

Testimony on House Bill 1262 – Favorable
HB1262 – Public Safety – Law Enforcement Officers - Restrictions
Judiciary Committee
March 3, 2026

Dear Honorable Chair Bartlett, Vice Chair Davis, and Members of the Committee,

My name is Jean Montgomery, and I am a resident and community member from Olney, Montgomery County, Maryland. I am writing in support of HB1262—Public Safety—Law Enforcement—Restrictions, which seeks to ensure we keep existing constitutional protections and limit federal racial profiling abuses. It:

- (1) Codifies existing constitutional protections against racial profiling through language explicitly forbidding racial profiling by law enforcement;
- (2) Makes it 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
- (3) And ensures these rights are enforceable through a private cause of action.

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 need this bill to protect against the way in which racial profiling erodes our Constitutional rights and freedoms. First, 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, it violates the 14th amendment of the Constitution, which requires that that police and other government officials accord all people equal protection under the law. Secondly, it violates the 4th amendment of the Constitution which guarantees all persons to be free of unreasonable searches and seizures, as racial profiling means one is basing one's decisions on racial bias or false assumptions, rather than reasonable suspicion or evidence. Third, Maryland needs to protect its residents from the Supreme Court's tacit endorsement of racial profiling, when it suspended implementation of two lower court orders that had prohibited ICE from making investigative stops based in part on apparent race or ethnicity in its *Vasquez Perdermo v. Noem* shadow docket decision.

I personally **strongly support HB 1262** because 1) it is the right, moral, and ethical thing to do, 2) doing so upholds the protections afforded under the US Constitution for all persons and works to correct for the Supreme Court's failure to do so, and 3) my family and my community is comprised of vibrant, multicultural individuals who contribute to my community's churches, schools, local businesses, and economy.

Maryland residents demand our Constitutional rights be protected. We demand protection against racial profiling and use of aggressive and deadly force which federal law enforcement agents have used to detain, imprison, transport, and imprison our fellow Maryland residents and neighbors. Without clear state-level protections, federal rulings weaken how our rights are protected. For these reasons, I urge the committee to issue a **favorable report on HB1262**. Thank you for your time and consideration.

Sincerely,

Jean Montgomery.