and drives a dangerous wedge between law enforcement and the communities they serve.

Such practices do not make us safer. Instead, they lead to wrongful detentions, family separations, and widespread fear among immigrant and minority communities. Victims and witnesses of crimes become less likely to report offenses or cooperate with police, undermining public safety for everyone.

Maryland has long been a leader in promoting fairness and justice under the law. By enacting a specific and enforceable ban on racial profiling, the General Assembly can reaffirm our state’s commitment to equality, protect the civil rights of all Marylanders, and ensure that local resources are not used to further racially biased immigration enforcement.

For these reasons, I respectfully urge the committee to issue a **favorable report on SB0854**. Our communities deserve policies rooted in justice, not prejudice.

Cathy Morrison

CASA_FAV_SB854.pdf

Uploaded by: Cathryn Jackson

Position: FAV



Testimony in SUPPORT of Senate Bill 854

SB 854 – Public Safety – Law Enforcement Officers – Restrictions

Senate Judicial Proceedings Committee

Dear Honorable Chair Smith, Vice-Chair Waldstreicher, and Members of the Committee,

We Are Casa (formerly, “CASA”) is pleased to offer **favorable testimony in support of SB 854 – Public Safety – Law Enforcement Officers – Restrictions.**

We Are CASA is a national organization building power and improving the quality of life in working-class Black, Latino/a/e, Afro-descendent, Indigenous, and Immigrant communities.

With a membership of over 189,000 members , We Are CASA creates change with its power-building model blending human services, community organizing, and advocacy to serve the full spectrum of the needs, dreams, and aspirations of members. For nearly forty years, We Are CASA has employed grassroots community organizing to bring our communities closer together and fight for justice, while simultaneously providing vital services to communities across the state and beyond.

Maryland must take action to protect our diverse communities where the U.S. Supreme Court has failed us. Last fall, in *Vasquez Perdomo v. Noem*,¹ the U.S. Supreme Court essentially sanctioned racial profiling: it suspended the implementation of federal court orders prohibiting ICE from stopping people based on perceived race or ethnicity. At the same time, Justice Kavanaugh issued a chilling opinion, making light of the immense harm and suffering that racial profiling causes Black and Brown people. Though the ruling was based on the U.S. Constitution, it threatens to water down Marylanders’ rights under the Maryland Constitution, too – because the Maryland Constitution is often interpreted in line with the U.S. Constitution. Because of this, Maryland must act now to protect our diverse communities’ rights to be free from racial profiling by law enforcement. SB 854 would make Maryland’s law crystal clear: racial profiling is not allowed.

Permitting racial profiling means more Black and Brown people will be hurt or killed.

ICE’s recent actions have made it all too clear: taking the guard rails off law enforcement means more Black and Brown people will be hurt or killed. Gerald Lunas Campos died in ICE detention in Texas last month. A medical examiner ruled his death a homicide, describing the cause of his

¹ Case No. 25A169, order dated Sept. 8, 2025.

death as “asphyxia due to neck and torso compression.”² This is not an isolated incident: 2025 was ICE’s deadliest year, with a rash of deaths in ICE custody.³

We are seeing the same violence here in Maryland: In Glen Burnie on Christmas Eve, ICE agents shot a man in his work van multiple times, including his chest and thigh, causing his lung to collapse and sending him to the emergency room.⁴ In Baltimore, ICE is holding our loved ones in crowded and inhumane conditions, with minimal access to food, water, and medication – not to mention lawyers.⁵ Through We Are CASA’s hotline, on which community members can report ICE enforcement actions they have witnessed or experienced, we regularly hear stories of ICE’s brutality: just last month, a U.S. citizen teen told us his father’s story. In Salisbury, ICE tackled his dad when they arrested him, seriously injuring both of his dad’s legs. In detention, he was not receiving medical care.

We Are CASA has seen how ICE targets people based on blatant racial profiling on the streets in and around Maryland. In mid-September of last year, We Are CASA heard from a man who was detained by ICE agents at the bus stop in front of our Baltimore office. He was beaten by six officers and was initially held at the Baltimore Hold Room in Hopkins Plaza. When he asked why they were taking him, they responded “because you’re Latino.” We Are CASA also received a report about a Marylander who, on his way to work last fall, was beaten, detained, and threatened with death. The officer who arrested him told him: “I don’t like Guatemalans, and if I want to, I can shoot you in the head.” After being detained, he was handcuffed for more than 24 hours without food or water. When given food, he and fellow detainees were still handcuffed at their hands and feet.

Next door, in Washington, D.C., masked plainclothes officers have flooded the streets since last year, indiscriminately arresting individuals they perceive to be Latino as they go about their daily lives – on their way to work, school, and church. ICE has targeted neighborhoods and jobs with significant Latino populations. We Are CASA has sued the federal government to stop these unlawful arrests, with a federal court calling ICE’s actions a “systemic failure” that “directly violates clear statutory requirements.”⁶

Long before the recent catastrophic tidal wave of ICE activity, the costs of racial profiling have been far too high in We Are CASA’s member communities. While Black people make up 13.4%

² Michael Biesecker, “Cuban immigrant in ICE custody died of homicide due to asphyxia, autopsy finds,” PBS Jan. 22, 2025, <https://www.pbs.org/newshour/nation/cuban-immigrant-in-ice-custody-died-of-homicide-due-to-asphyxia-autopsy-finds>.

³ Maanvi Singh *et al.*, “2025 was ICE’s deadliest year in two decades. Here are the 32 people who died in custody,” THE GUARDIAN, Jan. 4, 2026, <https://www.theguardian.com/us-news/ng-interactive/2026/jan/04/ice-2025-deaths-timeline>.

⁴ See Karina Tsui, “Department of Homeland Security changes story of Maryland ICE shooting after local police release contradicting details,” CNN Jan. 13, 2026, <https://www.cnn.com/2026/01/13/us/ice-shooting-maryland-immigration-hnk>.

⁵ See Dennis Valera, “ICE blames weather after viral video allegedly shows dozens packed inside Baltimore holding rooms,” CBS Baltimore Jan. 30, 2026, <https://www.cbsnews.com/baltimore/news/ice-weather-video-holding-room-immigration/>.

⁶ *Escobar Molina v. DHS*, Case No. 25-cv-03417 (D.D.C.), Order dated Dec. 2, 2025.

of the U.S. population, a full 22% of the people killed in police shootings are Black.⁷ And one out of three Black boys and one out of six Latino boys can expect to be sentenced to prison during their lifetimes – compared to one out of 17 white boys.⁸ It is time to take decisive action to curb these painful outcomes.

Racial profiling is against Maryland’s values. All residents of our state – including the many beautifully diverse We Are CASA members who live here – deserve the right to live with dignity, and without fear that they will be targeted for abuse based on the way they look or where they are from. Nobody should be treated as a suspect or a criminal based on their race.

Racial profiling is wrong, and it hurts us. Passing SB 854 will make it clear that Marylanders’ right to be free from racial profiling is beyond debate. In the wake of the Supreme Court’s *Vasquez Perdomo* decision, Maryland must act now. **We Are CASA urges the committee to provide a favorable report on SB 346.**

⁷ See “Study of Fatal and Nonfatal Shootings by Police Reveals Racial Disparities, Dispatch Risks,” Johns Hopkins Bloomberg School of Public Health, March 15, 2024, <https://publichealth.jhu.edu/2024/study-of-fatal-and-nonfatal-shootings-by-police-reveals-racial-disparities-dispatch-risks>

⁸ NAACP Criminal Justice Fact Sheet, <https://naacp.org/resources/criminal-justice-fact-sheet>.

