

SenatorBailey_FAV_SB99.pdf

Uploaded by: Bailey, Jack

Position: FAV

JACK BAILEY
Legislative District 29
Calvert and St. Mary's Counties

Judicial Proceedings Committee



THE SENATE OF MARYLAND
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February 4, 2021

Senate Bill 99 – Hate Crimes – Law Enforcement Officers and First Responders

Dear Chairman Smith and Members of the Committee:

I am writing to introduce Senate Bill 99 – Hate Crimes – Law Enforcement Officers and First Responders. This bill would add law enforcement officers and first responders to Maryland's hate crime laws. Extra protection would be given to these individuals against crimes committed against themselves and their property that are motivated by their occupation.

The idea for this bill came after hearing from some of my constituents who were concerned following reports of first responders and law enforcement officers being personally targeted or having their property targeted solely because of their line of work. Personally, there were two recent incidents that seriously disturbed me. The first was the vandalism of the Fraternal Order of Police's lodge in Baltimore this summer. While many individuals chose to exercise their First Amendment right to peaceably assemble, the actions of these rioters went beyond any legitimate right to protest. The second took place just a few weeks ago in Prince George's County, where an officer was recently shot at while on the scene of a murder by suspects who made anti-police statements prior to shooting at the officer.

As a retired first responder, this is personal to me. I have seen firsthand the dangers that our police and first responders face every day. I don't believe any person should be targeted for crimes against themselves or their property based on their profession. These brave men and women who put their lives on the line for us every day should not be targeted for their heroic efforts and, as a State, we should make it clear that we will protect and support our first responders and law enforcement by holding those who would attack them based on their profession responsible to the fullest extent of the law.

Senate Bill 99 will help protect the first responders and the law enforcement officers who we all know from intentional harm. I respectfully request a favorable report on this bill. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Bailey".

Senator Jack Bailey
District 29
Calvert and St. Mary's Counties

SB099.pdf

Uploaded by: Crisafulli, Matthew

Position: FAV

Worcester County Sheriff's Office

Matthew Crisafulli
Sheriff



Douglas Dods
Chief Deputy

Senator William C. Smith, Jr., Chair
Senator Jeff Waldstreicher, Vice Chair
Senate Judicial Proceedings Committee
2 East Miller Senate Office Building
11 Bladen Street

Annapolis, MD 21401

Our law enforcement officers have been met with atrocious behaviors during large scale events, such as H2oi. There were crowds, disorderly conduct situations and assaultive behaviors. Projectiles were propelled off of third and fourth story balconies, we had our law enforcement officers that had bottle rockets shot at them, frozen water bottles thrown at them and other projectiles. This type of assault on our law enforcement officers can result in serious bodily injury, or even worse, death. People participating in this disgusting behavior towards our first responders, must be held strictly accountable. In today's climate, our law enforcement officers and other first responders are being victimized at an alarming rate. This should be viewed as a hate crime when our public servants are out here protecting our communities.

Several of our police vehicles were damaged by the projectiles, two deputies were nearly impaled by bottle rockets during the event. The anti-police sentiment and violence toward first responders has escalated over the years during H2Oi. I fear that this behavior is going to get worse. Our first responders are deserving of this legislation to help ensure their safety while their bravery is exuded in these situations.

Worcester County deputies and first responders face the highest probability of injury during H2Oi than another time of year due to the large, disorderly crowds. My main fear is for my men and women who are out here keeping Worcester County safe. I fear for their safety. I fear for the safety of all of our law enforcement personnel, and I fear for the safety of our residents and visitors that are subjected to this type of assaultive behavior.

This type of legislation is imperative because it helps to ensure that first responders will be protected against violence while they're out protecting their communities.

This type of bill gives us some assurance that if someone is going to commit an act of violence or any type of act against our first responders, when they are out here bravely trying to perform the mission of keeping Worcester County safe, that they're going to be held accountable.

I strongly encourage a favorable response for Senate Bill 0099.

A blue ink signature of Sheriff Matt Crisafulli, written in a cursive style.

