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Position: FAV



**Testimony for the Senate Judicial Proceedings Committee
February 11, 2020**

**SB 633 Maryland Police Training and Standards Commission -
Training Requirements - Hate Crimes**

FAVORABLE

YANET AMANUEL
PUBLIC POLICY ADVOCATE

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The ACLU of Maryland urges a favorable report on SB 633, which would require the Maryland Police Training and Standards Commission (MPTSC) to develop and maintain a uniform, statewide training and certification curriculum to improve law enforcement's response to hate crimes in our state.

According to news reports, there were multiple reports of nooses and swastikas being placed across the state in 2018.¹ It is an undeniable fact of our history that marginalized persons and groups continue to be targets of violence, threats, and acts of intimidation.

According to the statewide hate/ bias incident reports, in 2017, 398 hate incidents were reported to law enforcement in Maryland, an increase of 103 reported incidents (34.9%) from 2016. Of the 398 incidents reported in 2017, 183 were verified, 208 were found to be inconclusive, and 7 were determined to be unfounded. The vast majority of these incidents were based on race, ethnicity, or ancestry.²

Importantly, in 2017, law enforcement had a 16.7% arrest rate for verified incidents with a race/ethnicity/ancestry bias, a 13.6% arrest rate for verified incidents with a religious bias, a 23.8% arrest rate for verified incidents with a sexual orientation bias, and a 0% arrest rate for those with a bias against gender identity.

For the foregoing reasons, we urge a favorable report on SB 633.

¹ See for example, Baltimore Sun, [Noose found near Patterson Park Pagoda](#) (Dec. 3, 2018); CBS Baltimore, [Another Noose Found At Chesapeake Bay Middle School](#) (Dec. 19, 2018); Baltimore Sun, [University of Maryland Police investigating swastika, anti-LGBT messages found in dorms](#) (Sept. 5, 2018).

² State of Maryland 2017 Hate/ Bias Report (available at <http://www.mcac.maryland.gov/resources/2017%20Maryland%20Hate%20Bias%20Report.pdf>).

JCRC_FAV_SB633

Uploaded by: Bagwell, Ashlie

Position: FAV



Testimony in SUPPORT of Senate Bill 633
“Maryland Police Training and Standards Commission – Training Requirements – Hate Crimes”
Senate Judicial Proceedings Committee
February 11, 2020

The Jewish Community Relations Council of Greater Washington (JCRC) serves as the public affairs and community relations arm of the Jewish community. We represent over 100 Jewish organizations and synagogues throughout Maryland, Virginia, and the District of Columbia. The JCRC is strongly committed to cultivating a society based on freedom, justice, and pluralism. We work tirelessly throughout the entire Greater Washington area to advocate for our agencies that serve the most vulnerable residents, support our Jewish day schools and community centers, and to campaign for important policy interests on behalf of the entire Jewish community.

Over the past few years, unfortunately we have continued to see an increase in hate crimes, hate incidents, and even threats motivated by hate. Maryland has not been immune to this as there have been public and private schools, synagogues, churches, mosques and other local institutions tagged with swastikas and hate filled messages both outside and inside these buildings. In 2019 we saw another large uptick of hate incidents and threats, including bomb threats, hate graffiti, nooses, and more targeted towards both individual members and groups of certain religions, gender, races, ethnicities, sexual orientation, and more.

SB 633 would help to strengthen our current training requirements and expand them by making sure that each county and municipal police training school is up to date on Maryland’s hate crime laws. It will also ensure that victims of hate crimes are treated appropriately with the understanding that these crimes are directed against someone because they are a certain race, religion, gender, disability national origin, homelessness, or sexual orientation. It’s important for our officers to know that criminal activity motivated by bias is different from other criminal conduct. These crimes occur because of the perpetrator's bias or hatred against the victim on the basis of their actual or perceived status. Specifically, the victim's race, religion, national origin, gender, gender identity, sexual orientation, or disability is the reason for the crime. If that bias did not exist, likely no crime would occur at all.

The JCRC is in constant contact with our local law enforcement and doing what we can to help support community members. We believe this legislation will provide more concrete statistics to help law enforcement and the community stop these crimes from happening. Further, it will provide more synergy and better ways for victims to understand their rights and find the support they need in their respective community. For these reasons, we ask this committee to give a favorable report on SB 633.

