



RACIAL EQUITY IMPACT NOTE

DEPARTMENT OF LEGISLATIVE SERVICES
MARYLAND ▪ GENERAL ▪ ASSEMBLY

2025 Session
HB1308

Crime of Violence - Medical Facilities and Places of Worship - Penalty (Sacred Places Safety Act)

Bill Summary

This bill prohibits a person from committing a crime of violence, as defined under § 14-101 of the Criminal Law Article, in a medical facility or place of worship. Violators are guilty of a felony, punishable by imprisonment for up to 10 years in addition to any other penalty imposed for the underlying crime of violence.

Racial Equity Impact Statement

The bill adds a penalty of up to 10 years imprisonment for defendants convicted of crimes of violence, as defined under § 14-101 of the Criminal Law Article, committed in a medical facility or place of worship. In general, individuals facing an incarceration penalty under the bill also face other serious charges that carry significant penalties under existing statute. Data specific to the offense established by the bill is not available to measure inequities with any certainty, but similar offense data indicates that Black individuals in Maryland are overrepresented in arrests for selected crimes of violence at locations similar to the locations defined in the bill. This limited data suggests that the bill's provisions could maintain or potentially exacerbate existing racial disparities in charges, arrests, convictions, and incarcerations for crimes of violence.

Analysis

Under the bill, a “medical facility” includes (1) a health care facility, as defined in § 19-114 of the Health-General Article; (2) any public or private clinic, hospital, or other institution that provides or purports to provide treatment or other services for individuals who have mental disorders; and (3) an agency, clinic, or an office operated under the direction of the local health officer or under

the regulatory authority of the Maryland Department of Health. A “health care facility” includes a hospital, an ambulatory surgical facility, a home health agency, and other specified facilities.

A “place of worship” means a nonresidential location where more than one individual assembles for purposes of religious or spiritual observance.

Section 14-101(a) of the Criminal Law Article defines a “crime of violence” as (1) abduction; (2) arson in the first degree; (3) kidnapping; (4) manslaughter, except involuntary manslaughter; (5) mayhem; (6) maiming; (7) murder; (8) rape; (9) robbery; (10) carjacking (including armed carjacking); (11) first- and second-degree sexual offenses; (12) use of a firearm in the commission of a felony or other crime of violence, except possession with intent to distribute a controlled dangerous substance; (13) child abuse in the first degree; (14) sexual abuse of a minor under specified circumstances; (15) home invasion; (16) felony sex trafficking and forced marriage; (17) an attempt to commit crimes (1) through (16); (18) continuing course of certain sexual conduct with a child; (19) assault in the first degree; and (20) assault with intent to murder, rape, rob, or commit a sexual offense in the first or second degree.

Crimes Committed at Medical Facilities or Places of Worship

There are no increased penalties under existing statute for committing a crime of violence or other crimes in a medical facility or a place of worship. However, there are standalone criminal prohibitions that apply to conduct undertaken in or just outside of medical facilities or places of worship. Under § 10-204 of the Criminal Law Article, a person may not intentionally act, alone or with others, to prevent another from entering or exiting a medical facility by physically detaining the other or obstructing, impeding, or hindering the other’s passage. Pursuant to § 10-302 of the Criminal Law Article, a person may not deface, damage, or destroy, or attempt or threaten to deface, damage, or destroy, personal or real property that is owned, leased, or used by a religious entity or for any religious purpose, including a place of worship, a cemetery, or a religious school, educational facility, or community center.

Mandatory Sentences for Crimes of Violence

Subsequent offenders sentenced for a crime of violence under § 14-101 of the Criminal Law Article are generally subject to mandatory sentences. For a second conviction of a crime of violence committed on or after October 1, 2018, a person must be sentenced to a mandatory minimum, nonsuspendable and nonparolable term of 10 years, if the person has been convicted on a prior occasion of a crime of violence (including a conviction for a crime committed before October 1, 2018) and served a term of confinement in a correctional facility for that conviction.

For a third conviction, a person must be sentenced to a mandatory minimum, nonsuspendable and nonparolable term of 25 years, if the person has been convicted on two prior separate occasions of a crime of violence, in which the second or succeeding crime is committed after there has been a charging document filed for the preceding occasion and for which the convictions do not arise from a single incident, and has served at least one term of confinement in a correctional facility as a result of a conviction of a crime of violence.

For a fourth conviction, a person who has served three separate terms of confinement in a correctional facility as a result of three separate convictions of any crime of violence must be sentenced to life imprisonment without the possibility of parole.