Sheriff Matt Crisafulli

“Proud to Protect, Ready to Serve”

Worcester County Sheriff's Office
One West Market Street, Room 1001
Snow Hill, MD 21863
410-632-1111- phone / 410-632-3070- fax
www.WorcesterSheriff.com

Law Enforcement Hate Crime Bill[15525].pdf

Uploaded by: Lipoff, Jay

Position: FAV

Dr. Jay M. Lipoff
23127 Three Notch Road
California, MD 20619

February 2nd, 2020

RE: Hate Crime Bill for Law Enforcement

To Whom It May Concern,

Law Enforcement has one of the toughest and thankless jobs on the planet. Every day there is a chance you will not return home to see your loved ones while you are doing a job most would not choose.

Enforcing the law is not easy but is requisite in order to keep citizens safe against those whose intentions are disingenuous. We have laws and they need to be enforced otherwise we are susceptible to chaos and uncontrollable crime sprees.

In the wake of the George Floyd murder, there was a disturbing trend to assault or kill police. Everyone agrees that Floyd's murder was wrong. Everyone believes law enforcement can do better. But to attack police is disgusting and disturbing and will certainly not lead us to a solution. To diminish their abilities to police is wrong!

In this day and age of entitlement and phone journalism, we are bombarded by snippets of Law Enforcement interactions with suspects. If anything bad should happen, officers are judged and criminalized instantaneously. In fact, people are rioting if an officer returns gun fire and hits the suspect. Read that again out loud. What are people thinking?

Decisions by the brave men and women who wear a badge and protect us and enforce the laws of this country have to make split-second decisions. You try it. Am I going to pull out my wallet, or a knife and stab you? It's really easy to decide when you watch a slow-motion video clip from your couch.

When suspects are detained, they are now becoming combatant and not obeying orders. When this persists, we will have lawlessness and chaos. This was clearly seen during any of the riots where officers were being attacked, businesses were destroyed, innocent people were murdered; yet funds were collected and started to get the arrested individuals released. There was no repercussion for looting, attacking people...nothing. The Laws of our Country were not enforced!

Sadly many on the news encouraged it. Here's just one example as CNN's Chris Cuomo said, "Please, show me where it says that protests are supposed to be polite and peaceful."

It started last year or so, when people thought it was funny to dump milk on a police officer while videotaping it of course. If someone dumped milk on me I would probably knock someone's teeth out, but an officer of the law is supposed to take that type of bullying and ridicule? Wrong!

When I was growing up I was taught to be respectful to law enforcement officers at all times. Never in my wildest nightmares would I believe I would see people cheering, videotaping or ganging up to beat or kill an officer. This is terribly wrong on so many levels.

Virginia has proposed new criminal justice reforms that will reduce an assault on law enforcement officers from a felony to a misdemeanor offense. This, after Virginia Democratic Governor Ralph Northam signed "Tommie's Law," making animal cruelty a felony offense in the Commonwealth. So animals are more valuable than the law enforcement officers serving and protecting the citizens within the Commonwealth of Virginia???

Watching the protests, it is very obvious that lawlessness has allowed rioters to run out of control, destroying business owners lives, beating business owners or beating people based on the color of their skin. How are citizens supposed to feel safe? Why did the Capital just surround themselves with the National Guard because of their safety concerns? Yet the public was NOT afforded the same security while chaos ensued.

At the same time, any police presence is met with insults, spitting in their faces, name-calling, having objects thrown at them, fireworks hurled at them, police vehicles destroyed, lasers to blind them, gunfire, explosives and the list goes on because it's okay and acceptable? No it's not okay. At all.

The number of officers injured in 2020 due to peaceful protesters is extremely high, at the same time killings have increased 100%, 200% and 300% in cities without police presence like there used to be. The number of officers shot in 2020 was up 7% since 2019, which was also a record high year. It is a disturbing trend. This hatred toward the brave men and women of law enforcement has to be stopped.

