

March 3, 2025

**Testimony on HB1462—Position: Unfavorable**  
**Higher Education - Antihate and Antidiscrimination Policies and Workgroup (Maryland**  
**Campus Accountability and Modernization to Protect University Students Act)**

TO: Chair Ben Barnes, Vice Chair Mark Chang, and the members of the House Appropriations Committee

FROM: David Freund, Silver Spring, MD 20902, on behalf of the Montgomery County Jewish Collective

My name is David Freund and I am a resident of Maryland District 18. I am writing as a representative of the Montgomery County Jewish Collective. The Montgomery County Jewish Collective (MCJC) is a new Jewish communal and advocacy organization committed to collective liberation as the cornerstone of a vibrant, safe, and supportive Jewish community and a safe and equitable county and state for all. We came together in response to the genocide in Gaza, sharing sadness and anger at the failure of our Jewish community institutions to recognize the value of Palestinian lives. We strongly believe that both criticism of Israel and pro-Palestinian speech must be protected. Given this, and given the clear suppression of such speech on college campuses last year, we have serious concerns about HB 1462.

I am also writing as a parent of a Jewish UMD student and a Professor of History at College Park, with considerable experience studying and teaching the history of racial, religious, and ethnic discrimination in the United States. For three decades, I have worked with faculty, students, and the general public on a range of anti-hate educational projects, including the PBS series “Race: The Power of an Illusion.”

We certainly appreciate the stated intentions of this bill. All college students in the state should feel safe and protected from discriminatory speech and actions. At the same time, we believe that the problem of hate on college campuses has been greatly exaggerated for expressly political purposes, and we do not believe that this legislation is necessary to make safety a reality. Most if not all of our universities already have anti-hate and anti-discrimination policies and procedures concerning protected classes, including religious identity. Any threats to the safety of students—emotional or physical— can be addressed by the policies and procedures currently in place. It is fundamentally unnecessary to introduce legislation unless the intent is in fact to push universities to crack down further on protest.

Last year, college students across the United States organized in support of Palestine. In Maryland, although we do not find the response of our universities to have been perfect, we did not see anything like the worst examples of suppression that occurred elsewhere. But we fear that the provisions of the bill will provide legislative sanction for exactly the kind of suppression of speech that we saw elsewhere in the United States. On the face of it, this bill appears neutral. But in our political context, there is no way that it can be. Since October 7, 2023, universities across the country, in concert with local law enforcement bodies, have used anti-hate and anti-discrimination policies and time, place, and manner rules to shut down *one* kind of student protest. In some glaring cases, they *failed* to apply the same policy to protesters on the other side.

At the best of times, “hate” and “harassment” are slippery and subjective terms. But in this moment, we are facing and must name a fundamental disagreement over what constitutes hate. Criticism of the policies and actions of the state of Israel, a political entity, are not in and of themselves antisemitic; indeed, countless Jewish Americans and Marylanders are themselves deeply critical. But many powerful institutions and individuals have declared that they are in fact the same thing. These institutions have been deeply involved in trying to direct university responses to pro-Palestinian protest. They have insisted that Jewish students feel inherently threatened by protest critical of Israel and supportive of Palestinians, despite the fact that many Jewish students are *themselves involved in such protest*. And the result has been suppression, often violent, justified in large part by the very kinds of seemingly neutral policies that this bill codifies, despite the fact that suppression has been disproportionately aimed at Muslim, Arab, and Palestinian students. Right now, the Trump administration is trying to deport pro-Palestinian international students—and urging universities to participate in identifying them. We fear that this legislation will embolden those who would support such clearly discriminatory actions.

We respectfully urge the committee to return an unfavorable report on HB 1462.