

Dear Senator Guzzone and Delegates Atterbeary, Guzzone, and Terrasa,

I'm writing as a concerned Marylander about the recently proposed anti-masking legislation, "Criminal Law - Masked Intimidation - Prohibition (Unmask Hate Act) - HOUSE BILL 1081 (SB0709)," sponsored by Delegates Boafo, Simpson, Spiegel, Toles, and Vogel and Senators Waldstreicher and Jackson. As someone who masks in all public spaces - both indoor and outdoor - to protect themselves from respiratory viruses including Covid-19, RSV, and the flu, I find this bill extremely concerning for multiple reasons and urge its immediate retraction.

Though the bill has a supposed carve out for those who wear masks or face coverings for health/religious reasons, it is not clear how individuals will be able to prove this. The decision of what constitutes "masked intimidation" and who has "legitimate" needs will be left up to police officers who are responding to "violations" and it puts many individuals at significant risk, especially people of color and immunocompromised/disabled folks. This bill will increase racial profiling and harassment of people of color, and ultimately increase racial medical disparities. Those who are immunocompromised and disabled also face great threats to their health with this bill, especially if they are forced to remove their mask, which would increase their chance of catching airborne viruses (e.g., Covid or Flu) and developing long-term conditions (e.g., Long Covid or Long Influenza).

In January of this year, the Maryland Department of Health re-recommended universal masking in all healthcare settings because of surging rates of respiratory illnesses in the state

(https://www.mbp.state.md.us/forms/Clinician_Letter_Source%20Control_1.14.2025.pdf).

Currently, flu rates are at a 25-year record high and over 1 in 10 emergency room visits in Maryland have been because of the flu (as of Feb 8, according to the Maryland DOH). Based on publicly available hospital and wastewater data, Maryland has very high levels of Covid-19 as of February 11th.

According to the CDC, FDA, WHO, and OSHA, the best evidence-backed tools we have to keep people safe from airborne illnesses (e.g., Covid-19 and flu) are masks such as KN95s and N95s.

By allowing this bill to move forward and essentially criminalizing mask-wearing, you are inadvertently adding to an already existing public health disaster.

This dangerous bill will do little to stem supposed "masked intimidation" by protestors, and instead will contribute to the further discrimination of already marginalized groups such as Black and Brown and/or disabled/immunocompromised Marylanders. By conflating mask-wearing with criminality, you are sending a dangerous message to Marylanders and further contributing to the politicization of a key tool that keeps people safe from respiratory illnesses, disability, and death. I strongly urge you to vote against House Bill 1081/Senate Bill 0709 and urge your colleagues on the Judiciary and Judicial Proceedings committees to vote against it as well.

Thank you for your consideration,

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