National Fraternal Order of Police (FOP)

@GLFOP

Dec 30, 2020

The demonization of police has made communities & our officers less safe. The increasing violence against police officers MUST be condemned by all! With 1 day remaining in 2020:

311 officers shot

47 killed by gunfire

51 shot in 40+ ambush attacks

According to an article on addictioncenter.com, Police Officers have a higher suicide rate than the general public, (10 out of every 100K in the public vs 17 officers per 100K, respectively). Many of these deaths can be blamed on society's hatred for them. Chicago's police suicide rate was 60% higher than the national law enforcement average.

Webster's Dictionary defines a Hate Crime as such - any of various **crimes** (such as assault or defacement of property) when motivated by hostility to the victim as a member of a group. That group is Law Enforcement!

This is exactly what is happening to law enforcement when they are being attacked and it has to be stopped now!

We can't allow bad individuals to attack the very heroes that save a baby's life when they stopped breathing, or run toward gun fire in a crisis, or climb the stairs of a burning building to save whoever they can knowing there is a good chance they will be crushed by one of the Twin Towers as it falls.

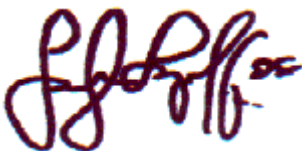
The need for police is more evident now than ever before. We cannot allow them to feel unwanted or unappreciated or that their job is not respected.

I encourage you to help me bring forth a law that protects all law enforcement officers from Hate Crimes that could injure these brave heroes.

A law that stands up for all of the heroes of law enforcement to say we have your back. To protect them against those that purposefully choose to harm them based on the group they are associated with. It's time for politics to be put aside and common sense celebrated as we create a law to protect those who protect and serve our communities bravely; without fear, without exhaustion and without intimidation.

Thank you for your time, consideration and for standing up for those that need us.

Sincerely,

A handwritten signature in dark red ink, appearing to read "J. Lipoff". The signature is stylized and cursive.

Dr. Jay M. Lipoff, C.F.T.

MCPA-MSA_SB 99 _Hate Crimes - Law Enforcement-Supp

Uploaded by: Mansfield, Andrea

Position: FAV



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 4, 2021

RE: **SB 99 Hate Crimes – Law Enforcement Officers and First Responders**

POSITION: **SUPPORT**

The Maryland Chiefs of Police Association (MCPA) and the Maryland Sheriffs' Association (MSA) SUPPORT SB 99. This legislation adds law enforcement officers and first responders to the protected classes under State hate crimes.

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 99 and urge a FAVORABLE Report.

Senate Bill 99.pdf

Uploaded by: Perez, Eric

Position: FAV

Senate Bill 99

Hate Crimes – Law Enforcement Officers and First Responders

Sponsor: Senator Jack Bailey

February 4, 2021

Detective Eric J. Perez

Maryland Fraternal Order of Police

Good morning Mr. Chairman and members the Committee, I'd like to thank you for the opportunity to testify today on Senate Bill 99 submitted by Senator Jack Bailey.

This bill is crucial in protecting all law enforcement officers and first responders against any hate crimes committed against an individual, group or government property that represents and/or is occupied/utilized by law enforcement officers and first responders. All too often in today's society, the narrative portrayed across the country, that it is common practice for the anti-police (and anti-government) groups to carry on and not be held accountable or held to the letter of the law whenever they burn, deface, destroy and vandalize government property, buildings and have on many occasions burnt our nation's flag. These individuals who I like to call anarchists need to be held accountable and prosecuted to the fullest extent of the law when these vile acts are committed. These groups who commit these acts also put the good citizens of our country in danger when they burn and loot in this radical and reckless manner.

On July 25, 2020 the Fraternal Order of Police Lodge #3 in Baltimore City (FOP3) was attacked and vandalized by a group of over (100) one hundred radical demonstrators. This group was very aggressive towards police officers who responded to this scene and took quite some time to back down and disperse. This large group of demonstrators spray painted hate crime statements and vulgarities all over the parking lot, the exterior of the building and windows and also burned our nation's flag that was flying high on the building. This was an attack of hate not only on the FOP3 Lodge building but also on the men and women of the Baltimore Police Department, both active and retired. (Illustrations listed below).

