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SB 220

March 24, 2021

TO: Members of the Judiciary Committee
FROM: Natasha Mehu, Director of Government Relations
RE: SENATE BILL 220 – Criminal Law - Hate Crimes - Protected Groups and Penalties
POSITION: SUPPORT

Chair Clippinger Vice Chair Atterbeary, and Members of the Committee, please be advised that the Baltimore City Administration (BCA) supports Senate Bill (SB) 220.

SB 220 expands the definition of hate crime to include crimes committed against others on the basis of their gender-related identity or expression and age. The bill also authorizes courts to require anyone convicted of a hate crime to participate in anti-bias education, and commissions the Board of Regents of the University System of Maryland to create and report on an anti-bias curriculum.

Adding gender-related identity or expression to the already-existing hate crimes statute is an important and necessary step in condemning violence against others based on their identity. Each year for at least the past five have been named the deadliest years on record for transgender and gender non-conforming individuals. At least 44 trans people were violently killed in 2020, which represents a 69% increase from the previous year, in which at least 26 trans people were killed. Most of these deaths were Black, transgender women. The numbers of trans people who have been killed has steadily increased since tracking this number began around 2010.

Hate and bias-motivated crimes against the LGBTQ community is not new, and proliferates within a system that fails to recognize them as such. Moreover, the systemic oppression of LGBTQ peoples is largely rooted in dehumanization, caused by a broad lack of education and understanding about gender and human sexuality. The bill goes a step further upstream to attempt preventing further hate-based crime by allowing courts to require anyone convicted of a hate crime to participate in anti-bias training. This is an important provision which aims at one of the root causes of hate crimes.

Sexual orientation is an identity which is already covered under the existing statute. At its core, sexual orientation bias is gender bias. Someone who commits a crime motivated by bias against men who are attracted to men may not have the same bias against women who are attracted to men. The bias exists because of gender-related identity. If sexual orientation is included, it follows that gender-related identity must be included also.

We respectfully request a favorable report on Senate Bill 220.

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