

Climate Assessment

Office of Legislative Oversight

BILL 5-26: POLICE – MASK OR FACIAL COVERINGS – PROHIBITED (THE UNMASK ICE ACT)

SUMMARY

The Office of Legislative Oversight (OLO) anticipates Bill 5-26 will have no impact on the County's contribution to addressing climate change as the Bill proposes a ban on law enforcement officials wearing masks while on duty.

BACKGROUND AND PURPOSE OF BILL 5-26

Aggressive federal immigration enforcement in the County and throughout the United States has created a heightened sense of fear and further eroded public trust in law enforcement. Immigration and Custom Enforcement (ICE) officers are now routinely masking and wearing plainclothes without visible law enforcement identification while on duty. According to a letter from twenty-one State Attorney Generals to members of Congress, this practice poses “significant public safety risks”.¹

Other jurisdictions and states around the country – such as the City of Denver, the State of California, and the State of Virginia - have introduced or passed legislation banning local, state, and federal law enforcement officials from wearing a mask while on duty.² The Maryland General Assembly recently introduced legislation that would ban law enforcement officials from wearing masks on duty.³

According to its lead sponsor, the purpose of Bill 5-26 is to “strengthen community safety by ensuring residents can clearly identify law enforcement.”⁴ Bill 5-26 would ban federal, state, and local law enforcement officers from wearing masks or other face coverings while on duty in the County. Exceptions to this ban include:

- Medical-grade masks that are surgical or N95 respirators designed to prevent the transmission of airborne diseases;
- Masks designed to protect against exposure to smoke during a fire;
- Masks that are necessary to perform duties during a water rescue operation;
- Masks related to protection against exposure to biological or chemical agents during an incident where such agents may be present;
- Masks designed to protect against exposure to cold during a declared weather emergency; or
- Agents on a SWAT team.⁵

The County Council introduced Bill 5-26, Police – Mask or Facial Coverings – Prohibited (The Unmask ICE Act), on January 20, 2026.⁶

ANTICIPATED IMPACTS

There is some emerging research which shows local policies that promote safety and protection for immigrants can help local immigrant communities feel safer and allow for trust to be built between local governments and immigrant communities.⁷ This can aid in increasing access to local resources, especially for immigrants with insecure citizenship status that face structural barriers in accessing government services.⁸ However, research is unclear on the overall impact on how these policies affect immigrants' access to resources – such as food, affordable housing, stable employment, and healthcare, which would increase capacity to respond to natural disasters and storms.⁹

Community resilience includes housing, healthcare, infrastructure, and the well-being of community members – the more resources a community has, the better a community can respond to natural disasters and storms.¹⁰ However, as the Bill proposes a ban on law enforcement officials wearing a mask or other facial covering while on duty and would not provide further protections to immigrant communities against federal immigration enforcement, OLO anticipates Bill 5-26 will have no impact on the County's contribution to addressing climate change, including the reduction and/or sequestration of greenhouse gas emissions, community resilience, and adaptative capacity.

RECOMMENDED AMENDMENTS

The Climate Assessment Act requires OLO to offer recommendations, such as amendments or other measures to mitigate any anticipated negative climate impacts.¹¹ OLO does not offer recommendations or amendments as Bill 5-26 is likely to have no impact on the County's contribution to addressing climate change, including the reduction and/or sequestration of greenhouse gas emissions, community resilience, and adaptative capacity.

CAVEATS

OLO notes two caveats to this climate assessment. First, predicting the impacts of legislation upon climate change is a challenging analytical endeavor due to data limitations, uncertainty, and the broad, global nature of climate change. Second, the analysis performed here is intended to inform the legislative process, not determine whether the Council should enact legislation. Thus, any conclusion made in this statement does not represent OLO's endorsement of, or objection to, the bill under consideration.

