

MCPA-MSA_SB 609 Law Enforcement Hate Crimes_Suppor

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Maryland Chiefs of Police Association Maryland Sheriffs' Association



MEMORANDUM

TO: The Honorable William C. Smith, Jr., Chair and
Members of the Judicial Proceedings Committee

FROM: Darren Popkin, Executive Director, MCPA-MSA Joint Legislative Committee
Andrea Mansfield, Representative, MCPA-MSA Joint Legislative Committee
Natasha Mehu, Representative, MCPA-MSA Joint Legislative Committee

DATE: February 20, 2024

RE: **SB 609 Criminal Law - Hate Crimes - Law Enforcement Officers**

POSITION: SUPPORT

The Maryland Chiefs of Police Association (MCPA) and the Maryland Sheriffs' Association (MSA) **SUPPORT SB 609**. This bill incorporates the definition of "law enforcement officer" contained in § 3-201 of the Criminal Law Article.

The intentional act of targeting and attacking individuals because they wear a uniform and carry out their official duties in pursuit of providing for public safety, should, as this legislation seeks, be included under the provisions of the hate crimes statutes. Such incidents have been on the rise, in some cases where officers have been singled out, targeted, and assassinated, simply because of who they are and what they do.

This legislation, just as intended for the other classes covered, would serve both as a deterrent and as a means of appropriately punishing those who would perpetrate such acts.

For these reasons, MCPA and MSA **SUPPORT SB 609** and request a **FAVORABLE** Committee report.

ADL Testimony SB609 - Hate crimes - law enforcement

Uploaded by: Meredith Weisel

Position: UNF



Maryland General Assembly
Senate Judicial Proceedings Committee
February 21, 2024

Testimony of Meredith R. Weisel
ADL Washington D.C. Regional Director

ADL (the Anti-Defamation League) is pleased to submit this testimony in **opposition** to **SB609, Criminal Law - Hate Crimes – Law Enforcement Officers**, which seeks to insert law enforcement officers as a protected category under Maryland’s hate crime statutes.

As you may know, ADL is both a leading anti-hate organization and the largest non-governmental trainer of law enforcement—offering programming to more than 14,000 law enforcement officers on hate crimes, bias, extremism, and terrorism year. We are proud of the special connections and joint initiatives we have with the law enforcement community, and we strongly support laws that deter attacks against police. However, as an organization that has been at the forefront of efforts to counteract hate-motivated criminal activity for decades, ADL does not support adding law enforcement to state or federal hate crime laws.

First and foremost, hate crime laws are designed to protect victims who are targeted based on their most precious and personal identity characteristics, like race, religion, national origin, sexual orientation, gender identity, etc.—traits that are often described as “immutable.” Working in a profession is not a personal characteristic, nor is it immutable, and adding police—or any other category based on vocation or employment—only risks confusing the purpose of hate crime laws and weakening their protections for those who are most vulnerable to identity-based attacks.

Second, Maryland¹—like nearly every other state across the country—*already* treats an assault against a police officer as a very serious crime, carrying a more severe penalty than an assault against a civilian. ADL is aware of no evidence that prosecutors anywhere in our state or across the country are failing to vigorously investigate and prosecute crimes against police. Instead, as a society, we have historically and still to this day take great pains to protect law enforcement and ensure they receive justice. These crimes are also carefully documented and reported out by the FBI on an annual basis.²

Finally, bills like SB609 can have unintended consequences by making crimes against law enforcement *even more* difficult to prove. If police and first responders are included in Maryland’s hate crime laws, for example, prosecutors will face the additional burden of having to prove both that the perpetrator attacked the victim and that the act was committed *because the victim was a police officer*. This additional intent requirement, which is not included in existing laws covering

¹ See, e.g., MD Crim Law Code 3-203 (causing physical injury to law enforcement officers and first responders is felony assault (rather than misdemeanor assault) in the second degree).

² <https://cde.ucr.cjis.gov/LATEST/webapp/#/pages/le/leoka>.

attacks on police officers, would make prosecutions against law enforcement and first responders even more challenging, impeding efforts to protect hate crime victims in the process.

Crimes against police officers and emergency responders are already taken very seriously under Maryland law. Adding law enforcement to Maryland's hate crime statutes is unnecessary and counterproductive – it obscures the issue of officer safety and at the same time, risks confusing the very purpose of hate crime laws.

**We therefore urge the Senate Judicial Proceedings Committee
to give SB609 an unfavorable report.**