Anne Arundel County_FAV_SB633

Uploaded by: Baron, Peter

Position: FAV

February 11, 2020

Senate Bill 633

Maryland Police Training and Standards Commission - Training Requirements - Hate Crimes

Senate Judicial Proceedings Committee

Position: FAVORABLE

Anne Arundel County **SUPPORTS** Senate Bill 633 - Maryland Police Training and Standards Commission - Training Requirements - Hate Crimes.

Unfortunately, we have seen a rise in the number of hate bias incidents in Anne Arundel County and elsewhere. According to Maryland State Police statistics, hate crime incidents rose by 116 percent between 2015 and 2016. The most recent Hate Bias Report from the Maryland State Police shows that reported incidents increased from 203 in 2015 to close to 400 in 2018. We must make clear to all Marylanders that incidents of hate will not be tolerated. In order to do that, Maryland law must give law enforcement the training and tools to respond to and prosecute offensive behavior.

Senate Bill 633 would require that entry-level and in-service police training include instruction on criminal laws concerning hate crimes, including the recognition of, response to, and reporting of incidents of hate crimes. In Anne Arundel County, we train our officers in the Academy that even if there is no crime, a report and investigation is mandated. This is reinforced by annual in service training, which includes cultural competence training. These annual trainings have included serving and understanding the LGBTQ community, issues between police and the African American community such as historical enforcement of unjust laws to suppress civil rights in much of the country, issues affecting the Muslim community, interacting with youth of all cultures in our schools, and reinforcing the need for alternative measures other than arrest.

In Anne Arundel County, EVERY hate/bias incident requires the response of a police lieutenant, which puts the priority on a hate/bias call as high as a shooting, suspicious death or armed robbery. In addition, every hate bias incident is reviewed all the way up the chain of command to the Chief of Police on a daily basis with an eye towards making sure we do charge criminally whenever we can.

However it is critical that in order to confront hate crimes and incidents of hate bias head-on, all Maryland law enforcement officers have the training to recognize, respond to, and report these terrible incidents. We support this legislation because we must use every tool to combat bigotry, racism, and antisemitism in Anne Arundel County and across the state. Accordingly, Anne Arundel County respectfully requests a **FAVORABLE** report on Senate Bill 633.

ZainabChaudry_FAV_SB633

Uploaded by: Chaudry, Zainab

Position: FAV



Council on American-Islamic Relations

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February 11, 2020

Honorable Delegate Luke Clippinger Chair, House Judiciary Committee 101 House Office Building 6 Bladen Street Annapolis, MD 21401	Senator William C. Smith, Jr. Chair, Senate Judicial Proceedings Committee 2 East Miller Senate Office Building 11 Bladen Street Annapolis, MD 21401
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Re: Testimony in SUPPORT of HB541/SB633 - Maryland Police Training and Standards Commission – Training Requirements – Hate Crimes

Good afternoon Chairmen Clippinger and Smith:

On behalf of the Council on American Islamic Relations, thank you for this opportunity to testify in support of House Bill 541/Senate Bill 633 sponsored by Delegate Lesley Lopez and Senator Jeff Waldstreicher.

CAIR is America's largest Muslim civil rights and advocacy group. We are dedicated to protecting civil rights for all, enhancing the understanding of Islam, empowering American Muslims, and promoting justice. As an organization, we track instances of bias and hate motivated incidents across the country. In the past few years we have seen a steady increase in the amount of individual and institutional prejudice against American Muslims, especially against the African and Black Muslim communities who comprise at least ⅓ of the American Muslim population.

The state of Maryland reported 81 total bias motivated incidents in the year 2018, including alt-right stickers posted on campus at the University of Maryland, College Park, swastikas in multiple cities including Silver Spring, Bowie, Baltimore, and on campus at the University of Maryland Baltimore County.¹

With the increase of hate crimes being reported, it is vital that those who protect and serve our community be trained in how to respond to these incidents. These blatant acts are divisive and create fear in the hearts of Maryland residents. House Bill 541/Senate Bill 633 introduces training standards that specifically prioritize training law enforcement agencies on appropriately handling hate crimes. This bill will help ensure that officers are protecting and

serving while listening to the needs of their communities. We believe that this bill is a step in the right direction towards creating a Maryland where people of all backgrounds don't have to live in fear of intolerance or persecution. Therefore, we urge a favorable report on House Bill 541/Senate Bill 633.