SB0854 – Law Enforcement Officers – Powers and Pro

Uploaded by: Cecilia Plante

Position: FAV



**TESTIMONY FOR
SB0854 – Law Enforcement Officers – Powers and Prohibitions**

Bill Sponsor: Senator Sydnor

Committee: Senate Judicial Proceedings

Organization Submitting: Maryland Legislative Coalition

Person Submitting: Aileen Alex, Co-Chair

Position: **FAVORABLE**

I am submitting this testimony in support of SB0854 on behalf of the Maryland Legislative Coalition. We are an association of unpaid citizen advocates—individuals and grassroots groups in every district across the state—representing and supporting more than 30,000 Marylanders.

SB0854 strengthens civil rights and accountability by setting clear statewide limits on law enforcement powers. It establishes that federal law enforcement officers may only exercise Maryland-granted powers of arrest, search, and seizure if they are acting in accordance with State law. This ensures that every person in Maryland—regardless of the uniform the officer wears—is protected by our state’s standards of equal treatment and due process.

My concern is racial profiling. Too often, discriminatory practices go unchecked when state oversight is absent or when officers fear retaliation for speaking out. SB0854 directly addresses this by explicitly prohibiting racial profiling, protecting whistleblowers, and creating a civil cause of action for those harmed.

Whether speaking out, recording activity, or simply going about their business, Marylanders deserve to know that all officers are bound by enforceable, humane standards. These safeguards build trust, reduce preventable harm, and protect our democracy.

We respectfully urge a **FAVORABLE** report on SB0854.

03_SB 854 Testimony - Sydnor - JPR.pdf

Uploaded by: Charles Sydnor III

Position: FAV

CHARLES E. SYDNOR III, ESQ.
Legislative District 44
Baltimore County

DEPUTY MAJORITY WHIP

Judicial Proceedings Committee
Executive Nominations Committee
Legislative Policy Committee

Joint Committees

Administrative, Executive, and
Legislative Review

Children, Youth, and Families

Senate Chair, Legislative Ethics



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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

**Testimony for Senate Bill 854
Public Safety – Law Enforcement Officers - Restrictions
Before the Judicial Proceedings Committee
February 24, 2026**

Good afternoon Chair Smith, members of the committee.

In 2008, the Maryland NAACP represented a class of individuals who had been pulled over for, colloquially, “driving while black.” These people had committed no traffic offenses but had been pulled over on the sole basis of their race.¹ As part of settling the case, the NAACP and the Maryland State Police released a joint statement, saying: “The need to treat motorists of all races with respect, dignity, and fairness under the law is fundamental to good police work and a just society... Racial profiling is unlawful and undermines public safety by alienating communities.”²

That statement was true when it was written nearly two decades ago, and it’s true today. Racial profiling violates the U.S.³ and Maryland Constitutions and undermines public safety.

Unfortunately, not every federal law enforcement officer has gotten this message, in part because of a concurring—and therefore nonbinding—opinion written by a US Supreme Court Justice late last year. In his opinion in *Noem v. Vasquez Perdomo*, Justice Brett Kavanaugh argued that race and ethnicity can furnish reasonable suspicion in combination with factors as nonspecific as “lives in Los Angeles” or “works at a car wash”.⁴ He did not simply downplay the societal harm of racial

¹ *Md. State Conf. of NAACP Branches v. Md. State Police Dep’t*, Settlement agreement page 2.
(<https://www.aclu.org/cases/driving-while-black-maryland?document=maryland-state-conference-naacp-branches-v-maryland-state-police-department#legal-documents>)

² See above.

³ *Whren v. United States*, 517 U.S. 806, 813 (1996) (“the Constitution prohibits selective enforcement of the law based on considerations such as race”).

⁴ See *Noem v. Vasquez Perdomo*, 606 U.S. ____ (2025) (J. Kavanaugh, concurring).

profiling, he justified the practice and has invited law enforcement to engage in law enforcement practices long considered to be Fourth and Fourteenth Amendment violations.

Here in Maryland, we're not going back on what we said in 2008. Racial profiling is incompatible with a just society and Senate Bill 854 makes that abundantly clear to all law enforcement officers. Senate Bill 854 ensures that we keep existing constitutional protections and limit federal abuses by enacting three reforms:

Firstly, SB 854 affirms that federal law enforcement officers seeking to enforce Maryland laws are subject to the same standards as state and local law enforcement.⁵ As we watch federal agents across the country violate individuals' civil rights, all officers trying to enforce Maryland laws must be held accountable for their actions, regardless of their employer.

Secondly, the bill defines racial profiling as "relying, to any degree, on a person's actual or perceived race, ethnicity, or national origin" for the purposes of law enforcement. However, relying on such characteristics in **combination** with other identifying factors may be permissible if a suspect's race, ethnicity, or national origin is part of a description in connection with a **specific** offense.⁶ The bill then makes it clear: law enforcement officers and agencies may not engage in racial profiling, or retaliate against anyone who reports incidents of racial profiling.⁷

Finally, SB 854 creates a private right of action, allowing a person to bring a civil suit if they were harmed by racial profiling or retaliated against for reporting racial profiling.⁸ This provision creates a clear-cut mechanism to enforce the law and protect Marylanders.

Regardless of what is happening at the federal level, we here in Maryland know that targeting people based on their perceived or actual race is unconstitutional and erodes our communities. Marylanders deserve accountability and justice from law enforcement.

I ask for a favorable report on SB 854.

⁵ See proposed § 2-104(a)(2)(i).

⁶ See proposed § 3-535(a)(3).

⁷ See proposed § 3-535(b) and (c).

⁸ See proposed § 3-535(d).

SB854 Favorable 2026.pdf

Uploaded by: Debi Jasen

Position: FAV

Judicial Proceedings Committee
Senate Bill 854
Favorable

Honorable Chair, Vice Chair, and Members of the Judicial Proceedings Committee;

Please give Senate Bill 854 a favorable report.

People who come into our state should be expected to follow our state's laws. Additionally, NO ONE should be racially profiling! I don't know what else there is to say about it. I urge a favorable vote. Thank you.

Sincerely,
Debi Jasen
Pasadena, MD

TESTIMONY FOR SB0854.pdf

Uploaded by: Gita Lefstein

Position: FAV

Testimony on Senate Bill – Favorable

SB0854 – Public Safety – Law Enforcement Officers - Restrictions

Judicial Proceedings Committee

February 20, 2026

Dear Honorable Chair Smith, Vice Chair Waldstreicher, and Members of the Committee,

My name is Gita Lefstein, and I am a resident of Baltimore County, Maryland. I am writing in support of SB0854, Public Safety – Law Enforcement Officers - Restrictions

Racial profiling has affected black and brown people since long before the recent terrorism by ICE, but currently there is not even a pretense at the federal level that racial profiling is wrong. Besides being morally reprehensible, racial profiling violates both the Fourth and Fourteenth Amendments to the U.S. Constitution. However, the federal government is increasingly abandoning the Constitution, so Maryland needs to step up to the plate and stand strongly for the rights of all people. We need to make sure that we are doing everything possible to prevent racial profiling in Maryland. People should not have to view law enforcement officers with fear.

I respectfully urge you to issue a favorable report on SB0854.

Thank you.

Testimony on Senate Bill 0854.pdf

Uploaded by: GLENN PERRYMAN

Position: FAV

Testimony on Senate Bill 0854 – Favorable
SB 0854 – Public Safety - Law Enforcement Officers – Restrictions

Senate Judiciary Proceedings Committee

February, 24, 2026

Dear Honorable Chair Smith, Vice Chair Waldstreicher, and Members of the Committee,

My name is Glenn Perryman, and I am a resident of St. Mary's County, Maryland. I am writing in support of **SB 0854**.

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.

Further, we can make clear that in order to rely on Maryland law in their activities, federal agents are subject to the same standards that apply to all other law enforcement officers operating in Maryland. In this way, this bill restricts federal agents' ability to engage in racial profiling or other abuses. And, by including a private cause of action, this bill ensures that its important protections are enforceable in state court.

