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Health and Government
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Subcommittees

Government Operations
Public Health and Long Term Care



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Dear Members of the Legislative Black Caucus of Maryland,

The proposed change to the Legislative Black Caucus bylaws to prohibit Caucus members from being members of any other “ethnic caucus” is deeply troubling and a threat to the reputation and effectiveness of the Caucus. I urge all Caucus members to strongly reject this proposal.

The proposed amendment is designed to “purify” the membership of the Caucus by excluding Black people with intersectional identities. Black/Latino members such as myself and Gabriel Acevero, and Black/Asian members such as Wanika Fisher are among those targeted by the proposal.

My blackness doesn't come from laying at the beach. The Dominican Republic where I was born has a history of African slavery like other Caribbean islands and the United States. And yet under the proposed amendment 20 of our members, myself included, who are also members of another ethnic caucus would be expected to denounce a part of our heritage and identity to prove our blackness. This is an impossible ask. I am Black AND Latina, not Black or Latina. These pieces of my identity exist together and are inextricably linked. Blackness is not quantifiable. It is experiential and defined by each one of us. It is a lived experience. It is culture and community.

Now more than ever, it is essential that all of us come together and work together. The fact is, efforts that help any members of our community, help us all, and the reverse is true as well. If we cannot embrace and support all members of our Black family, how can we expect anyone else to support us?

Today's effort to purify the Caucus reminds me of the Brown Paper Bag Test of the past and it is no less misguided. At one time some African American institutions limited admission to applicants with skin no darker than a brown paper bag. The inclusion of the word “ethnic” in the proposed bylaw tells us everything that we need to know about the intent of this change. It is about excluding Black people with multiracial/cultural/ethnic identities from participation in our Caucus. If this rule was simply about ensuring that members did not have too many responsibilities that would limit their support for our Caucus efforts, the proposed amendment would have been written to prevent participation in any other caucus (e.g., the Women's Caucus), not just an ethnic Caucus.

Though the proposed amendment does not exclude based on skin color, its effects would be the same; the perpetuation of a caste system whereby certain people are “better” or more part of

our community. The proposed amendment and the Brown Paper Bag Test are self-inflicted tools of division. We perpetuate them at our own peril.

The simple fact is that the Black community is diverse. There is no one story of the Black community or one way to be Black. Afro-Latinos, Afro-Asians and other Black people with mixed racial backgrounds are just as much a part of our Black community as someone who identifies exclusively as Black. Supporting the Black community means supporting all its members.

In rejecting multi-ethnic members from our Caucus, we would be fostering a toxic culture, setting Black people against one another and diminishing our capacity to bring positive change for the Black community in Maryland. As a member of this Caucus, I have been a dedicated and effective advocate for issues impacting Maryland's Black community for over a decade. Like me, the 19 other members of our Caucus who are also Latino and Asian Caucus members all bring important knowledge and make valuable contributions. My contributions include,

- Frequently arguing for the Black Caucus position in meetings with General Assembly leadership.
- Nominating Delegate Adrienne Jones to be the first African American Speaker of the General Assembly.
- Playing an integral role in drafting the language of our state's Minority Business Enterprise laws.
- Helping increase justice for incarcerated people through my efforts on various work groups and task forces.
- Collaborating with the NAACP to minimize the impact of foreclosures in our community and on criminal justice issues.
- Ensuring that additional medical marijuana licenses were available to members of our community.
- Fighting for better representation of our community with our No Representation Without Population law.
- Being the primary sponsor of one of the Black Caucus priorities in this past session, the Prescription Drug Affordability Board.
- And lastly, championing Maryland's Lynching Truth and Reconciliation Act, the first such legislation in the nation and which passed unanimously in both houses.

If these are my contributions, imagine the missed opportunities to make Maryland more just for communities of color from excluding the 19 other members under the proposed amendment.

During the writing of this letter, I became acutely aware of the pronouns that I used. I found myself writing "we," "our" and "us" to describe the Black Caucus and its members. Although this proposed change would exclude me from membership in our Caucus, I continued to use those words to assert my equal position as a member of this Caucus and the Black Community as a whole.

Nevertheless, I am hurt and disheartened by the decision to include this change in the draft bylaws. I urge all members to speak out and vote against adopting this rule. Adopting it would perpetuate discrimination within our community, undermine our purpose and compromise our ability to be successful.

Our Caucus will not survive if we are creating and perpetuating discrimination within our own ranks. United, we can achieve miracles but when we divide ourselves, we are sure to fail.

With urgency,

Joseline Peña-Melnyk

Delegate Joseline Peña-Melnyk