Sincerely,

Zainab Chaudry, Pharm.D.
Director, CAIR Office in Maryland
Council on American-Islamic Relations

1. <https://patch.com/maryland/annapolis/hate-crimes-maryland-fbi-report-shows-increase>

MCCR_FAV_SB633

Uploaded by: Dove, Spencer

Position: FAV

State of Maryland

Commission on Civil Rights

"Our vision is to have a State that is free from any trace of unlawful discrimination."



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February 11, 2020

Senate Bill 633 - Maryland Police Training and Standards Commission - Training Requirements - Hate Crimes Position: Support

Dear Chairperson Smith, Vice Chairperson Waldstreicher, and Members of the Senate Judicial Proceedings Committee:

The Maryland Commission on Civil Rights ("MCCR"; "The Commission") is the State agency responsible for the enforcement of laws prohibiting discrimination in employment, housing, public accommodations, and state contracts based upon race, color, religion, sex, age, national origin, marital status, familial status, sexual orientation, gender identity, genetic information, and physical and mental disability.

Senate Bill 633 requires the Maryland Policy Training and Standards Commission to require entrance-level and in-service police training conducted by the State and each county and municipal police training school to include in their curriculum training related to the criminal laws concerning the recognition of, reporting of, and response to hate crimes.

The Maryland Commission on Civil Rights believes that this bill will be an important tool in ensuring that each law enforcement unit throughout the State is receiving current, uniform information needed to support their work in enforcing Maryland's hate crimes laws.

In closing, MCCR urges the committee to vote favorably on SB633. The Maryland Commission on Civil Rights looks forward to the continued opportunity to work with you to improve and promote civil rights in Maryland.

Farinholt_FAV_SB633

Uploaded by: Farinholt, Kate

Position: FAV

February 11, 2020

Senate Bill 633 - Maryland Police Training and Standards Commission - Training Requirements - Hate Crimes - SUPPORT

Chairman Smith, Vice Chair Waldstreicher, and members of the Senate Judicial Proceedings Committee,

The National Alliance on Mental Illness, Maryland and our 11 local affiliates across the state represent a statewide network of more than 45,000 families, individuals, community-based organizations and service providers. NAMI Maryland is dedicated to providing education, support and advocacy for persons with mental illnesses, their families and the wider community.

NAMI Maryland strongly supports HB 541, legislation that would require better tracking of hate crimes statewide through enhanced reporting and training.

NAMI Maryland is proud to serve on Attorney General Frosh's Hate Crimes Task Force and we're pleased he chose to include us. Individuals with disabilities like severe mental illness can be targets for hate crimes and it's been important to us that behavioral health and health issues in general have been a larger part of this important discussion.

As the crimes are on the rise nationally, the value of a bill like this is that we'll be able to understand and identify true problem areas in our state and begin to address the nature of this problem. As representatives from law enforcement (local, state and federal), the Attorney General's staff, and representatives from organizations which represent audiences that are often the targets of hate incidents and hate crimes – racial, ethnic, religious and other minorities.

As the Executive Director of NAMI Maryland, I've worked for years to improve the response of the criminal justice system to people with mental and behavioral health issues, and know that law enforcement can make a world of difference and even prevent injury and fatalities, when they are given the tools to recognize and intervene effectively with individuals with mental illness and their communities. Making sure that all police departments across our varied state are adept in recognizing, reporting and intervening in hate incidents and hate crimes will help reduce and even prevent them.

For these reasons, NAMI Maryland asks for a favorable report on SB 633.

Kathryn S. Farinholt
Executive Director
National Alliance on Mental Illness, Maryland

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BJC_FAV_SB633

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Position: FAV

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Winands Road Synagogue Center
Zionist Organization of America
Baltimore District



WRITTEN TESTIMONY

Senate Bill 633 Maryland Police Training and Standards Commission - Training Requirements - Hate Crimes

Judicial Proceedings
February 11, 2020

SUPPORT

Background: Senate Bill 633 (SB633) would ensure that all police officers in Maryland are properly trained on how to respond to hate crimes. This bill lays out training standards for all new officers and those currently serving. Such guidelines would include training on the criminal laws concerning hate crimes, the appropriate treatment of victims of hate crimes, and the procedures for properly reporting hate crime information.

