



LEGISLATIVE POSITION: HB 1081 (Boafo, Simpson, Spiegel, Toles, and Vogel) / SB 709 (Waldstreicher and Jackson) - Criminal Law - Masked Intimidation - Prohibition (Unmask Hate Act)

Jewish Voice for Peace Action (JVPA) is a national grassroots Jewish organization in support of Palestinian rights. We have over 10,000 supporters in Maryland, and chapters in Baltimore City, the DC Metro area, and University of Maryland College Park.

JVPA Local Leaders in Maryland **strongly oppose** this bill. While we oppose harassment and intimidation, this bill could function as a **blanket prohibition on wearing masks** at protests and could be used to punish protesters for disfavored speech. As such, it directly **undermines the rights of individuals to peacefully assemble and express their views**, particularly in contexts where they may need protection from respiratory illness, doxing, harassment, or violence. [As Jews](#), we believe this bill does not protect us, but actively endangers us and our allies.

KEY POINTS

- The prohibition of masks at protests could result in a **chilling effect on free speech**. Individuals may feel discouraged from participating in political demonstrations if they believe their identities will be exposed by state or private actors seeking to squash that political opinion, leading to a reduction in diverse voices and perspectives in public discourse. As a result, [the ACLU has opposed such mask bans](#).
- **Masks serve as a critical layer of protection** for individuals who fear retaliation or harassment due to their beliefs or activism. In recent months, many peaceful activists and protestors, including many Jews in support of Palestinian rights, have faced severe repercussions for their participation in demonstrations, including doxing—where personal information is shared publicly to incite harassment and in some cases death threats. As stated by the [ACLU](#), *“At a time when both public and private actors are increasingly turning to invasive surveillance technologies to identify protesters, mask-wearing is an important way for us to safeguard our right to speak out on issues of public concern.”*
- Although the bill permits masks for health or religious reasons, it’s unclear how protesters who are wearing masks for these reasons will be able to prove that to police officers at a protest, **putting marginalized people especially at risk**.
- Masking is an important public health measure and people’s decisions to mask in order to protect themselves and those in their community should be between them and their medical care teams; police at a protest are unqualified to assess health concerns.
- The bill’s sponsors have been open about **their intent to target speech critical of the State of Israel**, by [describing this bill as a response to protests against Israel’s genocide of Palestinians in Gaza](#). As such, the bill is effectively not content neutral and clearly has the goal of chilling specific political speech.



- Maryland already has laws in place to address harassment and intimidation. Adding this bill to the legal framework will **create redundancy** rather than effectively addressing the underlying issues of violence and intimidation.

This bill is intended to suppress criticism of Israel and will chill legitimate political speech while exposing citizens to health risks as well as risks of doxxing, harassment, and violence.