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Judiciary Committee
100 Taylor House Office Building
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Tuesday, February 18, 2025

HB1081 – Criminal Law - Masked Intimidation - Prohibition (Unmask Hate Act)
Position: **FAVORABLE**

Chair Clippinger, Vice Chair Bartlett, and Esteemed Members of the Judiciary Committee:

I am Phillip Westry, Executive Director at FreeState Justice, a 501(c)3 nonprofit organization dedicated to serving the diverse backgrounds of LGBTQ+ Marylanders with legal services, community education, and resources. I am writing in support of **HB1081**, which seeks to prohibit individuals from intentionally harassing, intimidating, or threatening another person while hiding or concealing their face.

In 2022, 17.2% of hate crimes and bias motivations were related to one's sexual orientation (13.6%) or gender identity (3.6%) (Department of Justice, 2023). The data also suggests that these incidents are on the rise, with an unsettling 120% increase in anti-LGBTQ+ incidents between 2021 and 2022 (Department of Justice, 2023). Even more distressing is that these data may be less representative of the actual amount of hate crimes LGBTQ+ Marylanders experience a year. Research shows that LGBTQ+ people fear contacting the police to report a crime (Bernstein & Kostelac, 2002) or seek out public services (Coolhart & Brown, 2017) because they anticipate being further victimized or discriminated against.

LGBTQ+ people also experience violent victimization (i.e., rape or sexual assault, robbery, aggravated assault, and simple assault) at alarming rates in America (Truman & Morgan, 2022). One report conducted by the Department of Justice between 2017 and 2020 (Truman & Morgan, 2022) found that lesbian and gay people experienced violent victimization at twice the rate of as straight people. Trans people, compared to cisgender people, experienced violent victimization 2.5 times as much. Bisexual people were most likely to experience domestic violence, with bisexual women experiencing violent victimization at eight times the rate of straight women and over twice the rate as lesbian or gay people. Despite these experiences with violent victimization, a little more than half (58%) of these incidents were reported to the police by lesbian and gay people, and only 31% of bisexual persons reported the incident.

Despite a decline in overall crime rates, the alarming trend of hate crimes is on the rise, particularly against the LGBTQ+ community. In 2023, FBI crime data revealed 51.5% of all hate crimes were race/ethnicity motivated, and 18.1% were sexual orientation based. Sexual orientation-based attacks increased by 23% from 2022, and gender identity-based attacks were up 16%. Anti-LGBTQ+ motivated crimes

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FreeState Justice, Inc. is a social justice organization that works through direct legal services, legislative and policy advocacy, and community engagement to enable Marylanders across the spectrum of lesbian, gay, bisexual, transgender, and queer identities to be free to live authentically, with safety and dignity, in all communities throughout our state.

constituted more than 20% of all hate crimes. In many instances, perpetrators of violence cover their faces so they may not be identified. **HB1081** addresses this unprecedented anti-LGBTQ+ violence by prohibiting individuals engaging in such behavior from covering their faces.

Specifically, HB1081 has the potential to significantly reduce bias-motivated crime by prohibiting the concealment of a perpetrator's face. This may reduce the likelihood of such individuals engaging in discriminatory, violent behavior. It is also a crucial tool in support of law enforcement; when such attacks occur, law enforcement may more easily identify unmasked perpetrators.

As an advocate, I understand the struggle that LGBTQ+ individuals face every day for simply being themselves. At a time of unprecedented anti-LGBTQ+ violence and sweeping anti-LGBTQ+ legislation nationwide, the LGBTQ+ community needs protection now. **HB1081** is essential to address and prevent violence against marginalized communities that have historically remained underserved by the law.

I urge the committee to issue a favorable report for **HB1081**. This legislation is critical to ensure hate crimes do not continue to rise and perpetrators of violence do not feel safe to engage in such violent, biased behavior. In taking this step to prevent masked intimidation, Maryland will join a nationwide movement to combat targeted hate.

Sincerely,

Phillip Westry
Executive Director
FreeState Justice

Sources:

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6. Mapping Attacks on LGBTQ Rights in U.S. State Legislatures in 2025, <https://www.aclu.org/legislative-attacks-on-lgbtq-rights-2025>
7. New FBI Data: Anti-LGBTQ+ Hate Crimes Continue to Spike, Even as Overall Crime Rate Declines, <https://www.hrc.org/press-releases/new-fbi-data-anti-lgbtq-hate-crimes-continue-to-spike-even-as-overall-crime-rate-declines>