Written Comments: Hate crimes are a unique and ever-changing set of offenses and therefore responders require unique training. They also can have lasting effects on the victims and the communities where the crime occurs. With the number of reported hate/bias incidents as well as the number of hate groups continuing to grow in Maryland, we must address this unfortunate new reality.

According to the FBI's most recent report on hate crimes, law enforcement agencies from across the nation reported that there were 8,819 victims of hate crimes in 2018. The Bureau found that attacks on Jews accounted for 56.9 % of all religion-based hate crimes, by far the highest of any targeted religious group. 59.6% of all hate crimes victims were targeted because of the offenders' bias against race, ethnicity, or ancestry, in other words simply because of who the victim is. According to the 2018 State of Maryland Hate/Bias Report authored by the Maryland State Police, we have seen a sharp increase in hate/bias incidents over the past decade. This sharp rise affected a geographically and demographically diverse array of Marylanders, with increases seen in Anne Arundel, Baltimore, Dorchester, Frederick, Harford, Howard, Montgomery, and Somerset counties, and Baltimore City. These reported incidents targeted both individual people and some of our most vital arenas for community engagement, including schools, community centers, and places of worship.

With this in mind, the Baltimore Jewish Council urges a favorable report on SB633.

The Baltimore Jewish Council, a coalition of central Maryland Jewish organizations and congregations, advocates at all levels of government, on a variety of social welfare, economic and religious concerns, to protect and promote the interests of The Associated Jewish Community Federation of Baltimore, its agencies and the Greater Baltimore Jewish community.

BALTIMORE JEWISH COUNCIL

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Baltimore Jewish Council is an agency of The Associated

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Jewish Federation of Baltimore

STAC_FAV_SB633

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Position: FAV



4FRONT

STUDENTS TAKING ACTION FOR CHANGE

WRITTEN TESTIMONY

Senate Bill 633

Maryland Police Training and Standards Commission – Training Requirements – Hate Crimes

Judicial Proceedings Committee - February 11, 2020

SUPPORT

Our names are Liam Asher, Jacob Benesch, Braden Deems, and Charlie Treger. We are with a program called Students Taking Action for Change, also known as STAC. STAC is a group of Jewish high school students from across the Baltimore area that learn and discuss politics, advocacy, and how they all relate to being Jewish.

We are writing to express our support for Senate Bill 633 – Maryland Police Training and Standards Commission- Training Requirements – Hate Crimes.

In the United States, there is currently a major problem regarding hate crimes. In just four years, from 2014 to 2018, hate crimes across the country have doubled. Research shows that 60% of these hate crimes were motivated because of someone's race or ethnicity. Another 18% of these hate crimes were motivated by someone's religion, and 17% of these hate crimes were motivated by someone's sexual orientation. The bill that would help solve this problem would be House Bill 541. You, as a lawmaker should care about this bill because it will help police be able to properly file a report of hate crimes and assist the victims of these targeted attacks. House Bill 541 will also inform officers of the proper channels for providing support to victims.

As Jewish teens, we are taught the value of B'tzelem Elohim. It teaches us that everyone is entitled to be treated with dignity. Enforcing police officers to be trained in proper responses to hate crimes ensures every Marylander receives equal treatment if their way of life is ever attacked. This added training procedure is a win for both law enforcement and the general public since more trust will be built between the two.

Personally, we have a connection to this bill because we are Jewish and have witnessed attacks on the Jewish Community in recent years. We've witnessed a synagogue in Pittsburgh, no different than ours, become a violent crime scene as a result of Anti-Semitism. Proper responses to these attacks based on race, religion, and sexual orientation is essential to our society's improvement. We support HB 541 because young people, like ourselves, want to make sure that police are properly trained on hate crime response and reporting.

In summary, we are asking you to support **SB633** because it will decrease hate crimes in the state of Maryland, and it will make sure police officers are properly educated on these important issues. If this bill is passed, it will improve the safety for all residents in the State of Maryland.

