

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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January 28, 2021

Senate Bill 128 – Hate Crimes – Civil Remedy **POSITION: Support**

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 128 authorizes a person who is the victim of a hate crime in Maryland to bring a civil action against the person or persons who committed the violation. Maryland is, unfortunately, not immune from acts of hate and bias against members of our community. Each year the Maryland State Police (“MSP”) forwards a copy of the State of Maryland Hate/Bias Report to MCCR. According to their 2019 report, MSP received 385 individual reports of alleged acts of hate and bias, up from the 375 reported in 2018. Of these 385 reports, 86 were verified as acts of hate or bias, 276 were inconclusive, and 23 were unfounded. These incidents can include, but are not limited to, bodily harm and property destruction. While the law currently has criminal penalties of fine and/or imprisonment for perpetrators of hate crimes, this bill would provide a civil remedy for victims to recover economic and non-economic damages associated with the unlawful act.

If a victim of unlawful discrimination in employment or housing files a complaint with the Maryland Commission on Civil Rights, the Commission is authorized by Title 20 of the State Government Article to seek financial relief for complainants. MCCR believes that the standard in SB128 is consistent with the spirit of Title 20, and thus is an appropriate vehicle for a victim to seek relief if she or he desires to pursue private action in court.

For these reasons, the Maryland Commission on Civil Rights urges a favorable vote on SB128. 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.