March 3, 2025

To Whom It May Concern:

We are writing to express strong opposition to **HB 1462** (Solomon, Boafo, Cardin, Ebersole, Edelson, Fair, Foley, Forbes, D. Jones, Kaiser, Kaufman, Lehman, R. Lewis, Spiegel, and Vogel) / SB 847 (Hettleman).

Higher Education - Antihate and Antidiscrimination Policies and Workgroup (Maryland Campus Accountability and Modernization to Protect University Students Act)

We strongly oppose SB 847/HB 1462.

This legislation would codify into law policies restricting free speech on campus that have been applied in biased ways across the United States in retaliation against nonviolent student activists speaking out about the devastation caused by sustained military attacks on Palestinians.

The following are reasons for our opposition to this bill:[1]

1. Although the bill purports to address a range of discriminatory speech acts, its structure, tactics, and timing link it to the **repressive policies** that have been introduced at universities and colleges across the US in the last year in response to pro-Palestine activism.
2. The reporting requirement incentivizes campus administrators to repress disfavored speech, particularly speech that is likely to attract media attention, and risks that **campus administrators will chill speech that is perceived to be controversial**, such as activities expressing anti-war sentiment.
3. Time/place/manner restrictions create an onerous and confusing process that **discourages student activists from exercising their free speech rights.**
4. Requirements that all institutions commit to involving security or law enforcement for political expression that causes (self-defined) “significant disruption” is the wrong direction for Maryland during this time, because it increases restrictions on civil liberties just as we face more and more threats to liberty.
5. The requirement to involve police or campus security could be escalatory and prohibits the use of de-escalatory methods like liaisons from the dean of students / student life office
6. In recent years, pro-Palestine speech has been repressed at unprecedented rates through biased applications of hate speech and anti-discrimination laws and policies.

[1] Some of our testimony is excerpted from or based on parts of the Jewish Voices for Peace (JVP) Action statement about this bill.

7. Given the proposed budget cuts to public schools and The University of Maryland, the **$500,000 allocation in this bill could instead be used to meet some urgent needs of our state's public schools and universities.**
8. Even though the bill seems to be content-neutral and therefore within the bounds permitted by the First Amendment, the restrictions on expressive activities are so sweeping that it would silence many expressive activities on Maryland campuses.
9. These kinds of mandates on university administrators incentivize overreach, pre-emptive censorship, and other harms because administrators are justifiably concerned about penalties.
10. There is no evidence given that the policies mandated by this bill would lead to reductions in hate or discrimination.

Signatures:

Michael Rosenblum, Professor of Biostatistics, Johns Hopkins University

Elizabeth L. Ogburn, Professor of Biostatistics, Johns Hopkins University

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The opinions expressed herein do not necessarily reflect the views of The Johns Hopkins University.