MattPeterson_FAV_SB633

Uploaded by: Peterson, Matt

Position: FAV

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Jewish War Veterans, Ladies Auxiliary
Jewish Women International
Jews For Judaism
Moses Montefiore Anshe Emunah
Hebrew Congregation
National Council of Jewish Women
Ner Tamid Congregation
Rabbinical Council of America
Religious Zionists of America
Shaarei Tfiloh Congregation
Shomrei Emunah Congregation
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Temple Oheb Shalom
Winands Road Synagogue Center
Zionist Organization of America
Baltimore District



WRITTEN TESTIMONY

Senate Bill 633 Maryland Police Training and Standards Commission - Training Requirements - Hate Crimes

Judicial Proceedings
February 11, 2020

SUPPORT

Background: Senate Bill 633 (SB633) would ensure that all police officers in Maryland are properly trained on how to respond to hate crimes. This bill lays out training standards for all new officers and those currently serving. Such guidelines would include training on the criminal laws concerning hate crimes, the appropriate treatment of victims of hate crimes, and the procedures for properly reporting hate crime information.

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Position: FAV



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Bill: SB0663
Title: Maryland Police Training and Standards Commission – Training Requirements – Hate Crimes
Date: February 11, 2020
Committee: Judicial Proceedings
Position: Support

To the Honorable William C. Smith, Jr. and Esteemed Members of the Committee:

FreeState Justice is Maryland's lesbian, gay, bisexual, transgender, and queer (LGBTQ) civil rights advocacy organization. Each year, we provide free legal services to hundreds of LGBTQ Marylanders facing discrimination. We strive to create an equitable Maryland where LGBTQ Marylanders can live full lives with safety, dignity and respect in all spaces.

Access to public safety institutions is crucial for leading safe and dignified lives, especially for marginalized and disrespected minority groups. Maryland law requires state police to report hate crimes in Md. Code Ann. Pub. Safety §2-307. However, in the Maryland Department of State Police's 2018 Hate Bias Report, they noted multiple problems that prevent police from fulfilling this function. Since hate crimes based on sexual orientation and gender identity are the third most common type of hate crime following race, ethnicity, and ancestry (R/E/A) and religious incidents, these issues disproportionately impact the LGBTQ community.

First, there were either no hate bias incidents or no reports submitted by the following counties: Allegany, Calvert, Dorchester, Garrett, Queen Anne's, Somerset, Talbot, Washington and Worcester. As the report notes, "although a county does not report any incidents, the conclusion should not be drawn that the jurisdiction was free of hate/bias incidents." Instead, this lack of reporting either indicates a lack of formal complaints by victims to police, often because victims may feel fear of reporting to police or assume that their reports will not be taken seriously, or a failure of police to properly code the incident or crime. Both of these issues can be addressed by proper training.

Second, across the 15 counties that reported one or more hate crimes, the overwhelming majority of cases were determined to be inconclusive. This points to a systematic failure in the police department's capacities and knowledge to carry out follow-up investigations that make a verified or unfounded determination on the status of reported cases. Training will also address this issue.

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*FreeState Justice, Inc. (formerly FreeState Legal Project, Inc., merging with Equality Maryland)
is a social justice organization that works through direct legal services, legislative and policy advocacy, and community
engagement to enable Marylanders across the spectrum of lesbian, gay, bisexual, transgender, and queer identities to be
free to live authentically, with safety and dignity, in all communities throughout our state.*

Third, there is a troubling variance in the number of cases determined to be inconclusive between counties. For example, over 70% of Ann Arundel County's 78 reported incidents and Baltimore County's 76 reported incidents were found to be inconclusive in 2018 while 86% of Prince George's County's 28 crimes were verified. The disparities in verifying hate crimes between counties points to a troubling miscarriage of justice based on the zip code in which the victim resides.

Taken together, these systematic issues point to a failure of most counties to execute the task they were assigned under Maryland's existing public safety codes. This translates into real consequences, including distrust in and fear of public safety officials by marginalized and disrespected minority groups.

In 2016, FreeState Justice conducted a Needs Assessment of LGBTQ Marylanders, surveying and conducting listening sessions with over 500 LGBTQ Marylanders to better understand barriers to full equality. We learned that almost 1 in 3 LGBTQ people consider street harassment and interactions with law enforcement to be urgent issues facing the community. Several participants shared accounts of requesting help from the police, only to be mocked or arrested. One respondent remarked: "My friends and I were leaving a bar one night and a car pulled up, about 4 guys got out of the car and started calling us names and throwing beer bottles at us. We took off running, called the police. When the police arrived, our response from the police was we should expect that to happen to us because of our lifestyle."