Diminution Credits

Diminution credits are made for good conduct, work tasks, education, and special projects or programs. Generally, incarcerated individuals sentenced to a State correctional facility are entitled to earn diminution of confinement credits to reduce the lengths of their incarcerations. Individuals sentenced for a “crime of violence” earn diminution credits at a lower rate than other incarcerated individuals. Incarcerated individuals may not earn diminution credits for specified sex offenses, including first-degree rape and other sex offenses against victims that are younger than age 16.

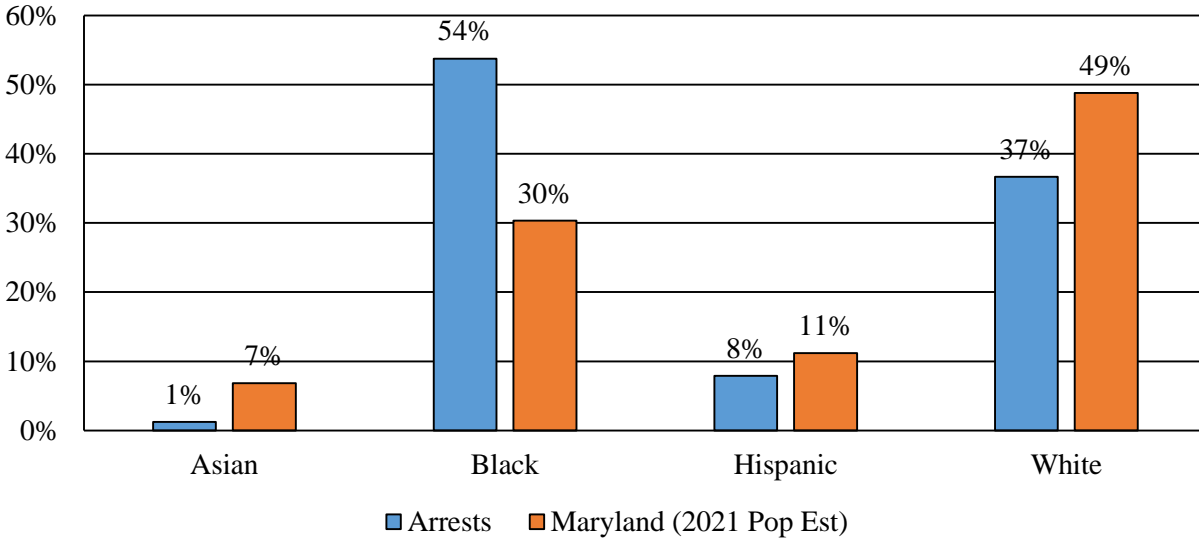
Impacts of the Bill

The Department of State Police (DSP) crime reporting program is currently in the process of moving from its current reporting system to the Federal Bureau of Investigation’s (FBI) National Incident Based Reporting System (NIBRS). Effective January 1, 2021, the FBI mandated this change in crime reporting from the existing Summary Reporting System to NIBRS. The move to NIBRS is designed to improve the quality and quantity of crime data collected by law enforcement agencies. As of November 15, 2024, most law enforcement agencies in Maryland have completed the transition to NIBRS. This includes all primary agencies (county police/sheriff) in 22 counties and Baltimore City. The 2023 data cited in this note reflects 116 NIBRS reporting agencies, or over 90% of all law enforcement agencies in the State.

The available DSP arrest data suggests that Black individuals are overrepresented in arrests for the specified offenses under the bill. During 2023, NIBRS reporting agencies reported 240 arrests for selected crimes of violence in which the location was reported to be a medical or religious facility. The crimes of violence sampled were assault, burglary/breaking and entering, robbery, sex offenses, and weapons law violations. As shown in **Exhibit 1**, while Black individuals account for only 29% of the State population, 54% of the arrestees for these offenses were Black. Of the remaining arrestees, approximately 37% were white, 8% were Hispanic, and 1% were Asian.

The 2023 data does not represent the entire total of offenders who may be affected by the bill as it only includes a sampling of crimes of violence and there is no way to determine if the location categories correspond precisely to the bill’s definitions of medical facility and place of worship. The data does, however, provide useful insight into the potential population of offenders that may be affected by the bill.

