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Authorizing the City Council Committee on Public Safety to hold public hearings to examine the use of face masks, also known as "pooh shiesties," as well as oversized bandanas and ski masks during the commission of crime and to examine strategies to combat this threat.

WHEREAS, Over the past several years, Philadelphia has been dealing with both a gun violence crisis and a rise in other violent crime; and

WHEREAS, During the commission of a crime, many offenders will use face masks, also known as a "pooh shiesty" or "balaclava" as a way to conceal their identity and evade facial recognition; and

WHEREAS, Mask wearing of this type has become a major issue when dealing with crime prevention. Many individuals wear these masks during the summer months, when there is no reason to do so, and this causes unease for many residents and business owners; and

WHEREAS, Following multiple violent incidents, the Southeastern Pennsylvania Transportation Authority (SEPTA) banned ski masks that conceal a wearers' identity. This new rule will be enforced by SEPTA Police, involves removal from SEPTA transit, and is only applicable to ski masks, not masks worn for medical or religious purposes; and

WHEREAS, SEPTA is not the only organization that has banned these types of masks. Many private businesses such as banks have these types of restrictions in place. According to the *Business Insider* many state governments have banned masks under various circumstances. New York currently has a law that makes it illegal for two or more people to wear a mask in public to disguise their identity. In Alabama it is illegal to wear a mask except for public celebrations like Halloween or Mardi Gras. In The District of Columbia, mask wearing is banned after 10:00 p.m. without notifying the police. In Michigan, it is illegal to wear a mask to in order to commit a crime; and

WHEREAS, In the 1970's individuals carrying certain types of equipment used to break into residences could have been charged with possession of an instrument of crime based on reasonable suspicion and probable cause. Possession of these types of masks in certain circumstances could potentially lead to reasonable suspicion that a crime could be committed; and

WHEREAS, It is necessary for Council to come together and examine this issue. The threat to public safety that is posed by wearing these masks must be examined to determine the best way to proceed. But, in addition to this, we must also balance the needs of our residents as well. Sometimes, these masks are worn by individuals to protect their identity from those who wish to hurt them. Therefore, we must have tough conversations like this to develop solutions that will make Philadelphia safer; now, therefore, be it

RESOLVED BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That it hereby authorizes the City Council Committee on Public Safety to hold public hearings to examine the use of face masks, also known as "pooh shiesties," as well as oversized bandanas and ski masks during the commission of crime and to examine

strategies to combat this threat.

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