In conclusion, we hope our legislators ensure that law enforcement officers and first responders are afforded the same protections as every citizen while working under the color of the law. Once again thank you Mr. Chairman and members of the Committee and have a good day.













LoO - Hate Crimes LEO & First Responders.pdf

Uploaded by: Dove, Spencer

Position: UNF

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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Jeff Rosen
Gina McKnight-Smith, PharmD, MBA

February 4, 2021

Senate Bill – Hate Crimes – Law Enforcement Officers and First Responders **POSITION: Oppose**

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, physical and mental disability, and source of income.

Senate Bill 99 seeks to add “law enforcement officers” and “first responders” to Maryland’s list of protected classes under the state’s hate crimes statute. The list of protected classes currently includes race, color, religious beliefs, sexual orientation, gender, disability, national origin, and homelessness.

The Maryland Commission on Civil Rights opposes the inclusion of law enforcement officers and first responders because the hate crimes statute, similar to Maryland’s anti-discrimination statute, does not afford protections based on an individual’s profession. Rather, the protected classes enshrined throughout these statutes protect these individuals from hate, bias, and discrimination based on status that may be hereditary, cultural, or otherwise a matter that is not by choice. Additionally, the Criminal Law Article already affords additional protections to law enforcement officers and first responders that are not enjoyed by anyone else within Maryland.

For these reasons, the Maryland Commission on Civil Rights urges an unfavorable report on SB99. Thank you for your time and consideration of the information contained in this letter. The Maryland Commission on Civil Rights looks forward to the continued opportunity to work with you to improve and promote civil rights in Maryland.

HB286-SB99 - Hate Crimes - Law Enforcement and Fir

Uploaded by: Niemann, Doyle

Position: UNF



St., Baltimore, MD 21201
800-492-1964
| tdd 410-539-3186

To: Members of The House Judiciary Committee and Senate Judicial Proceedings Committee

From: Doyle Niemann, Chair, Legislative Committee, Criminal Law and Practice Section

Date: January 19, 2021

Subject: **HB286 and SB99 – Hate Crimes – Law Enforcement Officers and First Responders**

Position: **Oppose**

The Legislative Committee of the Criminal Law & Practice Section of the Maryland State Bar Association (MSBA) **Opposes HB286 and SB99 – Hate Crimes – Law Enforcement Officers and First Responders.**

This bill extends the coverage of the state hate crime statute to include first responders and law enforcement officers within the protected category covered by the law.

More specifically, the bill provides that acts motivated in whole or part because the target is a law enforcement officer, member of a group of law enforcement officers or a first responder or member of a group of first responders could be considered a hate crime.

This is an unwarranted and potentially troublesome extension. To classify almost any negative interaction with a law enforcement officer or first responder as a potential hate crime would undermine the meaning of the hate crime statute and potentially open the door to troublesome prosecutions.

For the reasons stated, we **Oppose HB286 and SB99 – Hate Crimes – Law Enforcement Officers and First Responders.**

If you have questions about the position of the Criminal Law and Practice Section's Legislative Committee, please feel free to address them to me at 240-606-1298 or at doyleniemann@verizon.net.

Should you have other questions, please contact The MSBA's Legislative Office at (410)-269-6464 / (410)-685-7878 ext: 3066 or at Richard@MSBA.org.

ADL Testimony SB99 - Hate crimes.pdf

Uploaded by: Weisel, Meredith

Position: UNF



Maryland General Assembly
Senate Judicial Proceedings Committee
February 4, 2021

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

ADL (the Anti-Defamation League) is pleased to submit this testimony in **strong opposition** to ***SB99, Hate Crimes – Law Enforcement Officers and First Responders***, which seeks to insert police and first responders as protected categories 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 or first responders 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 SB99 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 or first responder*. This additional intent requirement, which is not included in

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://ucr.fbi.gov/leoka/2019>.

existing laws covering 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 and first responders 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 SB99 an unfavorable report.**