

Testimony for the Senate Judiciary Committee
February 17, 2020

SB 531 Discrimination - Definition of Race - Hair Texture and Hairstyles

FAVORABLE

I fully support prohibiting discrimination based on hairstyle, type, or texture.

As a Black woman with natural hair, the passage of this law would make me feel seen as a heard, and my fears understood.

I, like many Black women growing up, was told you had to straighten your hair to succeed in this county. That my skin and my gender were enough barriers to overcome, I was told to do everything I could do to look pretty i.e., conform my body to meet a white or Eurocentric idea of beauty.

The worst part of this is that they were right. I always felt that I had to work three times as hard to get half as much as white people. One part for my skin color, one part for my gender, and one part for my 4c hair. Over my lifetime, I saw that Black women who wore their hair the natural way came out of this head compare to dirty, unkempt, unprofessional, and ugly. When I decided to wear my natural hair, I heard the comments made my white and Black people that undermined my professionlism and my worthiness. Indeed, in one implicit bias test, white women showed the strongest bias against textured hair, rating it as less professional than smooth hair. This is the subtle racism that Black women have had to face centuries.

Black hair is a prompt that too often reveals the bigotry of people who imagine themselves to merely be upholding professional "standards," standards that too often treat textured hair and protective styles as unsuited for the office, classroom, and board room.

This discrimination, rooted in a long legacy of racism, white supremacy, and gender bias, remains a harmful practice with severe consequences, particularly within the education and employment settings.

Hair discrimination forces Black women, in particular, to struggle with professional discrimination both on the basis of sex and with regard to gender stereotypes requiring us to conform to specific kind of Eurocentric femininity that fails to include the material realities of Black hair. This standard fails to see the beauty in our skin, our lips, and our hair.

To be clear: the US Supreme Court has decided that hair discrimination is legal by letting hair discrimination firings stand. Indeed, in 2010, Chastity Jones was offered a job as a customer service representative at a call center in Mobile, Alabama. During the interview, Jones wore her hair in short, natural locs and was dressed in a business suit and pumps. An HR manager later told Jones that dreadlocks violated the company's grooming policy because they "tend to get messy." She told Jones she couldn't wear her hair that way at work, and when Jones refused to cut her locs, the job offer was rescinded. The NAACP LDF filed a motion to intervene with the Supreme Court in 2018 after the case had moved through the EEOC and the Federal courts. In their motion, they argued that "facially neutral policies, racial proxies, [and] stereotyped thinking — operate to disfavor applicants based on their race" and that the HR manager in Jones'

case denied her a job based on harmful racial stereotypes that African-American hair is naturally unprofessional. The Supreme Court refused to hear the case.

One would be hard-pressed to find any circumstances in grooming guidelines where white bodies or white hair characteristics are targeted similarly.

It must also be noted that efforts by black employees or students to conform to or mimic Eurocentric hair patterns and styles cannot be seen as a viable solution if the voluntariness of those efforts is stripped away. While some decisions to have straight hair are purely for fashion, for many, it is about keeping up very particular appearances, sometimes at the cost of the consumer's health.^[1] A recent study by the American Journal of Epidemiology determined that the use of hair relaxers may be linked to uterine fibroids in Black women and girls, a condition that is estimated to affect 80% of Black women over their lifetime.^[2]

The repeated manipulation of installing weaves can lead to weakened hair and hair loss.

Ironically, protective styles used to maintain hair health, including "locs", afros or twists, may place Black employees outside of the range of many employment-based grooming standards, standards that have not been afforded anti-discrimination protections.

The great author Maya Angelou once said, "I would say that hair is a woman's glory and that you share that glory with your family. And they get to see you braiding it and they get to see you washing it...But it is not a bad thing or a good thing, it's hair."

This law would tell Black people across Maryland that they don't have to be afraid of wearing this hair in whatever style they choose. It would show our government is here to protect us against this type of discrimination. I hope that within a few decades, Black parents in Maryland will not have to tell their children to wear their hair the white way in order for people to see their talents. I hope that we will create a Maryland where it is understood that this form of discrimination is wrong and that Black people's hair will feel a bit freer.

I am here today, however, because this legislature has proposed a bill to interrupt this stigma and to end the perpetuation of the racist notions of "professionalism" and "appropriateness" that lead to it. It is time for Maryland to join New York, New Jersey, California and Montgomery County, Maryland in making hair discrimination illegal and choosing to protect and defend Black hair.

Sincerely,

Amber Taylor

^[1] Nourbese N. Flint, Teniope Adwumi, Natural Evolutions One Hair Story, Black Women for Wellness, <http://www.bwwla.org/natural-evolutions-one-hair-story/> (last visited Nov. 17, 2019).

^[2] Lauren A. Wise, Julie R. Palmer, David Reich, Yvette C. Cozier, Lynn Rosenberg, Hair Relaxer Use and Risk of Uterine Leiomyomata in African-American Women, American Journal of Epidemiology, <https://academic.oup.com/aje/article/175/5/432/175919> (last checked Nov. 17, 2019).