

February 12, 2021

**Testimony on HB 198
Criminal Law - Disturbing the Peace - Prohibited Actions
Judiciary**

Position: Unfavorable

Common Cause Maryland opposes HB 198 which attacks our free speech rights, intentionally chilling the act of protesting by threatening those individuals with overly harsh criminal penalties.

In Maryland, we have always enjoyed our right to peacefully protest. Time and time again, non-violent protests have been at the heart of moving our state and our nation forward. HB 198 is a giant leap in the wrong direction, trampling on the rights of Marylanders simply because some do not like the message or the fashion in which protesters are making their voices heard. Regardless of the message, non-violent protest is protected speech.

Additionally, by harshly increasing penalties and imposing jail time and fees for offenses commonly used as a pretext to arrest non-violent protesters or to target non-violent acts of civil disobedience, this heavy-handed legislation serves only to exacerbate our overly high incarceration rates.

In this important moment in our history, amidst calls for racial justice and an end to police violence, the bill sponsor has chosen to ignore those calls and instead has prioritized punishing the people courageous enough to speak out. Support for HB 198 will leave the General Assembly on the wrong side of history when it comes to the advancement of racial justice and equality.

HB 198 could also have far-reaching and long-term consequences well beyond the particular protests this measure targets since depending on the timing of arrest could prevent people from having access to their ballot during election season. It serves no purpose other than to quell First Amendment rights, now and in the future. We should be encouraging Marylanders to use their voices to strengthen our democracy, not telling them to suppress their calls for justice.

We urge an unfavorable report.