



THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

Testimony in Support of HB485: Educate Against Hate Act of 2020

Testimony by Delegate Vaughn Stewart
February 11th, 2020 • Judiciary Committee

Responding to Recent Spikes in Reported Hate Crimes

Since 2016, incidents of hate crimes have spiked dramatically. In 2016 and 2017 alone, police reported [693 hate crimes](#), nearly [double the amount of crimes reported in the previous two years](#). The stories are chilling: from a noose in the courtyard of Crofton Middle School to swastikas drawn on in bathroom stalls at Bethesda-Chevy Chase High School, and from an aggravated assault on a gay man at Baltimore's Gilmore Homes to the murder of Army 2nd Lt. Richard Collins III in College Park. This disturbing trend has left countless Marylanders living in fear, and given the upward trajectory, is likely to get worse.

The responses to such pressing threats to our communities, meanwhile, have been inadequate. The current punishment for being found guilty of a hate crime is up to 5 years in prison and a \$10,000 penalty. The individuals and communities most impacted by hate crimes recognize that we can't always end cycles of violence with more violence. The Brennan Center for Justice reports that such punitive approaches to hate crimes "fail to effectively deter future crimes or assuage the concerns of the victimized communities" and prisons specifically often make hotbeds of further radicalization for racist, anti-semitic, and white supremacist groups. Most hate crime offenders are not hardcore bigots, nor do most of them belong to organized hate groups. Instead, most hate crime offenders are young males aged 16-25, many of whom could benefit more from instruction and re-education than isolation and punishment in prison. Rehabilitative approaches, such as victim-offender mediation and offender counseling and education, appear to hold more promise for changing the attitudes of hate crime offenders.

What the Bill Does

HB485 will give judges a rehabilitative option in response to hate crimes. Specifically, the bill will empower judges to require that hate crime offenders complete educational instruction relating to the group or community against which the crime has been committed. Modeled after a program in Massachusetts and a bill in Pennsylvania crafted in response to the shooting at the Tree of Life Synagogue in 2019, HB485 is just one of many strategies we should pursue to combat the growing threat and complexity of hate crimes in our communities.

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Why the Committee Should Vote Favorably

Countries around the world grappling with histories of genocide, extremism, and bigoted violence have implemented rehabilitative programs with high rates of success. In Berlin, the Breaking Away from Hate and Violence program offers violent hate crime offenders the option to attend group training and one-on-one discussions. The program has reported astounding results: Between 2001-2009, 500 participants completed their program, with a drop-out rate under 3%, and recidivism rates under 30%, compared to a 78% recidivism rate for comparable offenders who did not go through the program. In San Diego County, a program called PATHWAYS for Tolerance offered educational programming to young people who had committed or were at a high risk of committing a hate crime. An evaluation of the program concluded that it was successful in reducing hate crime risk and offending. Pilot programs in Sweden, Scotland, New York, Los Angeles, and Connecticut have shown similar promise.

In Maryland, we're already recognizing the benefits of rehabilitative, educational approaches to combating the spread of hate and violence. The Ways and Means Committee is hearing a bill proposed by Del. Cain that would support restorative practices in schools, and organizations like the Community Conferencing Center at Restorative Response Baltimore and Circle of Restorative Initiatives Maryland are already implementing this work on the ground.

As bigoted violence and destruction has grown, many of us have wondered what we can do to stop it. HB485 offers a solution that is backed by decades of research. I urge a favorable report.