



**SENATE BILL 298**

***Criminal Law – Threat Against Public Health Official or Hospital Staff Member***

**WRITTEN TESTIMONY BEFORE THE SENATE JUDICIAL PROCEEDINGS COMMITTEE**

**For the Maryland Association of County Health Officers (MACHO)**

**Earl Stoner, MPH, Health Officer, Washington County**

*Position: – Support – February 8, 2022*

Good afternoon, Mr. Chairman, and distinguished members of the committee. My name is Earl Stoner, Health Officer for the Washington County Health Department. On behalf of the Maryland Association of County Health Officers (MACHO), the professional association of the chief executives of the state's 24 local health departments, I am speaking **in support of Senate Bill 298**.

In March 2020, facing what would soon become the most significant public health crisis of our time, we, and our local health officer colleagues across the country, raced to implement life-saving prevention and mitigation measures in response to the emergence and rapid spread of SARS-CoV-2, now known as the COVID-19 pandemic. We have been fighting this virus at the same time we are learning about it in real time. Over the course of this pandemic, many in our communities, understandably, have grown weary of some of the measures utilized to address the pandemic, and unfortunately some are acting out with harassing, abusive and threatening behaviors.

The level of harassment and intimidation from some members of the public of public health officials and local health department (LHD) staff across the country during the COVID-19 pandemic, is unprecedented. The experience of local health officers and staff in Maryland has been no different. Health officers and local health departments do not expect to win popularity contests and normally operate with very little public attention. Health Officers are appointed based on our knowledge and expertise and hold a statutory responsibility and authority to protect the health and safety of our communities. LHD staff are hired for their extensive knowledge, expertise and training in their areas of professional preparation and roles in LHDs. Our recommendations and decisions are not about controlling people; they are based on science, evidence, and best practices. We realize these decisions may not always be popular, but they are needed to save lives.

I personally have received written and verbal threats, been harassed, and intimidated in public, and had my child harassed at school. In response to these threats, I had a security system installed and had law enforcement patrols at my private residence. It is alarming and unnerving that we, our families, and our staff have endured this. All for just doing our jobs - following science-based recommendations and taking steps to save lives.

Other Maryland health officers have received threatening letters from the public, been harassed, and threatened through social media, have experienced threats to disrupt response efforts, had family members harassed, and have needed law enforcement patrols and security support for their safety, the safety of their families, and the safety of local health department staff. LHD staff have had to endure similar threats and harassment. Hate filled and harassing messages are left on voicemails and flood email inboxes for example. There is currently no mechanism for consequences to the offenders as Maryland is one of a few states that lacks protections specific to public health officials and staff. There has been no deterrent to those intending to do us harm or who want to make our jobs more difficult, so the threats continue and are worsening.

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Simply following best practices regarding the most effective way to protect the health of individuals, families, and children, should not result in threats, harassment, and intimidation toward us, our staff or our families. Following best practices saves lives, and to fail to follow them would be neglecting our legal and ethical responsibility according to our oath of office to protect our communities.

These threats have taken a toll: over 500 public health officials nationally have left their jobs or have been removed since the pandemic began – 7 of these were Maryland local health officers, impacting roughly 29% of Marylanders. And that is just the top leaders of local and state health departments; one would estimate the number of LHD staff who have left their positions is much higher during the pandemic. A MD law exists to protect elected officials from threats and harassment, but there is no existing MD law to protect appointed officials. It would be ideal to see public health officials afforded comparable protections to those currently protecting elected officials, namely fines up to \$2,500 and prison sentences up to 3 years. Although more limited, the conditions set forth under SB 298 are an important legal recognition of the need to protect health professionals while upholding their duties to protect the safety and lives of Maryland's residents. We support protections for hospital staff who face similar threats and harassment at their workplaces.

We understand and respect the fact that the public has a right to responsibly speak out on any issue. However, when individuals cross the line into threatening behaviors and impede our ability to carry out emergency response measures, these actions are unconscionable, irresponsible, and reckless, and should not be tolerated. Furthermore, how can we encourage and recruit people into public health jobs if they fear that the work they have been trained to do will be called into question and their lives and the lives of their families will be at risk? Our public health workforce cannot afford to be further decimated.

In closing, these threats and intimidation against us in our professional capacity have profound impacts to not only us, but to our families. Instead of facing threats and intimidation that hinder our ability to protect and serve our communities, we need the protection and support to successfully carry out the responsibilities of our jobs. We need to make it safe for our staff and for those wanting to work in local public health to do so. I urge your support of this critically important legislation. We do not want or need to be in the spotlight. We simply want to be protected, as elected officials are, while performing our duties.

Thank you for your time and invitation to address the committee.

For more information, please contact Ruth Maiorana, Executive Director, MACHO, at [rmaiora1@jhu.edu](mailto:rmaiora1@jhu.edu) or 410-937-1433. *This communication reflects the position of MACHO.*