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**INFORMATIONAL TESTIMONY FOR HOUSE BILL 763**  
**Commission on Hate Crime Response and Prevention - Membership and Sunset**  
*Judicial Proceedings*  
**March 27, 2024**

**Social Work Advocates for Social Change (SWASC) appreciates the opportunity to inform the discussion on HB 763**, which would change the membership of the Commission on Hate Crime Response and Prevention from individuals who represent specific advocacy groups or communities to “15 individuals who represent or advocate on behalf of individuals protected under the Maryland State hate crime laws.” As currently written, HB 763 does not ensure that Marylanders who belong to diversity of classes that are protected by Maryland’s hate crime laws are adequately or equitably represented on the Commission on Hate Crime Response and Prevention.

**As written, HB 763 would allow all members of the Commission on Hate Crime Response and Prevention to be representatives of only one class or community protected under Maryland State hate crime laws.** While we do not believe that this is the intention of the bill sponsors and supporters, there is no guarantee that a future Maryland Attorney General would not intentionally and systematically prevent representation of one or another protected class. A virtue of the current membership of the Commission on Hate Crime Response and Prevention is that it ensures diverse representation. We believe it is important to maintain adequate and equitable representation - even as specific organizations are no longer represented on the Commission. Equitable representation for all protected groups is crucial for the effective functioning of the Commission on Hate Crime Response and Prevention. Failing to ensure adequate representation could negatively affect public trust in the Commission and undermine its stated goals. **We believe it is important to include language that ensures diversity among the new 15 members of the Commission.**

**SWASC does not believe the Commission should be sunsetted, especially as there has been a sharp increase in recent incidents of hate crimes in Maryland**, which underscores the need for the Commission on Hate Crime Response and Prevention. Maryland has seen a dramatic rise in the number of reported hate crimes over recent years, from 48 reported incidents in 2018 to 200 incidents in 2022 according to data collected by the FBI<sup>1</sup>. The 2022 Maryland Hate Bias Report showed that Maryland experienced an average of 412 hate bias incidents from 2020-2022, and there was a 19.8% increase in the total number of hate bias incidents between 2021 and 2022<sup>2</sup>. Since evidence shows a rising trend in hate crimes, the committee’s continued work

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<sup>1</sup> FBI Crime data explorer (2024) <https://cde.ucr.cjis.gov/LATEST/webapp/#/pages/explorer/crime/hate-crime>

<sup>2</sup> Maryland Dept. of State Police (2022) <https://mdsp.maryland.gov/Document%20Downloads/2022%20Maryland%20Hate%20Bias%20Report.pdf>



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is crucial. For this reason, we propose an amendment to eliminate the bill's provision to sunset the commission.

**Discriminatory laws are on the rise in many states, including in Maryland.** Many states have recently introduced restrictive legislation that targets groups who are protected under Federal hate crime laws. The ACLU and Southern Poverty Law Center are tracking hundreds of bills across the country that seek to restrict freedoms for such groups<sup>3 4</sup>. Despite the existence of some discriminatory bills that have been brought to the MGA floor, Maryland has stood out in recent years as a state that prioritizes standing up to hate crimes and bias incidents. For example, in 2023 the General Assembly fully funded the Commission on Hate Crime Response and Prevention<sup>5</sup>. Maryland should continue to serve as the model for other states to follow in terms of protecting its citizens against hate crimes; to do so we must have a robust and stable Commission on Hate Crime Response and Prevention.

**We propose that HB 763 be amended in the following ways.** 1) The bill should include language that clarifies the necessary criteria for membership on the Commission on Hate Crime Response and Prevention. 2) Additional language should be included that clarifies the selection process for members of the Commission on Hate Crime Response and Prevention by the Maryland Attorney General and includes a provision for community input into the selection process for commission members. 3) Section J of the bill which covers the expiration of the Commission on Hate Crime Response and Prevention should be struck out.

We thank Chair Smith and the Judicial Proceedings Committee for their time and consideration of HB763. **Social Work Advocates for Social Change appreciates the opportunity to submit this informational testimony.**

*Social Work Advocates for Social Change is a coalition of MSW students at the University of Maryland School of Social Work that seeks to promote equity and justice through public policy, and to engage the communities impacted by public policy in the policymaking process.*

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<sup>3</sup> ACLU (2024) <https://www.aclu.org/legislative-attacks-on-lgbtq-rights-2024>

<sup>4</sup> SPL Center (2024) <https://www.splcenter.org/data-projects/tracking-anti-muslim-legislation-across-us#filters>

<sup>5</sup> Maryland Matters (2023) <https://www.marylandmatters.org/2023/06/01/maryland-attorney-generals-hate-crimes-task-force-gets-permanent-status/>