I ask you to support this important bill to prevent racial profiling by federal entities.
Thank you.

Glenn Perryman

Hollywood, Maryland

Untitled document.pdf

Uploaded by: Jacquelyn Gilbert

Position: FAV

SB854 Ban Racial Profiling by Law Enforcement and Limit Federal Abuses in Maryland

In Favor

I urge the Judiciary Committee to issue a favorable report on SB854.

For more than a year, we have watched federal agents acting lawlessly as they flood American cities across the country. These agents have abused their authority as they have engaged in blatant racial profiling, illegal and baseless arrests, and use of excessive force against people just living their lives. These brutal tactics have left more dead at the hands of federal agents in 2025 than any year in the previous two decades. DHS and ICE agents routinely defy court orders. They defy the rights guaranteed by the United States Constitution. The violation of freedom of speech rights of protestors in Minnesota resulted in the deaths of Renee Good and Alex Pretti. Additionally any individual on the soil in the United States is guaranteed certain rights such as limitations as to search and seizure of person and property and the due process by a court of law.

This bill seeks to ensure we keep existing constitutional protections and limit federal abuses. It codifies existing constitutional protections against racial profiling through language explicitly forbidding racial profiling by law. It 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. It also ensures these rights are enforceable through a private cause of action.

When federal law is flaunted and abused, we must turn to the states to protect the rights of our citizens, residents, and visitors. All in Maryland deserve these protections.

I strongly urge the committee to provide a favorable report on SB854.

J. Gilbert

Testimony in favor of SB0854 and HB1262.pdf

Uploaded by: Janet Tupper

Position: FAV

My name is Janet Tupper and offer a **favorable testimony** in support of **SB0854 and HB1262 with a full ban racial profiling by law enforcement.**

I believe racial profiling has long been a problem within the US law enforcement system since the foundation of our country. In recent years law enforcement agencies across the country have made efforts to educate and train officers to be aware of their own biases and guard against racial profiling.

However, under the Trump administration this progress been erased by immigration officers where bias and profiling have escalated to alarming levels. It has been shocking to see 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. Unfortunately, in an alarming decision last summer, the US Supreme Court refused to uphold constitutional rights and check federal abuses Justice Kavanaugh went so far as to justify and defend the practice of racial profiling, which served to downplay the individual and social harms of actions long considered blatant violations of the Fourth and Fourteenth Amendments of the U.S. Constitution. This invited law enforcement to profile based on perceived race or ethnicity, which they have done with enthusiasm.

Without clear state-level protection, federal rulings and US Supreme Court decisions can weaken fourth amendment rights in Maryland. This bill seeks to limit federal abuse.

Therefore, **I am encouraging you to vote in support of SB0854/HB1262 - Public Safety - Law Enforcement Officers - Restrictions**

Sincerely,

Janet Tupper
6 West Pennington Street, Oakland MD 21550
Janet.tupper@gmail.com

Testimony on Senate Bill 854 – Favorable - JCavana

Uploaded by: Jean Cavanaugh

Position: FAV

Testimony on Senate Bill 854 – Favorable
SB 854 – Public Safety - Law Enforcement Officers - Restrictions

Judicial Proceedings Committee

February 24, 2026

Dear Honorable Chair Smith, Vice Chair Waldstreicher, and Members of the Committee,

My name is Jean Cavanaugh, and I live in Frederick MD. I am writing in support of **SB 854 – Public Safety - Law Enforcement Officers - Restrictions**.

As we recently heard in testimony in support of banning 287g agreements with DHS/ICE, we know that local law enforcement may have racially profiled drivers in support of the current administration's aggressive deportation goals. This is wrong and violates the constitution. Federal agents working in Maryland should also be prohibited from stopping people due to their ethnicity or accent. In spite of the recent Supreme Court ruling on ICE traffic stops in California, the 4th and 14th amendments to the Constitution are still the law of the land.

SB 854 will explicitly codify current constitutional protections in Maryland law applicable to both local law enforcement and federal agents. Additionally, this bill provides an enforcement mechanism through private cause of action.

We must always remember that under this Administration, ICE and CBP agents are detaining people for long periods of time and without due process, often violating 6th amendment and other constitutional rights. The repercussions on each person wrongfully detained is enormous. Additionally, detention facilities are not providing healthy conditions for those detained. The persistent and loud racist tropes and actions coming from the White House are despicable and illegal. Strong state immigrant justice laws will help to protect the more than one million immigrants living and working in Maryland, as well as all people of color, citizen or not.

Please vote favorably for SB 854.

Thank you,

Jean Cavanaugh

Frederick, MD

SB 854_Ban on Racial Profiling_Feb. 24, 2026_JS (1

Uploaded by: Jo Shifrin

Position: FAV

Date of Hearing: February 24, 2026

Jo Shifrin

Bethesda, Maryland 20817

TESTIMONY ON SB 854 - POSITION: FAVORABLE

Public Safety - Law Enforcement Officers - Restrictions (Ban on Racial Profiling)

TO: Chair Smith Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee

FROM: Jo Shifrin

My name is Jo Shifrin. I am a resident of District 16. I am submitting this testimony in support of SB 854, Public Safety - Law Enforcement Officers - Restrictions (Ban Racial Profiling).

I am a retiree and moved to Bethesda in 2014. I'm a member of Adat Shalom, a Reconstructionist synagogue in Bethesda. My support for this legislation comes from my Jewish values. Among these values are *Tikkun Olam*, an obligation to make the world a more fair and equitable place and *Dei Machsoro*, a place where all people can live and thrive.

For the past year, federal agents have acted lawlessly. We have seen them make baseless arrests, abuse their authority and use excessive force. Although the Administration vowed to arrest only "the worst of the worst," we have seen ICE agents beat law-abiding residents and kill US citizens. ICE agents have swept up, brutalized, and detained anyone who they perceived to be Latino. Racial profiling occurs when police target someone based on that person's perceived or actual race, ethnicity, nationality, or religion, rather than evidence of criminal activity. This erodes trust between residents and law enforcement agencies, makes our communities less safe, undermines community policing efforts, and is likely unconstitutional (violating the Fourth Amendment).

This bill seeks to ensure that we maintain existing constitutional protections and limits federal abuses. It codifies constitutional protections against racial profiling by law enforcement officers, and it makes clear that federal agents are subject to the same Maryland standards as state and local law enforcement. It does not prevent the Federal government from enforcing immigration and other federal laws. And it does not include using race, ethnicity, or national origin, in combination with other identifying factors, when law enforcement seeks to apprehend a specific suspect wanted in connection with a specific offense. .

For these reasons, I respectfully urge this committee to return a favorable report on SB 854, Public Safety - Law Enforcement Officers - Restrictions (Ban Racial Profiling).

SB0854 - John Ford - favorable.pdf

Uploaded by: John Ford

Position: FAV

Dear **Members of the Judicial Proceedings Committee,**

I am a resident of **District 46**. I am a dedicated resident and community leader in Baltimore City's southeast: a community association board member, workforce development professional, and industrial and organizational practitioner. I live in and love the vibrant immigrant hub of Baltimore City, the engine of Baltimore's growth, near Highlandtown in District 46. I have been advocating and protesting for my immigrant neighbors and their human rights since 2016 when the lawless assault against them began in earnest with the illegal travel ban. **I am testifying in support of SB 854 to ban law enforcement racial profiling.**

This bill seeks to ensure we keep existing constitutional protections and limit federal abuses under so-called "Kavanaugh Stops" (and subsequent Kavanaugh Assaults). It codifies existing constitutional protections against racial profiling through language explicitly forbidding racial profiling by law enforcement. It 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 it ensures these rights are enforceable through a private cause of action. We need this bill. Without clear state-level protection, federal rulings can weaken how our rights are protected in Maryland.