The prevalence of street harassment based on sexual orientation and gender identity and the actual or perceived lack of recourse to law enforcement significantly impacts the freedom and wellbeing of LGBTQ Marylanders. For example, some participants significantly alter their daily routines to minimize the threat of harm. One Black transgender woman in Baltimore noted: "I have to run all my errands at night, because as a trans woman, if I go out during the day, I get harassed by the police."

As demonstrated by the Needs Assessment, fear and exclusion from access to public safety institutions prevent LGBTQ Marylanders from leading safe and healthy lives with full access to dignity and rights. Mandating entrance-level and in-service training for police on hate crimes is essential to carry out the duties assigned to police officers by existing law, reduce disparities in reporting between counties, increase knowledge and resources for local police to make final verified or unfounded determinations on reported hate crime incidents, and improve the safety and wellbeing of LGBTQ Marylanders and other targeted groups.

We strongly support this legislation and urge you to vote favorably.

Sincerely,

Mark A. Procopio
Executive Director

WomensLawCenterofMD_FAV_SB633

Uploaded by: Siri, Michelle

Position: FAV

BILL NO: Senate Bill 633
TITLE: Maryland Police Training and Standards Commission – Training
Requirements – Hate Crimes
COMMITTEE: Judicial Proceedings
HEARING DATE: February 11, 2020
POSITION: **SUPPORT**

Senate Bill 633 seeks to ensure that all members of law enforcement and those trained under the Maryland Police Training and Standards Commission are educated and informed about the existence of Maryland hate crime laws, including how to recognize them, response to them, and report them.

Hate crimes are acts, often of violence or threat of violence, motivated by prejudice and malice and are an attack on a victim's personal qualities – gender, race, color, religious belief, sexual orientation and national origin. Hate crimes are intended to intimidate the victim and the victim's community, resulting in isolation and vulnerability. Therefore, these crimes can cause particularly profound emotional and psychological damages. Hate crimes also result in physical and economic repercussions similar to other crimes.

Hate crime laws matter. In addition to deterring criminal activity, they possess important symbolic meaning that signals to targeted communities that the government cares and that law enforcement will take their concerns seriously. Having worked with the Office of the Attorney General and a coalition of organizations for the past year seeking to find ways to address the rise in hate crimes throughout the state, the WLC firmly believes that increased education and understanding by law enforcement is the first step.

Therefore, the Women's Law Center urges support for Senate Bill 633.

The Women's Law Center of Maryland is a non-profit, legal services organization that advocates for the rights of women through direct legal representation of individuals and strategic initiatives to achieve systemic change. The Women's Law Center operates two hotlines, Protection Order Advocacy and Representation Projects in Baltimore City, Baltimore County and Carroll County and the state-wide Collateral Legal Assistance for Survivors and Multi-Ethnic Domestic Violence Projects.

MeredithWeisel_FAV_SB633

Uploaded by: Weisel, Meredith

Position: FAV



**Maryland General Assembly
Senate Judicial Proceedings Committee
House Judiciary Committee
February 11, 2020**

Testimony of Doron F. Ezickson and Meredith R. Weisel

ADL Vice President, Mid-Atlantic/Midwest Division
ADL Washington D.C. Senior Associate Regional Director

ADL (the Anti-Defamation League) is pleased to submit this testimony in support of *Maryland Police Training and Standards Commission – Training Requirements – Hate Crimes*, S.B. 633 (Sen. Waldstreicher); H.B. 541 (Del. Lopez). This legislation highlights the critical role that law enforcement plays in combatting hatred and bigotry by establishing new training requirements for Maryland police on how to recognize, respond to and report hate crimes in our state.

