



February 20, 2026

House Judiciary Committee
Maryland General Assembly
Annapolis, MD

Re: HB 1341 - Public Schools – School Security Personnel – Immigration Investigation and Enforcement

Dear House Judiciary Committee Members,

You may already have read several of my letters by now. I assure you, I wrote them in good faith.

I am writing now to ask you to give a favorable report for HB 1341. Article VIII, § 1 of the Maryland Constitution says that the State “shall by Law establish throughout the State a thorough and efficient System of Free Public Schools; and shall provide by taxation, or otherwise, for their maintenance.” Relying on the rationalizations of a previous decision, the Court in *Bradford v. Maryland State Board of Education* in 2023 found that the State was responsible for providing at least a basic education.¹

This Court finds that the correct guidance in interpreting ART. VIII, § 1 is that the development of a statewide education system is up to the legislature's determination, and, at most, the legislature is commanded to "to establish such a system, effective in all school districts, as will provide the State's youth with a basic public school education." *Hornbeck v. Somerset County Bd. of Educ.*, 295 Md. 597,632 (1983).

The holding in *Hornbeck* concludes that ART. VIII, § 1 of the Maryland Constitution represents a floor for a basic education. It held "education need not be 'equal' in the sense of mathematical uniformity, so long as efforts are made ... to minimize the impact of undeniable and inevitable demographic and environmental disadvantages[.]" This holding explicitly recognizes that although a system may be imperfect, the Maryland Constitution only requires an effort by the State to at most provide a basic education. *Hornbeck.*, 295 Md. at 632.

An effort.

¹ *Bradford v. Maryland State Board of Education*, at 15. Available at https://www.aclu-md.org/app/uploads/2023/03/2023_-_bradford_v_msbe_-_opinion.pdf (last accessed February 20, 2026).



An effort is all that is required to provide a basic and free education to all students under the Maryland Constitution.

In *Lau v. Nichols* (1974), the Supreme Court found that obstacles related to national origin, in this case language, could be shown to be national origin discrimination under the Fourteenth Amendment of the United States Constitution, and the Civil Rights Act of 1964.²

Plyler v. Doe (1982) found that the Fourteenth Amendment applies even to noncitizen students.³

We can make, at the very least, *an effort* to not violate our students' constitutional rights by protecting our schools and our students from unconstitutional interference with their right to an education. We have given our students this right under the Maryland Constitution and if we are to make laws to the contrary, then good luck overcoming that. The unconstitutional, warrantless searches that have been carried out across the country under this Administration by federal officials carrying administrative, non-judicial warrants, not only violate our students' and their families' rights but are an obvious obstacle and interference to a student's right to a basic education. Whether they are carried out on or off campus, students' lives are upended by this chaos.

Ratifying any further cooperation is putting our residents in harm's way. Please vote favorably for HB 1341.

Sincerely,

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² *Lau v. Nichols* (1974) brief and oral arguments available on Oyez at <https://www.oyez.org/cases/1973/72-6520> (last accessed February 20, 2026).

³ *Plyler v. Doe* (1982) brief and oral arguments available on Oyez at <https://www.oyez.org/cases/1981/80-1538> (last accessed February 20, 2026).