As a Baltimore resident, trust in our communities that law enforcement is not operating from racial prejudice is critical to violence reduction and case closure rates. We need to send every clear signal we can as the State that we don't support that sort of discrimination.

It is for these reasons that I am encouraging you to vote in support of SB 854.

Sincerely,

John Preston Ford

529 S East Ave, Baltimore, MD 21224

Senate Bill 854 Favorable One Pasadena 2026.pdf

Uploaded by: John Jasen

Position: FAV

Judicial Proceedings Committee
Senate Bill 854
Favorable

Honorable Chair Smith, Vice Chair Waldstreicher, and Members of the Judicial Proceedings Committee;

We, the steering committee of One Pasadena: Building a Safe and Inclusive Community, ask that you give Senate Bill 854 a favorable report.

As an anti-bigotry group, we oppose all racial profiling. We hope that you will support Senator Sydnor's effort to rein in the racial profiling that ICE agents are known to be employing in their efforts to deport Brown and Black people. Please stand against the Kavanaugh stops that the federal government employs, and make it clear that we won't accept racist practices in our state. Thank you for the work you do.

Sincerely,
The One Pasadena Steering Committee
Pasadena, Maryland

SB0854_Testimony_2-24-26_js.pdf

Uploaded by: Joyce Sims

Position: FAV

Testimony on Senate Bill - **Favorable**
SB0854 - Public Safety - Law Enforcement Officers - Restrictions
Judicial Proceedings Committee

February 24, 2026

My name is Joyce Sims and I appreciate this opportunity to offer comments on SB0854 outlining specific restrictions on the part of federal law enforcement officers.

While I am pleased to be able to say that I have faith in my local St. Mary's County law enforcement, I cannot say the same for federal immigration enforcement officers, as it is evident they are failing to meet even the most basic accepted standards for policing, resulting in significant injury and harm to citizens and immigrants alike.

One of the more egregious tactics being used is racial profiling. This not only violates the Constitution's core promises of equal protection under the law for all persons and freedom from unreasonable searches and seizures, it also creates a dangerous environment for citizens and police alike.

Questioning and detaining people based on skin color or language spoken serves to create an environment of volatility and has proven to escalate situations that could have been neutralized effectively through proven police tactics. It has been well established that such action alienates communities from law enforcement and causes loss of credibility and trust among the people our police are sworn to protect and serve.

Latino citizens are especially at risk of harm, even those who are legally documented. It has been reported that higher percentages of Latino citizens are avoiding important activities, including being engaged in their children's schools and reporting crimes to police for fear of being detained without cause. I personally find the lie that deporting my neighbor is how I secure better pay and working conditions to be wrong and offensive.

The provisions of SB0854 establishes a reasonable standard for all law enforcement in Maryland, including federal officers.

Thank you for your favorable vote on SB0854.

Joyce Sims
Mechanicville MD 20659

Ref

American Military Univ; Aug 15, 2024; Bufano, V.A.

<https://www.amu.apus.edu/area-of-study/criminal-justice/resources/racial-profiling-vs-criminal-profiling/>

EBSCO Academic Research; 2024; Sims, V.

<https://www.ebsco.com/research-starters/law/racial-profiling-and-criminal-justice>

Cato Inst; Jan 22, 2026; Eddington, P. G.

<https://www.cato.org/commentary/ice-buys-its-way-around-fourth-amendment>

SB#0854--racial.profiling.pdf

Uploaded by: Julie Solomon

Position: FAV

Date of Hearing: February 24, 2026
Julie Robin Solomon
Baltimore City, Maryland 21231

TESTIMONY ON SB#0854 - POSITION: FAVORABLE

Full Bill Name: Public Safety—Law Enforcement Officers--Restrictions

TO: Chair, Sen William Smith; Vice Chair, Sen. Jeff Waldstreicher; and members of the Judicial Proceedings Committee

FROM: Julie Robin Solomon

My name is Julie Robin Solomon. I am a resident of District 46. I am submitting this testimony on SB#0854—Public Safety—Law Enforcement Officers—Restrictions.

I have resided in Baltimore City for 39 years. I belong to the ACLU, Casa, and Indivisible Baltimore. I strongly urge the Committee to pass SB#0854 . This Act is essential to ensure a civil right that is basic—to be free from racial profiling by all law enforcement officers, federal and state. Aall Marylanders, particularly those from historically disenfranchised communities, need to be protected from racial profiling. During this era, when the Trump administration is using ICE and CPB as a fascistic militia, we must make sure that all our community members, including vulnerable populations in our community, are not subject to racial profiling. It is our duty as Maryland citizens and elected officials to stand up for the most vulnerable in our community. That is what democracy means--safeguarding the total populace. As a longtime Baltimore City Resident, I have personally witnessed how police and the sheriff's department (in the past) have racially profiled my family members—stopping my young African American godsons on the street for no reason—even stealing from them. I have an African American son and African-American grandchildren and godchildren. My factotum is Latina. I want to make sure that they are not subject to such profiling. As our Federal Government becomes more racist and aggressive in its fascistic policing practices, our state must take a lead in ensuring that our citizens are not racially profiled. SB#0854 is an important way to achieve this aim. Thank you for all your hard work and efforts to stand up for our democracy.

Support HB0854.pdf

Uploaded by: Juliet Brown

Position: FAV

**Testimony on Senate Bill 0854 – Favorable
SB 0854 – Public Safety - Law Enforcement Officers – Restrictions**

Senate Judiciary Proceedings Committee

February, 24, 2026

Dear Honorable Chair Smith, Vice Chair Waldstreicher, and Members of the Committee,

My name is Juliet Brown, and I am a resident of St. Mary's County, Maryland. I am writing **in support of SB 0854**.

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.

Further, we can make clear that in order to rely on Maryland law in their activities, federal agents are subject to the same standards that apply to all other law enforcement officers operating in Maryland. In this way, this bill restricts federal agents' ability to engage in racial profiling or other abuses. And, by including a private cause of action, this bill ensures that its important protections are enforceable in state court.

I ask you to support this important bill to prevent racial profiling by federal entities.
Thank you.

Juliet Brown

St. Mary's County, Maryland

Testimony FOR SB854 - Girdner.pdf

Uploaded by: Linnie Girdner

Position: FAV

Testimony on Senate Bill 854 – Favorable - Public Safety - Law Enforcement Officers - Restrictions

Dear Honorable Chair Smith, Vice Chair Waldstreicher, and Members of the Committee,

My name is Linda Girdner and I am a resident of Gambrills, MD. I am writing in **support of SB854 Public Safety - Law Enforcement Officers – Restrictions.**

My mother grew up in Nazi Germany. As a child she saw Nazi officers kidnap and beat people on the street. How did those officers know the people were Jewish? Because Jews were required to wear a Star of David. In the United States of America in 2026, the color of one's skin is the equivalent. It does not convey citizenship or lack thereof. It does not convey criminal record, gang membership or lack thereof. ICE and CBP use racial profiling to determine whom to harass, kidnap, and attack, because this administration wants to get rid of Black and brown people. That is a flagrant violation of decency, the rule of law, and true Christian values (not those of White Christian Nationalists.) This is out of control authoritarianism. And you have some power to do something about it in Maryland.

This would not only apply to federal officers, but all law enforcement officers. We know that traffic stops and other actions by our own officers sometimes involve racial profiling. Let's put resident safety and dignity ahead of racist discriminatory actions. It will make Maryland a better place for all of us.

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.

Please move SB854 forward with a favorable vote in committee and on the floor.

Thank you for your consideration.

