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SB 531

Discrimination - Definition of Race - Hair Texture and Hairstyles
Hearing before the Senate Judicial Proceedings Committee
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Position: SUPPORT

The Public Justice Center (PJC) is a not-for-profit civil rights and anti-poverty legal services organization which seeks to advance social justice, economic and racial equity, and fundamental human rights in Maryland. The PJC strongly **SUPPORTS SB 531**, which would ban discrimination against natural hairstyles, including braids, twists and locks.

SB 531 Acknowledges the Persistence of Race-Based Discrimination Against Women of Color in the Workplace, and the Coding of Such in 'Neutral' Policies. Women of color, and Black women in particular, are harmed and put at risk of losing their jobs, housing, public accommodations, and a multitude of other opportunities based off of beauty and grooming standards centered on Eurocentric cultural norms. These Eurocentric cultural norms, which are deemed 'neutral,' do not take into account the ways in which hair naturally grows out of people of colors' head, or the ways that people of color style their hair. When these norms are put into employment policies, school codes of conduct and dress codes, it provides a pass for racial bias, whether explicit or implicit.

SB 531 Would Help Eliminate Race-Based Discrimination Against Black People in the Workplace and Other Needed Sectors. For many people of color, their hair is part of their identity.¹ Black children should not be required to cut off their hair to participate in a sporting event, as Andrew Johnson was in New Jersey.² Black women should not be forced to choose between a job offer and wearing their hair how they are comfortable, as Chastity Jones was in Alabama.³ For instance, Dena Robinson, the Murnaghan Appellate Advocacy Fellow with the PJC has locs. She has described the anxiety she feels around her hair and job interviews and said that she

¹ Deborah Pergament, *It's Not Just Hair: Historical and Cultural Considerations for an Emerging Technology*, Chicago-Kent Law Review Vol. 75, Issue 1 (Dec. 1999).

² Michael Gold and Jefferey C. Mays, *Civil Rights Investigation Opened After Black Wrestler Had to Cut His Dreadlocks*, <https://www.nytimes.com/2018/12/21/nyregion/andrew-johnson-wrestler-dreadlocks.html> (Dec. 21, 2018).

³ Chanté Griffin, *How Natural Black Hair at Work Became a Civil Rights Issue*, <https://daily.jstor.org/how-natural-black-hair-at-work-became-a-civil-rights-issue/> (Jul. 3, 2019).

always gets her hair done a day or two before job interviews to mitigate the likelihood of being read as unprofessional. Stories like these happened and continue to happen across the country, and SB 531 will finally provide legal protection to populations of people who have experienced and been harmed by hair discrimination for a substantial length of time.

SB 531 is Modeled Off of Legislation Recognizing the Above Points and Will Propel Maryland Towards Greater Racially Equitable Standards of Practice. California⁴, New York⁵, and New Jersey⁶ were the first states in the country to enact legislation to ban discrimination against natural hairstyles. Montgomery County, Maryland,⁷ and Cincinnati, Ohio,⁸ have also passed local laws banning the same. Race discrimination hurts students and workers, decreases overall wellbeing, and inhibits economic opportunity. It is already illegal to discriminate based on race; SB 531 simply provides further clarity on what constitutes race discrimination.

For the foregoing reasons, the PJC strongly **SUPPORTS SB 531** and urges a **FAVORABLE** report. Should you have any questions, please contact Tyra Robinson at robinson@publicjustice.org.

⁴ California SB 188.

⁵ S.6209A/A.7797A Human Rights Law and Dignity for All Students Act.

⁶ S3945 CROWN Act.

⁷ Montgomery County CROWN Act, Bill No. 30-19.

⁸ Cincinnati Ordinance No. 379 (2019).