Exhibit 1
Selected Crime of Violence Arrests
at Medical Facilities and Places of Worship
2023



Source: Department of State Police; Department of Legislative Services

Conclusion

The statewide racial and ethnic demographics of individuals arrested for crimes related to the offense specified under the bill suggest racial disproportionality exists for Black offenders generally, but no reliable data is available to measure inequities related to charges, arrests, and convictions for crimes of violence committed in a medical facility or place of worship. Since the bill creates a new criminal offense, there is currently no reporting category that is wholly analogous to that offense for impact analysis purposes. Comprehensive data on offenders arrested, charged, convicted, and incarcerated for the bill's new offense would be needed to assess the impacts.

Information Sources: Department of State Police; Department of Legislative Services

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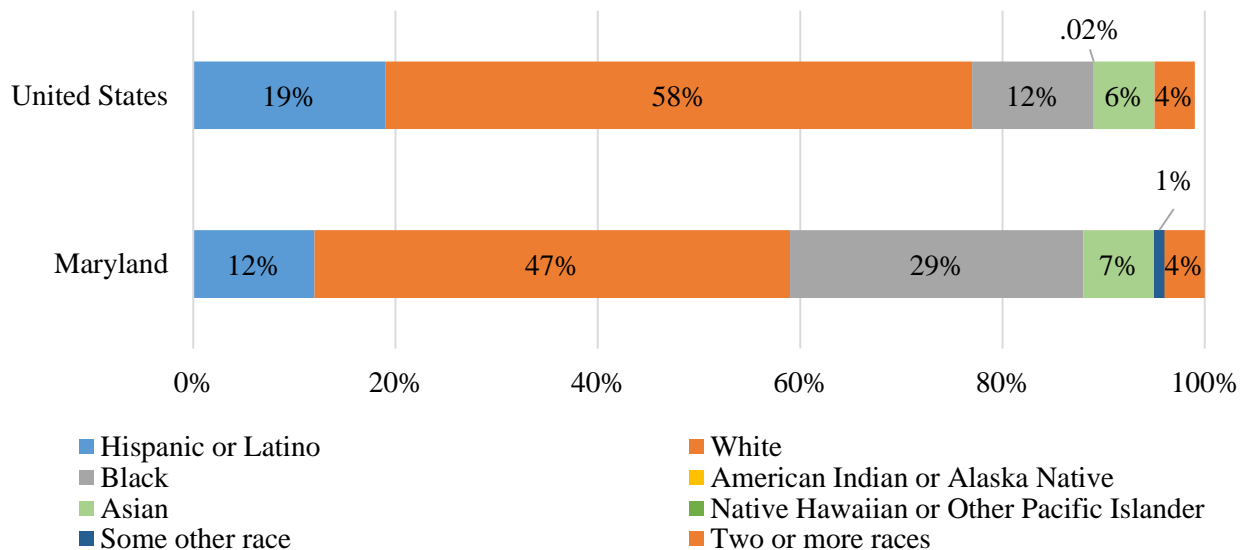
Appendix – Maryland Demographics

Race and Ethnicity of the Maryland Population

Maryland’s 2020 census population is 6,177,244, a 7% increase from the 2010 census count and approximately 2% higher than the 2019 census population estimates. In addition to an increase in population, Maryland’s racial demographics have become more diverse. Maryland is now a state in which racial minorities make up a majority of its total population. Notable changes relevant to this shift are the increase in groups who identify as “other” and “multiracial” (*i.e.*, two or more racial identities), which total 5% of the State’s population. Additionally, the change in demographics is due to the decrease in the number of individuals who only report “white” as their racial group. Despite this decrease, non-Hispanic whites remain the largest race demographic group in the State at 47% of the State’s population.

Compared to the U.S. population overall, Maryland’s population of individuals who identify as a single race is more diverse. Maryland is ranked as the fourth most diverse state by the U.S. Census Bureau’s [Diversity Index](#). As shown in **Exhibit 1**, in Maryland, 47% identify as white alone compared to 58% of the national population. Similarly, 51% of the population identify as non-white or multi-racial compared to 38% of the national population. In both the State and national populations, the largest shares of the non-white population are individuals who are Black, with 29% of the State population identifying only as Black and another 2.5% identifying as Black in combination with some other race. Maryland’s Asian population is 7%, which is slightly higher than the Asian share of the national population of 6%. The State’s overall population by ethnicity, however, is slightly less diverse than the U.S. population; 12% of the State’s population identified as Hispanic or Latino compared to 19% of the U.S. population.

Exhibit 1
U.S. and Maryland Population by Race and Ethnicity
2020



Source: U.S. Census Bureau, 2020 Census Redistricting Data (Public Law 94-171), Table ID P2, HISPANIC OR LATINO, AND NOT HISPANIC OR LATINO BY RACE.