Linda Girdner

Member, Showing Up for Racial Justice Annapolis and Anne Arundel County

Testimony on Senate Bill 0854.pdf

Uploaded by: Lisa Sullivan

Position: FAV

Testimony on Senate Bill 0854 – Favorable
SB 0854 – Public Safety - Law Enforcement Officers – Restrictions

Senate Judiciary Proceedings Committee

February, 24, 2026

Dear Honorable Chair Smith, Vice Chair Waldstreicher, and Members of the Committee,

My name is Lisa Sullivan, and I am a resident of St. Mary's County, Maryland. I am writing in support of **SB 0854**.

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.

Further, we can make clear that in order to rely on Maryland law in their activities, federal agents are subject to the same standards that apply to all other law enforcement officers operating in Maryland. In this way, this bill restricts federal agents' ability to engage in racial profiling or other abuses. And, by including a private cause of action, this bill ensures that its important protections are enforceable in state court.

I ask you to support this important bill to prevent racial profiling by federal entities.
Thank you.

Lisa Sullivan

Hollywood, Maryland

SB0854 written testimony 2final.pdf

Uploaded by: Marcia Coe

Position: FAV

**Testimony on Senate Bill 854 – Favorable
SB0854 – Public Safety-Law Enforcement Officers-Restrictions**

Judicial Proceedings Committee

February 24, 2026

Dear Honorable Chair Smith, Vice Chair Waldstreicher, and Members of the Committee,

My name is Dr. Marcia Coe and I am a resident of Leonardtown, Maryland. I am writing in support of SB0854.

Racial profiling is discriminatory and law enforcement officers should be prohibited from this practice. Law enforcement officers who disclose instances of racial profiling should be protected from retaliatory punitive action.

Because racial profiling means basing decisions on racial bias or false assumptions, rather than reasonable suspicion or evidence, it violates the Fourth Amendment guarantee to be free of unreasonable searches and seizures.

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.

I urge you to vote favorably for this bill.

Respectfully submitted,
Marcia Coe, MD
Leonardtown, MD 20650

SB0854 To Prohibit Racial Profiling FAVORABLE 02-2

Uploaded by: Marcia Greenberg

Position: FAV

Testimony on SB854 – Favorable
Public Safety - Law Enforcement Officers - Restrictions
Senate Judiciary Proceedings Committee
February 24, 2026

Dear Honorable Chair Smith, Vice Chair Waldstreicher, and Members of the Judicial Proceedings Committee,

My name is Marcia Greenberg and I am a resident of Lexington Park in St Mary's County. I am writing in support of SB0854 – Public Safety, Law Enforcement Officers, Restrictions

Honorable Senators, I write this testimony with deep concern for what is happening in our country – and the astonishing lack of respect for the rule of law. Back in the 1980s, I earned my JD degree from Northwestern School of Law, where I studied constitutional law – and I learned about the roles of the federal and state governments. I understand the concept of “supremacy” – but I also understand the concept of states’ rights. I know that the Federal government was an essential legal force for desegregation in the South in the 50s and 60s – but that our State government is now an essential legal force for combatting racism in some states and counties today.

I have watched as this country has learned from our errors, and sought to address the persistence of racism. I was sobered, saddened and horrified as we saw law officers murder George Floyd – and too many others. I worked with friends and community to understand the need for anti-racism education and policies. I do believe that we, as a nation, need to work tirelessly to root out white supremacy, and to ensure that each and every human being who is living and working in, or even visiting, our country, is treated with dignity and respect.

I have therefore been horrified by the racism that comes out of the White House and from our Department of Homeland Services. I was shocked that the US Supreme Court gave the green light to ICE and CBP officers detaining people based solely on their apparent race. This is wrong. It must not be allowed.

Furthermore, having worked in Eastern Europe and West Africa on efforts to empower women in nations and communities that fail to respect their rights, I have also seen supposed “law enforcement” attack and repress innocent individuals with impunity. I know quite a bit about repressive regimes, authoritarian tactics, and governments that persecute their own people. But I never, ever – in my wildest nightmares – imagined that our country, the United States of America, would slide into terrorizing our own communities in ways reminiscent of Russia and East Germany, of Pinochet in Chile and the military in Argentina, of Duterte in the Philippines and the military in Myanmar. Nor that we would accept behavior by federal agents that would leave civilians more endangered than before.

Such “official” treatment of citizens and innocent residents by government-led thugs, should not happen in the United States of America. It violates all that we hold true – both legally and morally. What we see now – with ICE agents terrorizing our communities, dragging people out of their cars and their homes, and murdering peaceful protesters – must be stopped in every way possible. They are ruthless and cruel; they ignore our laws and due process.

As long as the Republicans control the House, Senate and White House, we cannot stop this ICE horror at the federal level. Even if we had counties that were willing to protect our neighbors, many do not have the mechanisms to stop it – and some “red counties” have openly expressed their intention to ignore the new ban on 287(g) in order to collaborate with ICE. They seek loopholes and opportunities to prey on innocent people who just happen to be brown or black-skinned. We cannot allow them the leeway, the opportunity, or the impunity to engage in any sort of racial profiling.

It is **imperative**, therefore, that you pass Senate Bill 854 to ensure that racial profiling by federal agents is not allowed in the State of Maryland – and to protect those in our State who would report such policies or behavior by law enforcement. And it is essential that there be mechanisms in our State laws by which individuals or organizations can sue and gain legal redress for racial profiling and predatory racist conduct.

Unable to protect ourselves at the federal and county levels, we turn to you to ensure that protections are passed, and will be enforced at the state level. We urge you to do the right thing for all Marylanders.

Please find in favor of SB0854 - Public Safety - Law Enforcement Officers - Restrictions. Please report it out to your colleagues in the Senate with a firm, positive vote.

Thank you for your time and consideration.

Marcia Greenberg
St Mary's County

Graber Racial Profiling Testimony.pdf

Uploaded by: Mark Graber

Position: FAV

Mark A. Graber, Regents Professor, University of Maryland Carey School of Law

SB 854/HB 1262, “An Act Concerning Public Safety—Law Enforcement Officers—Restrictions” continues the longstanding tradition of state laws protecting rights when the federal government falters. The Supreme Court of Iowa in *Clark v. Board of School Directors*, 24 Iowa 266 (1868) declared that segregated schools violated the state constitution long before the Supreme Court in *Brown v. Board of Education*, 347 U.S. 483 (1954) reached the same conclusion as a matter of federal constitutional law. The Supreme Court of California in *Perez v. Sharp*, 32 Cal. 2d 711 (1948) held that consenting adults had a right to marry the person of their choice at a time when the Supreme Court of the United States decision in *Pace v. Alabama*, 106 U.S. 583 (1883) maintaining that states under the Fourteenth Amendment could ban interracial marriage was still good constitutional law. SB 854/HB 1262 forbids the use of racial profiling in Maryland when the federal government enforces Maryland laws or operates jointly with Maryland officers at a time when the Supreme Court in *Noem v. Vasquez Perdomo*, 602 U.S. ____ (2025) has indicated that federal officers enforcing federal laws may stop a detain persons in part or in whole by their race or ethnicity.

The Constitution of the United States welcomes state court decisions and state laws that protect rights that the Supreme Court of the United States is presently not protecting under the Constitution of the United States. As Justice William Brennan famously pointed out many years ago, Supreme Court decisions interpreting the Constitution of the United States merely establish a floor under which states may not go. William J. Brennan, Jr., “State Constitutions and the Protection of Individual Rights,” 90 *Harvard Law Review* 489 (1977). Maryland may not violate what the Supreme Court has declared to be federal constitutional rights but the state legislature is free to protect rights the Supreme Court has declared are not guaranteed by the Constitution of the United States. Witness the substantial number of states that provide far more limits on eminent domain than the Supreme Court in *Kelo v. City of New London*, 545 U.S. 469 (2005) declared were constitutionally mandated. See Ilya Somin, “The Limits of Backlash: Assessing the Political Response to *Kelo*,” 93 *Minnesota Law Review* 2100 (2009).