ADL (the Anti-Defamation League)

Since 1913, the mission of ADL has been to “stop the defamation of the Jewish people and to secure justice and fair treatment for all.” Dedicated to combating anti-Semitism, prejudice, and bigotry of all kinds, as well as defending democratic ideals and promoting civil rights, ADL has been recognized as a leading resource on effective responses to violent bigotry, conducting an annual *Audit of Anti-Semitic Incidents* and drafting model hate crime statutes for state legislatures. We were also privileged to lead a broad coalition of civil rights, religious, educational, professional, law enforcement, and civic organizations for more than a decade in support of the 2009 Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act (HCPA).¹

As one of the nation’s top non-governmental law enforcement training organizations, ADL also works directly with police at the federal, state, and local levels, providing resources and expertise to address the challenges of 21st century policing. In 2018, for example, our Washington, D.C. Regional Office partnered with the Maryland Coordination and Analysis Center to bring together dozens of law enforcement agencies to discuss best practices for addressing and responding to hate crimes and bias incidents when they occur.

Impact of Hate Violence

All Maryland residents have a stake in effective responses to violent bigotry. These crimes demand priority attention because of their special impact. Bias crimes are intended to intimidate not only

¹ ADL continues to coordinate with a broad array of civil rights, education, and community organizations across the country to advocate for more comprehensive approaches to addressing the threat and impact of hate crimes. https://www.adl.org/sites/default/files/documents/final-post-Charlottesville-DoJ-hate-crime-summit-coalition-recommendations.docx.pdf?_ga=2.235037057.1865847360.1551104355-388726761.1533317285.

the individual victim, but also the victim's entire community, leaving members feeling fearful, isolated, and vulnerable. Failure to address this unique type of crime can therefore cause an isolated incident to explode into widespread community tension. By making targeted communities fearful, angry, and suspicious of other groups (and of the power structure that is supposed to protect them) these incidents can damage the fabric of our society and fragment communities.

Unfortunately, we know that hate crimes are on the rise in Maryland. In 2018, 50 hate crimes were reported to the FBI, a 35% increase relative to 2016. More than half of these crimes were motivated by race or ethnicity bias (27), 28% were motivated by sexual orientation or gender identity bias, and 14% were motivated by religion bias.²

Underreporting of Hate Crimes

The FBI has been tracking and documenting hate crimes since 1991 under the Hate Crime Statistics Act of 1990 (HCSA). While the FBI's annual HCSA Reports provide the single best national snapshot of bias-motivated criminal activity in the United States, we know that this data still significantly understates the true number of hate crimes committed in our nation.³

While participation in the FBI's reporting program has increased over the years – in 2018, 16,039 federal, state, and local law enforcement agencies voluntarily reported hate crime data to the FBI – only a very small number, just 2,028 of these participating agencies (less than 13 percent) reported even a single hate crime to the FBI. That means that 87 percent of all “participating” police agencies affirmatively reported zero (0) hate crimes to the FBI.

Maryland is no exception. Of the 155 agencies that participated in reporting in 2018, only 20 (approximately 13%) reported even a single hate crime to the FBI. There are also concerns about underreporting from those agencies that are providing some data to the FBI. The city of Baltimore, for example, with a population of over 600,000, only reported one (1) hate crime incident in 2018.

Led by the International Association of Chiefs of Police (IACP) and the National Organization of Black Law Enforcement Executives (NOBLE), police have come to recognize the significant benefits of effectively tracking hate crimes. By compiling statistics and charting their geographic distribution, officials may be in a better position to discern specific patterns and anticipate an increase in intergroup tensions.

² The Maryland Department of State Police is also required to collect and analyze information about criminal incidents that appear to have been directed against an individual or group because of race, religion, ethnicity or sexual orientation. That data is compiled and reported out by a partnership between the Maryland State Police and the Maryland Coordination and Analysis Center – expanding the scope beyond just crimes, to include incident-based data as well. <http://www.mcac.maryland.gov/resources/2018%20Hate%20Bias%20Report.pdf>.

³ The HCSA has also proven to be a powerful mechanism to confront violent bigotry, increasing public awareness of the problem and sparking improvements in the local response of the criminal justice system to hate violence.

Hate Crime Training for Law Enforcement

Law enforcement agencies play a critical role and carry significant responsibility when it comes to identifying and responding to hate crimes and bias incidents. Comprehensive, mandatory hate crime training for state and local police officers is therefore of paramount importance.

