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To: Members of The House Judiciary Committee and Senate Judicial Proceedings Committee

From: Doyle Niemann, Chair, Legislative Committee, Criminal Law and Practice Section

Date: January 19, 2021

Subject: **HB286 and SB99 – Hate Crimes – Law Enforcement Officers and First Responders**

Position: **Oppose**

The Legislative Committee of the Criminal Law & Practice Section of the Maryland State Bar Association (MSBA) **Opposes HB286 and SB99 – Hate Crimes – Law Enforcement Officers and First Responders.**

This bill extends the coverage of the state hate crime statute to include first responders and law enforcement officers within the protected category covered by the law.

More specifically, the bill provides that acts motivated in whole or part because the target is a law enforcement officer, member of a group of law enforcement officers or a first responder or member of a group of first responders could be considered a hate crime.

This is an unwarranted and potentially troublesome extension. To classify almost any negative interaction with a law enforcement officer or first responder as a potential hate crime would undermine the meaning of the hate crime statute and potentially open the door to troublesome prosecutions.

For the reasons stated, we **Oppose HB286 and SB99 – Hate Crimes – Law Enforcement Officers and First Responders.**

If you have questions about the position of the Criminal Law and Practice Section's Legislative Committee, please feel free to address them to me at 240-606-1298 or at doyleniemann@verizon.net.

Should you have other questions, please contact The MSBA's Legislative Office at (410)-269-6464 / (410)-685-7878 ext: 3066 or at Richard@MSBA.org.