Both prongs of SB854/HB1262 pass constitutional muster. The proposed law mandates that federal officers must obey Maryland laws on racial profiling when enforcing Maryland laws. The federal government has no power to enforce state laws. That is a state prerogative under the Tenth Amendment. Federal agents can enforce state laws only with state permission. The state may condition that permission on federal agents obeying state law enforcement rules when enforcing state laws. SB854/HB1262 mandates that joint federal/state operations must obey Maryland laws on racial profiling. The Supreme Court in *Printz v. United States*, 512 U.S. 898 (1997) held that the Tenth Amendment prohibits the federal government from commandeering state police forces without state permission to implement federal law. That permission, *Printz* and other cases agree, can come with conditions. SB854/HB1262 is Maryland’s declaration that state police forces may be used to enforce federal law in Maryland only when joint operations respect Maryland law on racial profiling.

SB854/HB1262 present no Supremacy Clause problems. The Supremacy Clause prohibits states from interfering with federal efforts to implement federal law. Nothing in SB854/HB1262 restricts constitutional federal efforts to implement federal laws in Maryland. The measure merely declares that when federal agents seek to implement Maryland laws in Maryland or ask for the assistance of Maryland officials to implement federal laws in Maryland, they must adopt Maryland’s rules on racial profiling.

New Racial Profile.pdf

Uploaded by: Mary McDougal

Position: FAV

SB0854/ HB1262 Ban Racial Profiling

FAVORABLE

Dear Honorable Members,

Much of what I have seen from the current ICE employees , many people of color have been targeted, arrested and some instances, have lost their life.

Any strengthening of the current laws could prevent mishap. I live in St Mary's county and fear our black and brown community members could be racially profiled by having their rights as citizens be violated . We should live as one community and not discriminate based on skin color/ hair style or accent.

There are better ways !

Thank you,

Mary

Favorable Testimony on Senate Bill 0854 .docx.pdf

Uploaded by: Rosa Hance

Position: FAV

**Testimony on Senate Bill 0854 – Favorable
SB 0854 – Public Safety - Law Enforcement Officers – Restrictions
Senate Judiciary Proceedings Committee**

Hearing Date: February 24, 2026

Honorable Chair Smith, Vice Chair Waldstreicher, and Esteemed Members of the Judiciary Proceedings Committee,

My name is Rosa Hance, and I am a resident of St. Mary's County, Maryland. I am writing in strong support of **SB 0854**. Prohibiting racial profiling is fundamental for our continuing democracy.

This bill seeks to ensure constitutional protections and limit federal abuses of power. We need this bill. Without clear state-level protections, federal rulings can weaken how our rights are protected in Maryland. I strongly support that 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.

It is important for us to protect our residents and to make clear that in order to rely on Maryland law in their activities, federal agents are subject to the same standards that apply to all other law enforcement officers operating in Maryland. In this way, this bill restricts federal agents' ability to engage in racial profiling or other abuses. And, by including a private cause of action, this bill ensures that its important protections are enforceable in state court.

I ask you for a favorable report on this important bill to prevent racial profiling by federal entities. Thank you.

Rosa Hance

Great Mills, Maryland

FAVORABLE SB0854-Samantha Hodge-Williams.pdf

Uploaded by: Samantha Hodge-Williams

Position: FAV

**Testimony on Senate Bill – Favorable
SB0854 - Public Safety - Law Enforcement Officers - Restrictions**

Senate Judicial Proceedings Committee

February 24, 2026

Dear Honorable Chair Smith, Vice Chair Waldstreicher, and Members of the Committee,

My name is Samantha Hodge-Williams, and I am a resident of Garrett County, Maryland. I am writing in support of **SB0845 - Public Safety - Law Enforcement Officers – Restrictions**.

For years, our country has banned racial profiling nationally as it violates constitutional rights. It's important now that our state also has a ban on racial profiling to ensure that violations can be prosecuted. Without clear state-level protections, federal rulings could weaken how our rights are protected in Maryland. Federal law enforcement should be held to the same standards of conduct as trustworthy local law enforcement.

Please support **SB0845 - Public Safety - Law Enforcement Officers – Restrictions**

Thank you for your time and consideration.

Testimony on SB 854.pdf

Uploaded by: Sara Ryan

Position: FAV

Testimony on House Bill – Favorable

SB854 - Public Safety - Law Enforcement Officers - Restrictions

Committee: Judicial Proceedings

2/20/2026

Dear Honorable Chair, Senator William C. Smith, Jr., Vice Chair, Senator Jeff Waldstreicher, and Members of the Committee,

My name is Sara D. Ryan, and I am writing in support SB854 - Public Safety - Law Enforcement Officers – Restrictions

We must pass this bill protecting our community from racial profiling. Our democracy depends upon law enforcement exercising uniform standards. Our country is founded on the premise that we are created equal. Unfair practices like profiling create bitterness and fear. Then public distrust in law enforcement increases. Furthermore, community members are less likely to cooperate if they sense that a member of their community is being subjected to harsher treatment under the law.

I am a senior citizen. I watched what has happened over decades when civil right were violated and people of color were singled out for more frequent and harsher penalties. No one is safe when resentment and distrust grow within targeted groups of people.

I urge you to vote in favor of SB854 - Public Safety - Law Enforcement Officers – Restrictions. We must prohibit a law enforcement officer of law enforcement agency from engaging in racial profiling. We must also prohibit a law enforcement agency from taking retaliatory punitive action against a law enforcement officer who discloses information concerning racial profiling. Thank you for your time and consideration.

Sara D. Ryan, 6420 Jefferson Boulevard, Frederick, MD 21703

Testimony on Senate Bill 854 – Favorable Susan Rib

Uploaded by: Susan Ribe

Position: FAV

Testimony on Senate Bill 854 – Favorable

SB854 – Public Safety - Law Enforcement Officers - Restrictions

Judicial Proceedings

February 24, 2026

Dear Honorable Chair Smith, Vice Chair Waldstreicher, and Members of the Committee,

My name is Susan Ribe, resident of Montgomery County, Maryland. I am writing in support of **SB854 – Limit Racial Profiling**.

Racial profiling in law enforcement is contrary to the idea of equal justice under the law. It is un-American and inconsistent with Maryland values. Entire communities are being terrorized by lawless federal agents using violence against law-abiding people. The level of violence is truly shocking including 16 shootings by DHS officers since July, including one in Glen Burnie.

I support SB854 because federal officials and the Supreme Court are not defending against these abuses. Maryland must affirm existing constitutional protections against racial profiling through language explicitly forbidding racial profiling by law enforcement.

ICE is a special threat to our communities. Some of my law-abiding neighbors have been taken or threatened by ICE. My community is traumatized by ICE's violent and racial-profiling tactics.

Legislation such as SB854 increases my feeling of safety as a Maryland resident. This legislation addresses racial profiling, and the specific abuses perpetrated by ICE. The private cause of action included in SB854 helps to counter the feeling of powerlessness resulting from lawless ICE behavior that has faced no consequences thus far.

For these reasons, I respectfully urge the committee to issue a **favorable report on SB854**.

Thank you for your time and consideration.

Sincerely,

Susan Ribe

Silver Spring, Maryland 20906

SB854 - Racial Profiling.pdf

Uploaded by: Tatiana Santos

Position: FAV

Honorable Chair Barlett, Vice Chair Davis, and Members of the Committee,

My name is Tatiana Santos, and I am a resident of Frederick, Maryland. I am speaking today in support of SB854.

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.

Two months ago, I was stopped by local police in Frederick, MD for what the officer told me was “expired tags.” My tags had just been renewed and the sticker on the plate read 2029 so the fact that they were expired was disputable. After 15 minutes of exchange where the officer asked me to provide my license, my registration, and ultimately my insurance card, it was determined that there must have been a glitch in the MVA system. I was given a warning. When I got home and read my warning document, I noticed under the Race section, it listed HISPANIC in bold letters. With a 287g agreement in place at that time, it became clear that I was not stopped for expired tags, but rather for driving while Hispanic.