First and foremost, it is imperative that law enforcement receive training regarding how to identify hate crimes and how to respond appropriately – i.e., in a manner that is sensitive not only to the victims, but also to the community at large. Unfortunately, some of the most likely targets of hate violence are often the least likely to report these crimes to the police. For example, many immigrant victims, who already face cultural and language barriers in reporting, fear reprisals or deportation if incidents are reported, especially in our current political climate. Additionally, many immigrants to America come from countries in which residents would never call the police – especially if they were in trouble. LGBTQ victims, facing hostility, discrimination, and, possibly, family pressures, may also be reluctant to come forward to report these crimes. Training with respect to why victims fail to report, coupled with how to identify such crimes and how best to respond in light of these sensitivities, is vital to preventing hate crimes from going unreported.

It is also imperative that law enforcement receive training regarding hate crime reporting and the relevant procedures for collecting and analyzing hate crime information. Accurate and comprehensive data collection and reporting will only enhance the effectiveness of law enforcement in responding to hate crimes, as well as strengthen community trust. Indeed, it is well documented that victims of hate crimes are far more likely to report a crime if they know a special reporting system is in place and if they believe the police are ready and able to respond effectively.

Effective hate crime policies and procedures can help reduce crime while building public trust and collaborative relationships between law enforcement and the communities they serve and protect. Training and outreach initiatives are especially important today in light of the increase in reported hate crimes, including the deeply disturbing number of homicides and violent crimes directed against transgender and gender non-conforming people.

Hate crime laws are only effective when law enforcement has the knowledge, resources, and tools to enforce them. Comprehensive hate crime training, like the training proposed in *An Act Concerning Maryland Police Training and Standards Commission – Training Requirements – Hate Crimes* (H.B. 541), will only enhance the capacity of law enforcement in Maryland to respond to and report hate crimes when they occur, preserving critical trust between law enforcement and members of the community. We urge the Senate Judicial Proceedings Committee and House Judiciary Committee to report out S.B. 633 and H.B. 541 favorably, and we look forward to continuing to work with members of the General Assembly to combat hate in the state of Maryland.

MCPA-MSA_INFO_SB633

Uploaded by: Mansfield, Andrea

Position: INFO



Maryland Chiefs of Police Association

Maryland Sheriffs' Association



MEMORANDUM

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

FROM: Chief David Morris, Co-Chair, MCPA, Joint Legislative Committee
Sheriff Darren Popkin, Co-Chair, MSA, Joint Legislative Committee
Andrea Mansfield, Representative, MCPA-MSA Joint Legislative Committee

DATE: February 11, 2020

RE: **SB 633 – Maryland Police Training and Standards Commission – Training
Requirements – Hate Crimes**

POSITION: **Letter of Information**

The Maryland Chiefs of Police Association (MCPA) and the Maryland Sheriffs' Association (MSA) provide the following information on SB 633. This bill would require the Maryland Police Training and Standards Commission (MPTSC) to incorporate certain requirements with respect to hate crimes into its curriculum.

Current law requires the MPTSC to set standards for entrance-level and in-service training requirements in a number of areas. Many of these requirements are written broadly to avoid the necessity of routine legislation and provide flexibility to the Commission to incorporate appropriate types of training as necessary. Public Safety Article 3-207 requires the following training and study, among many other areas:

- Criminal laws concerning rape and sexual offenses, including the sexual abuse and exploitation of children and related evidentiary procedures;
- Criminal laws concerning human trafficking, including services and support available to victims and the rights and appropriate treatment of victims;
- Contact with and treatment of victims of crimes and delinquent acts;
- Notices, services, support, and rights available to victims and victims' representatives under State law; and,
- Sensitivity to cultural and gender diversity.

From these broad statutory requirements, specific training on hate crimes has been incorporated into the police entry level objectives that must be followed by all training academies in the State. The link below is to the document that outlines all entry level objectives.

Below are the specific objectives for hate crimes.

- Objective 04.05.01 - Identify resources available to the officer while conducting a criminal investigation for hate crimes
- Objective 09.01.01 - Describe the methods of intervening in interpersonal conflicts, i.e., ..., hate crimes...
- Objective 09.03 - Identify the basic psychological response of crime victims, i.e., ..., hate crimes....
- Objective 09.04 - Identify techniques that an officer can use to defuse the crisis stress symptoms of a victim, i.e.,...hate crimes....