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Senate Bill 5 – Hate Crimes – Civil Remedy

Judiciary Committee

March 29, 2023

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Background: Senate Bill 5 (SB5) allows a hate crime victim to bring a civil action against the person or persons who committed the crime. While common law allows for such action, SB5 codifies the common law. Further, the bill would clarify the common-law option for awarding reasonable attorney's fees for hate crimes. Lastly, the bill would allow for treble damages, an enhanced monetary penalty awarded for egregious crimes.

Written Comments: The Baltimore Jewish Council and Maryland's Jewish community are concerned about the recent rise in hate/bias incidents in Maryland and the damaging effect that is having on our communities. These incidents are impacting not just Jewish communities, but those of many of our other faith partners. According to the 2021 State of Maryland Hate/Bias Report authored by the Maryland State Police, Maryland experienced an average of 385 hate bias incidents each year from 2019 – 2021. These reported incidents targeted both individuals and some of our most vital arenas for community engagement, including schools, community centers, and places of worship. No place, person, or part of our state is immune to these kinds of hateful incidents. SB5 would serve as both a deterrent to committing hate crimes as well as a symbol to the especially vile nature behind them.

Over 30 other states have already codified civil actions for hate crimes. Maryland should follow in their steps so that a person or persons who are aggrieved by a violation of our hate crime laws can bring a civil action with enhanced financial penalties against the perpetrator of the crime.

With this in mind, the Baltimore Jewish Council urges a favorable report of SB5.

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.