My situation is not unique. In my community advocacy work, a family lost their primary breadwinner when he was stopped by ICE while going to work in a white work van. We’ve seen the videos of innocent people being kidnapped by ICE while taking out the trash at a restaurant or helping a stranger who was supposedly stranded. Black and brown people are being targeted simply for how they look.

I support **SB854** because this bill restricts federal agents’ ability to engage in racial profiling or other abuses. And, by including a private cause of action, this bill ensures that its important protections are enforceable in state court.

For these reasons, I respectfully urge the committee to issue a **favorable report** on **SB854**.

SB 854_FAV_ACLUMD.pdf

Uploaded by: Tierra Bradford

Position: FAV



Testimony for the Senate Judicial Proceedings Committee

SB 854: Public Safety - Law Enforcement Officers - Restrictions

February 24th, 2026

FAVORABLE

TIERRA BRADFORD
SENIOR POLICY COUNSEL

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GENERAL COUNSEL

The ACLU of Maryland urges a favorable report on SB 854, which seeks to codify existing constitutional protections against racial profiling through language explicitly forbidding racial profiling by law enforcement. The bill also seeks to clarify 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 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. Overall, SB 854 is seeking to ensure that Maryland keeps existing constitutional protections and limits federal abuses to the maximum extent allowable by law.

Racial profiling refers a discriminatory practice by law enforcement officials in which an individual or individuals are targeted for suspicion of crime based on the individual's race, ethnicity, religion or national origin.¹ This practice stems from a form of racial bias where people of color are associated with crime, thereby fueling the racial inequalities present in many areas of the criminal legal system.

Landmark cases examining law enforcement and the use of race in policing practices include *Terry v. Ohio* where the supreme court ruled that officers could stop and search individuals only when they had "specific and articulable facts" pointing to possible criminal activity and *Brignoni-Ponce* where the supreme court held that Border Patrol agents could not stop

¹ See <https://www.aclu.org/documents/racial-profiling-definition>

vehicles simply because the passengers appeared to be of Mexican ancestry.² In *Brignoni-Ponce* the court specifically clarified that ethnicity could not stand alone as a basis for suspicion, and doing so is violation of the 4th amendment. When police target someone in any way based on that person's perceived or actual race, ethnicity, or nationality, rather than evidence of criminal activity or illegality, they are engaging in racial profiling.

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.³ The Department of Homeland Security (DHS) and Immigration Agents are routinely defying court orders and engaging in mass civil rights violations – as seen recently in Minnesota, where agents killed two legal observers.⁴ 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. Alarming, a recent memo to ICE agents directs them to enter homes and private spaces without a judicial warrant.⁵

² *Terry v. Ohio*, 392 U.S. 1 (1968); *United States v. Brignoni-Ponce*, 422 U.S. 873 (1975)

³ <https://www.npr.org/2025/10/23/nx-s1-5538090/ice-detention-custody-immigration-arrest-enforcement-dhs-trump>

⁴ <https://abcnews.go.com/Politics/minute-minute-timeline-fatal-shooting-alex-pretti-federal/story?id=129547199>

⁵ <https://www.documentcloud.org/documents/26499371-dhs-ice-memo-1-21-26/>

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 *Vasquez Perdomo v. Noem*, SCOTUS telegraphed a troubling acceptance of explicit 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 making investigative stops based in part on apparent race or ethnicity. The effect of the SCOTUS ruling was to allow this racial profiling to continue. In a shocking concurring opinion, Justice Kavanaugh justified and defended the practice, downplaying the individual and social harms of actions long 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.⁶

These erosions at the federal level threaten our rights under Maryland's state constitution. Maryland courts almost always interpret provisions of the state Constitution to mean the same thing as the federal Constitution, relying heavily on federal court decisions to inform state law. Without clear state-level protections, federal rulings can weaken how our rights are protected in Maryland. There are 11 other states that have already adopted legislation banning racial profiling.

⁶ There has been a significant amount of criticism of the Kavanaugh concurrence from the legal community and other stakeholders. For example, one magazine article discussed how the concurrence expands the "prerogative state" -a legal regime targeting vulnerable communities-that will sweep millions of lawful residents into the immigration enforcement system. *The Little Discussed Reason Brett Kavanaugh Is Comfortable Greenlighting Racial Profiling*, <https://slate.com/news-and-politics/2025/09/supreme-court-news-brett-kavanaugh-racial-profiling.html> Another article discusses backlash on Kavanaugh's description of interactions between ICE and people who lawfully reside in the U.S.. Kavanaugh stated that suspected persons found to lawfully reside in the U.S. are "promptly let go" though many people attest to the contrary. *We Found That More Than 170 U.S. Citizens Have Been Held By Immigration Agents. They've Been Kicked Dragged And detained For Days* <https://www.propublica.org/article/immigration-dhs-american-citizens-arrested-detained-against-will>

Given the very real risk of federal court retreat from this core constitutional principle of equal treatment and protection against racial profiling, we must make it clear that in Maryland, law enforcement is prohibited from engaging in the practice.

Limits on Federal Reliance on State Law & State and Local Law Enforcement Officers Participating in Federal Task Forces

Maryland, like many other states, defines in state law when federal law enforcement officers may rely on state law to make arrests. Provisions like this are necessary, because federal officers do not have any authority granted by federal statutes to enforce state laws (other than on federal property). SB 854 makes clear that whenever federal officers rely on this state granted authority, they must also be acting in accord with state law, including the ban on racial profiling. The bill also makes clear that to the extent federal officials want to rely on the provision in existing law allowing arrests when there is an emergency, that authority exists only when the emergency is declared pursuant to existing state law.

The final provision in SB 854 makes clear that when state or local law enforcement officers participate in federal task forces and are thereby granted authority to act pursuant to federal law, they must still adhere to the state laws governing their actions. This provision is necessary to ensure that federal agreements deputizing state or local police do not become an end run around the limits that Maryland has enacted into law.

History of ACLU fight against Racial Profiling in Maryland

The ACLU has worked to eliminate the racial profiling practices of the Maryland law enforcement since the early 1990s. In 1993, the ACLU brought a class-action lawsuit against the Maryland state police (MSP) on behalf of Robert L. Wilkins, a Black lawyer (and currently a federal appellate judge) who was stopped, detained, and searched for no apparent

reason. The case revealed that MSP illegally targeted Black motorists for stops and searches along Maryland's highways. In 1995, the parties entered into a settlement requiring MSP to collect data on traffic stops and searches and take measures to prevent racial profiling. Two years later, the federal court overseeing the case ruled that MSP was continuing to target non-white motorists for traffic stops and searches, in violation of the Wilkins agreement.

In 1998, based on accumulated evidence showing a continuing pattern and practice of discrimination by MSP troopers, the ACLU, on behalf of the Maryland NAACP and several individual plaintiffs, filed another lawsuit against MSP for continuing to engage in racial profiling. This lawsuit was finally settled in April 2008 with MSP agreeing to provide the Maryland NAACP with quarterly reports containing detailed information on the number, nature, location and disposition of racial profiling complaints. In a related, but separate action, in February 2007, the Maryland NAACP submitted a request designed to determine whether MSP had complied, and was continuing to comply, with its obligations under the consent decree. MSP was ordered to release records of investigations into racial profiling complaints against police personnel.

The ACLU of Maryland, along with our partners have worked over the last three decades to not only address harmful racial profiling practices in Maryland but work to prevent future harmful practices through transparency and accountability. SB 854 ensures that Maryland residents will be protected from racial profiling even if the Supreme Court undermines the current constitutional protections barring that practice.

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. Because racial profiling means basing decisions on racial bias or false assumptions, rather than reasonable suspicion or evidence, 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.

