



**Maryland General Assembly
House Judiciary Committee
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Testimony of Meredith R. Weisel

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ADL (the Anti-Defamation League) is pleased to submit this testimony in **support of *HB128, Criminal Law – Hate Crimes – Protected Groups and Penalties***, which will further define the protected classes to include “gender-related identity or expression.” ADL also supports the concept of hate crime offenders receiving anti-bias educational instruction relating to the group or community impacted by a hate crime offense.

ADL (the Anti-Defamation League)

Since 1913, the mission of ADL has been to “stop the defamation of the Jewish people and to secure justice and fair treatment for all.” Dedicated to combating anti-Semitism, prejudice, and bigotry of all kinds, as well as defending democratic ideals and promoting civil rights, ADL has been recognized as a leading resource on effective responses to violent bigotry, conducting an annual *Audit of Anti-Semitic Incidents* and drafting model hate crime statutes for state legislatures. We were also privileged to lead a broad coalition of civil rights, religious, educational, professional, law enforcement, and civic organizations for more than a decade in support of the 2009 Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act (HCPA).

ADL is also a leading provider of anti-bias education and bullying prevention programs in K-12 schools and on college campuses. For over three decades, ADL has provided in-person programs through A World of Difference Institute, where PreK-12 educators, school faculty, students and family members explore identity and culture and learn to recognize and examine their own personal biases so they are more likely to challenge bias in themselves and society at large. In our region, which covers Maryland, the District of Columbia, Virginia, and North Carolina, we have worked with over 100 schools through our No Place for Hate program and the A World of Difference Institute to help foster inclusive school climates for students, teachers, and administrators of all backgrounds.

Impact of Hate Violence

All Maryland residents have a stake in effective responses to violent bigotry. These crimes demand priority attention because of their special impact. Bias crimes are intended to intimidate not only the individual victim, but also the victim’s entire community, leaving members feeling fearful,

isolated, and vulnerable. Failure to address this unique type of crime can therefore cause an isolated incident to explode into widespread community tension. By making targeted communities fearful, angry, and suspicious of other groups (and of the power structure that is supposed to protect them) these incidents can damage the fabric of our society and fragment communities.

In light of the unique harm that hate crimes can cause, it is vitally important that the community most impacted has a say in what, if any, education programming might benefit the offender in the aftermath of a hate crime offense. It is also essential that the burden for education programming not be placed solely on the community that has already been the target of hate. While in some cases, a community may wish to play a lead role in providing restorative justice programming, in other cases, the community may not have the resources, bandwidth, or capacity to provide such training. In fact, it is also entirely possible that, considering residual fear, trauma, and safety concerns, anti-bias training would actually cause even more harm to a community already suffering. While third parties could certainly step in to provide such training, unless and until that training is reviewed and approved by the community most impacted by the crime, a judge should not be required to order it.

For these reasons, ADL is pleased to see the timeline that would require the development of a curriculum for an anti-bias education program. We believe it is important that restorative justice programming for hate crime offenders remain discretionary in Maryland. This will allow judges to consider the impact that educational instruction might have on the community most affected by the crime, and it will also empower the community to play a lead role in recommending programming that will not only benefit the perpetrator, but also help make the community whole to the greatest extent possible.

We urge the House Judiciary Committee to give HB 128 a favorable report.