

February 24, 2025

The Honorable Chair Senator William C. Smith, Jr.

Chairman, Judicial Proceedings Committee

2 East Miller Senate Office Building

11 Bladen Street

Annapolis, MD 21401

RE: OPPOSITION of Senate Bill 0709

(Criminal Law - Masked Intimidation - Prohibition (Unmask Hate Act)) - **UNFAVORABLE**

Dear Chair Smith and Judicial Proceedings Committee Members,

My name is Marilyn Kiely, I am a MD resident and I am writing to urge you to vote unfavorably on House Bill 1081/Senate Bill 0709. Carve-outs for medical mask use are not enough to protect disabled people from the dangerous consequences of this bill. Anti-mask laws will only increase mask stigma, increasing harassment and discrimination against mask-wearers.

Criminalizing masking is bad policy for public health. This is especially true right now, as the Maryland Department of Health recommends masking due to high hospitalization rates for COVID, influenza, and RSV.

I am a healthcare worker at a local hospital and masks are required for direct patient care for immunocompromised patients. Data on current circulating respiratory illness have pushed hospitals to this patient mandate. I am an individual that has had chronic illness that does not have an official diagnosis or health documentation to provide as a mask wearer. Health exemptions for mask bans are impractical and unfair to enforce. The logistical challenges of verifying exemptions would result in inconsistent application and abuse, creating a civil rights and public health crisis.

It will also escalate biased law enforcement, which already disproportionately harms Marylanders who are Black, Indigenous, and/or People of Color (BIPOC). And this legislation will create a chilling effect on anyone who simply wants to protect themselves from airborne illness as they go about their lives.

For these reasons and more I ask that the Senate Judicial Proceedings Committee give SB0706 an unfavorable report.