

Testimony in Opposition to SB0709 - Criminal Law – Masked Intimidation – Prohibition (Unmask Hate Act)

My name is Chynnah McFadden and I am a Baltimore City resident testifying today on behalf of Fight for the Future, a privacy and human rights organization, in opposition to Senate Bill 0709- the Masked Intimidation Prohibition or Unmask Hate Act.

Fight for the Future is an organization concerned with fighting surveillance and censorship with over 2.5 million members nationwide, including nearly 45,000 in Maryland alone.

We strongly oppose mass surveillance and suppression of free speech and have been tracking a number of mask ban bills like SB0709 across the country. Despite being pitched as ‘anti-crime’ bills, it is our conclusion that these bills are a mass effort to threaten, intimidate, and ultimately censor Americans exercising their right to protected free speech.

Proponents of the bill claim “masked intimidation” at protests as their justification citing the importance of “Black-Jewish solidarity” in the face of intimidation by Proud Boys, neo-Nazis, etc but this claim largely ignores the fact that Senate Bill 0709 will undoubtedly be weaponized against many Maryland residents, including Jewish people but especially Black and Brown people, who attempt to exercise their right to protected free speech or simply wear a mask while going about their daily lives. We’ve already seen evidence of this in Nassau County, New York and beyond as mask bans are used to target protestors and chill protected speech.

Making masking illegal in any context encourages unwanted surveillance, profiling and harassment from police, and stigma against protecting one’s health and privacy, which is unacceptable. In an era where our faces are increasingly scanned, sold, and stored in insecure databases, covering one’s face for any reason should never be criminalized.

Fight for the Future also recognizes that legislation banning mask wearing in public serves to reinforce systemic inequalities, especially for marginalized people like myself, a disabled resident living in a metropolitan, high pathogen exposure area near the University of Maryland and UMD St. Joseph Medical center. To criminalize masking during a time of a constitutional crisis, while the current administration is defunding federal programs aimed at keeping public health a priority, is to put people like myself at great risk.

For these reasons, I am urging the Judicial Proceedings Committee to protect Maryland residents' privacy, freedom of speech and public health by opposing Senate Bill 0709 and any other legislation that criminalizes masking in public. Mask ban legislation like Senate Bill 0709 does not ‘unmask hate’, it does not keep our Maryland communities safe and in fact is a threat to our civil liberties at a time when it’s more crucial than ever to defend them.

Thank you,