Every time someone is stopped, questioned, searched, or otherwise targeted by law enforcement based on their actual or perceived identity, it violates the constitutional requirement under the 14th Amendment 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 the fact that it 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.⁷

Maryland must take affirmative steps to ensure existing protections against racial profiling are not eroded here, and to protect Marylanders from racial profiling and by federal agents to the maximum extent allowable by law. For the foregoing reasons, the ACLU of Maryland urges a favorable report on SB 854.

7

<https://www.hks.harvard.edu/centers/wiener/programs/criminaljustice/research-publications/dispatches/bpd-racial-bias#takeaway2>

AMERICAN CIVIL
LIBERTIES UNION
FOUNDATION OF
MARYLAND

FAVORABLE SB0854-Valerie Hodge-Williams.pdf

Uploaded by: Val Hodge-Williams

Position: FAV

Testimony on Senate Bill – Favorable
SB0854 - Public Safety - Law Enforcement Officers - Restrictions
Senate Judicial Proceedings Committee

February 24, 2026

Dear Honorable Chair Smith, Vice Chair Waldstreicher, and Members of the Committee,

My name is Valerie Hodge-Williams, and I am a resident of Garrett County, Maryland. I am writing in support of **SB0845 - Public Safety - Law Enforcement Officers – Restrictions.**

I am thankful that our country has banned racial profiling nationally for years a constitutional violation. Our state now should also have a ban on racial profiling to ensure that violations can be prosecuted. Without clear state-level protections, federal rulings could weaken how our rights are protected in Maryland. Federal law enforcement should be held to the same standards of conduct as trustworthy local law enforcement.

Please support **SB0845 - Public Safety - Law Enforcement Officers – Restrictions**

Thank you for your time and consideration.

SB0854_TogetherWeWillHarfordCountyIndivisible_FAV.

Uploaded by: Ydelka Schrock

Position: FAV

January 24, 2026

Ydelka A. Schrock
Aberdeen Proving Ground, 21005

TESTIMONY ON SB0854 – IN SUPPORT

Public Safety – Law Enforcement Officers - Restrictions

TO: Chair Senator William C. Smith, Jr., Vice Chair Senator Jeff Waldstreicher, and members of the Judicial Proceedings Committee

FROM: Ydelka A. Schrock

My name is Ydelka A. Schrock. I am a resident of Harford County District 34A. I am submitting this testimony in support of SB0854, Public Safety – Law Enforcement Officers – Restrictions, on behalf of Together We Will Harford County Indivisible (TWW). TWW is an inclusive and diverse group of 500 regular members, with over 1,000 followers on social media, working together to create a just community that empowers individuals to participate in our democracy and stand up for social, racial, and economic justice to create a place where all can thrive.

The success of the United States has in part come from the immigrants who inhabit this nation. They have played a crucial role in enriching our economy, fostering innovation, and enhancing the cultural diversity which plays a vital role in the societal development of the United States. Now they are being scapegoated and demonized.

In America we continue to see images of our neighbors being racially profiled by federal agents who have sworn an oath to uphold the constitution yet continuously disregard its principles. In Maryland we must not let our police officers follow this example. Racial profiling has profound social and cultural impacts on communities that experience it. This act can shape the perceptions and interactions that an individual will have with institutions, and it will only erode trust between law enforcement and communities of color. Racial profiling perpetuates negative cultural stereotypes that can have intergenerational effect and prolong historical traumas within the community. This can lead to significant economic and institutional consequences that can affect opportunities, resources, and social mobility.

When individuals feel targeted and harassed by authorities a sense of mistrust and hostility will lead to less cooperation with law enforcement and a reduction in reporting crimes. Racial profiling will only undermine community safety and social cohesion. This is why passing this bill is so important. Maryland law enforcement should continue to uphold the constitution and protect the civil liberties of the residents they have sworn to protect.

On behalf of TWW, I respectfully urge this committee to return a favorable report on SB0854.

MCPA-MSA - SB 854 - Law Enforcement Officers – Res

Uploaded by: Samira Jackson

Position: UNF



Maryland Chiefs of Police Association Maryland Sheriffs' Association



MEMORANDUM

TO: The Honorable William C. Smith, Jr., Chair and
Members of the Judicial Proceedings Committee

FROM: Darren Popkin, Executive Director, MCPA-MSA Joint Legislative Committee
Andrea Mansfield, Representative, MCPA-MSA Joint Legislative Committee
Samira Jackson, Representative, MCPA-MSA Joint Legislative Committee

DATE: February 24, 2026

RE: **SB 854 - Public Safety – Law Enforcement Officers – Restrictions**

POSITION: **OPPOSE**

The Maryland Chiefs of Police Association (MCPA) and the Maryland Sheriffs' Association (MSA) **OPPOSE SB 854**. The bill first requires federal law enforcement officers operating in Maryland to act “in accordance with State law.” While we understand the intent of this language, it must be recognized that federal officers derive their authority from federal statutes and the United States Constitution. To the extent there is any conflict between federal authority and state-imposed limitations, the Supremacy Clause would control, and the provision risks being preempted. Conditioning federally granted enforcement authority on compliance with state law, without clearly addressing potential conflicts, creates legal uncertainty and invites litigation that may ultimately undermine the bill’s enforceability.

With respect to the bill’s prohibition on racial profiling, MCPA and MSA unequivocally support the principle that policing must be fair, impartial, and free from bias. In Maryland, racial profiling is already prohibited under agency policies, training standards, and existing accountability frameworks. Our concern is with the bill’s enforcement language and evidentiary standard. Without clear evidence of discriminatory intent or animus, it is unclear how an alleged violation would be determined. Reliance on circumstantial evidence alone, particularly where the threshold is undefined, creates a highly subjective standard that may lead to inconsistent application and second-guessing of lawful enforcement actions.

MCPA and MSA remain committed to just and equitable policing and share the goal of preventing discriminatory practices. However, legislation must be carefully structured to avoid constitutional conflict and to provide clear, objective standards for enforcement. For these reasons, MCPA and MSA **OPPOSE SB 854** and urge an **UNFAVORABLE** committee report.

SB 854_HB 1262_ Public Safety - Law Enforcement O

Uploaded by: Trudy Tibbals

Position: UNF

SB 854/HB 1262: Public Safety - Law Enforcement Officers - Restrictions: Please vote to **OPPOSE** this bill.

Dear Judicial Proceedings Committee & Judiciary Committee:

I am writing to respectfully strongly **oppose SB 854/HB 1262**, concerning *Public Safety – Law Enforcement Officers – Restrictions*.

Public safety depends on law enforcement officers having the ability to respond effectively, decisively, and in real time to rapidly evolving situations. **SB 854/HB 1262 raises concerns that additional statutory restrictions could limit officers' discretion and operational flexibility in ways that may hinder their ability to protect the public and ensure community safety.**

Law enforcement professionals are already required to operate under extensive legal standards, departmental policies, training requirements, and accountability measures. Imposing further broad restrictions through statute may create uncertainty in the field, discourage proactive policing, and complicate split-second decision-making in potentially dangerous circumstances that may affect public safety.

Additionally, policies that affect day-to-day law enforcement practices are often best developed at the departmental level, where leadership can tailor procedures to the unique needs of their communities while maintaining compliance with state and federal law. A one-size-fits-all statewide mandate will not account for the diverse challenges faced by urban, suburban, and rural jurisdictions across Maryland.

Ensuring accountability is essential—but it must be balanced with the need for officers to perform their duties safely and effectively. Measures that inadvertently undermine law enforcement capacity may have unintended consequences for crime prevention and emergency response.

For these reasons, I respectfully urge you to **oppose SB 854/HB 1262**.

Thank you for your time and thoughtful consideration.

Respectfully,

Trudy Tibbals