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POSITION ON PROPOSED LEGISLATION

BILL: Bill 5-26, Police—Mask of Facial Coverings—Prohibited (The Unmask ICE Act)

FROM: Maryland Office of the Public Defender

POSITION: Favorable

DATE: March 3, 2026

The Maryland Office of the Public Defender respectfully requests that the Committee issue a favorable report on Bill 5-26, limiting the use of masks by law enforcement agents operating in Montgomery County.

Over the last year, the use of full face masks by federal law enforcement officers engaged in immigration enforcement has become widespread, often paired with a highly militarized style of dress and equipment, and an unprecedented disregard for the 4th Amendment. The terror and desperation that this style of aggressive, militarized enforcement has caused is not conducive to safe and peaceful communities. Masked anonymity for law enforcement agents encourages a sense of impunity and separation, rather than encouraging connection and deescalation; masks thereby increase the risks to everyone involved. Prohibiting the use of masks by law enforcement in most circumstances is one common-sense step towards promoting accountability and ultimately fostering safer and more humane interactions between law enforcement agents and county residents.

This bill is useful not only in its applicability to the federal agents, but also in its broad applicability to local law enforcement. If local law enforcement agencies wish to continue to build trust across the state in order to do their work effectively, they must distance themselves clearly and decisively from their counterparts engaged in federal immigration enforcement. Prohibiting the use of masks, which have become associated with some of the worst abuses by immigration authorities, is one powerful way to assert that Montgomery County's law enforcement officers are not faceless outsiders who answer to no one, but rather identifiable human beings, members of the communities

that they police, who carry out their duties while remaining accountable to the system and the people that they serve.

For these reasons, the Maryland Office of the Public Defender urges a favorable report on Bill 5-26.

Submitted by: Maryland Office of the Public Defender, Government Relations Division.

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