

SB0001/HB0155: Public Safety - Law Enforcement Officers - Prohibition on Face Coverings: Please **VOTE AGAINST** this bill.

Dear Judiciary Committee:

I respectfully request that you vote to **oppose** **SB0001/HB0155 – Public Safety: Law Enforcement Officers – Prohibition on Face Coverings**.

While transparency and accountability in law enforcement are critically important, this bill will have the unintended consequence of **compromising officer safety and undermining effective policing**. In many circumstances, face coverings are essential tools that protect officers from physical harm, retaliation, and long-term health risks.

One major concern is that the language “...THE UNIFORM POLICY MAY ALLOW FOR USES OF FACE COVERINGS UNDER CIRCUMSTANCES ABSOLUTELY NECESSARY TO PROTECT THE HEALTH OR SAFETY OF LAW ENFORCEMENT OFFICERS WHILE PERFORMING PUBLIC SAFETY FUNCTIONS, INCLUDING THE USE OF FACE COVERINGS DURING INCLEMENT WEATHER...” will **NOT** cover **all** the circumstances for which our officers will need to be protected and is too broad to be effective.

Another concern is the language “...A COUNTY, A MUNICIPALITY, OR A LAW ENFORCEMENT AGENCY OF THE STATE OR A POLITICAL SUBDIVISION OF THE STATE MAY NOT ADOPT A POLICY, OTHER THAN THE UNIFORM POLICY DEVELOPED BY THE COMMISSION, REGARDING THE USE OF FACE COVERINGS BY LAW ENFORCEMENT OFFICERS...” will **NOT** allow local entities to create a policy that is more effective for their jurisdiction than this one-size-fits-all policy of the State.

Law enforcement officers often wear face coverings during crowd-control situations, protests, tactical operations, undercover assignments, or when responding to credible threats. Requiring officers to expose their identities in volatile or hostile environments **increases the risk of targeted retaliation against officers and their families, both during and after an incident**. This risk is not hypothetical and has been documented nationwide. **Officers must be able to protect their identities to preserve operational integrity and prevent criminal actors from identifying, intimidating, or retaliating against them and their families.**

From a **public safety standpoint**, courts have consistently recognized that the government has a compelling interest in protecting the safety of law enforcement personnel. **Policies that unnecessarily heighten risk may expose the state to liability if officers are harmed as a foreseeable result of mandated exposure.**

Additionally, face coverings may be necessary for **health and safety reasons**, including protection from airborne hazards, chemical agents, smoke, infectious diseases, or environmental debris. I see that there is language in the bill to define a “face covering”. However, **a blanket prohibition fails to account for the realities of the job and limits officers’ ability to adapt to dangerous or unpredictable conditions.**

Accountability should be achieved through **constitutionally sound, proven measures** such as body-worn cameras, clear identification numbers, internal oversight, and civilian review mechanisms—**not by exposing officers to unnecessary danger**. These tools promote transparency without exposing officers to heightened danger or restricting operational discretion in the field.

The language “...A CITATION ISSUED UNDER THIS SECTION SHALL BE SIGNED BY THE POLICE OFFICER WHO ISSUED THE CITATION AND SHALL CONTAIN: THE NAME AND ADDRESS OF THE LAW ENFORCEMENT OFFICER CHARGED...” creates an issue of identifying the officer’s home address, which could be used against the officer for retaliation purposes, putting the officer and his/her family in danger.

The language “...THE DEFENDANT MAY BE LIABLE FOR THE COSTS OF THE PROCEEDINGS IN THE DISTRICT COURT AND FOR PAYMENT TO THE CRIMINAL INJURIES COMPENSATION FUND...” is **broadly** overreaching, as **a criminal defendant is not liable** “...for the costs of the proceedings in the District Court...” We should not be penalizing our officers for something a hardened, violent criminal doesn’t even get penalized for, especially over something as superficial as a face covering.

SB0001/HB0155 prioritizes a one-size-fits-all mandate over nuanced, lawful public safety practices and will create unintended legal and safety consequences. It also risks discouraging qualified individuals from entering or remaining in law enforcement at a time when recruitment and retention are already significant challenges.

For these reasons, I respectfully urge you to **vote against SB0001/HB0155.**

Thank you for your time and consideration.

Respectfully,

Trudy Tibbals