PURPOSE OF CLIMATE ASSESSMENTS

The purpose of the Climate Assessments is to evaluate the anticipated impact of legislation on the County's contribution to addressing climate change. These climate assessments will provide the Council with a more thorough understanding of the potential climate impacts and implications of proposed legislation, at the County level. The scope of the Climate Assessments is limited to the County's contribution to addressing climate change, specifically upon the County's contribution to greenhouse gas emissions and how actions suggested by legislation could help improve the County's adaptative capacity to climate change, and therefore, increase community resilience.

While co-benefits such as health and cost savings may be discussed, the focus is on how proposed County bills may impact GHG emissions and community resilience.

CONTRIBUTIONS

OLO staffer Kaitlyn Simmons drafted this assessment.

¹ [Letter from State Attorney Generals to Members of Congress, RE- Ice Masking Legislation, Sent July 15, 2025.](#); [Office of the New York State Attorney General, "Press Release: Attorney General James Leads Coalition Urging Congress to Protect Americans from Masked ICE Agents", July 15, 2025.](#)

² [WUSA9, "Maryland lawmakers propose ban on police masks amid immigration crackdown", January 15, 2026.](#); [California Legislative Information, SB-627 Law enforcement: masks, Effective September 20, 2025.](#); [PBS, "Q&A: Denver Councilmember on the Effort to Unmask ICE Agents", January 26, 2026.](#); [WRIC, "State lawmaker introduces bill to unmask ICE in Virginia", November 25, 2025.](#)

³ [Maryland General Assembly, SB001 - Public Safety - Law Enforcement Officers - Prohibition on Face Coverings, Introduced January 14, 2026.](#)

⁴ [Introduction Staff Report for Bill 5-26, Police - Mask or Facial Coverings - Prohibited \(The Unmask ICE Act\), Montgomery County Council, Introduced January 20, 2026.](#)

⁵ [Ibid.](#)

⁶ [Ibid.](#)

⁷ [Houston, A. R., Salhi, C., and Lincoln, A. K., "Messaging inclusion with consequence: U.S. sanctuary cities and immigrant wellbeing", *Journal of Migration and Health*, July 23, 2023.](#); [Bruce, B. and Cretex, L, "The Invisible Boundaries of Sanctuary Cities: Local Policies Towards Undocumented Migrants in Los Angeles During COVID-19", *Urban Migrant Inclusion and Refugee Protection - Volume 2*, August 2, 2025.](#); [Houston, A. R., et. al., "Challenging federal exclusion: Immigrant safety, health, and healthcare access in sanctuary cities", *Health & Place Journal*, May 2022.](#)

⁸ [Houston, A. R., Salhi, C., and Lincoln, A. K., "Messaging inclusion with consequence: U.S. sanctuary cities and immigrant wellbeing", *Journal of Migration and Health*, July 23, 2023.](#); [Bruce, B. and Cretex, L, "The Invisible Boundaries of Sanctuary Cities: Local Policies Towards Undocumented Migrants in Los Angeles During COVID-19", *Urban Migrant Inclusion and Refugee Protection - Volume 2*, August 2, 2025.](#)

⁹ [Kaiser Family Foundation, "Understanding the U.S. Immigrant Experience: The 2023 KFF/LA Times Survey of Immigrants, September 17, 2023.](#); [Houston, A. R., Salhi, C., and Lincoln, A. K., "Messaging inclusion with consequence: U.S. sanctuary cities and immigrant wellbeing", *Journal of Migration and Health*, July 23, 2023.](#); [Fabi, R. and Cervantes, L., "Undocumented Immigrants and COVID-19: A Call for Federally Funded Health Care", *Jama Health Forum*, September 3, 2021.](#)

¹⁰ [National Institute of Standards and Technology, "Community Resilience", Accessed 1/30/2026.](#); [FEMA, "National Resilience Guide: A Collaborative Approach to Building Resilience", August 2024.](#)

¹¹ Bill 3-22, Legislative Branch – Climate Assessments – Required, Montgomery County Council, Effective date October 24, 2022