

Maryland's response to *Hate Crimes*

WHAT IS A HATE CRIME?

A Hate Crime is an act that appears to be completely or partly motivated by race, religion, ethnic background, sexual orientation or disability. To be considered a hate incident, the act is not required to be a crime under any federal, state, or local statute. Vandalism to any place of worship, assault on an individual, the bombing of a building – each of these examples can be a hate crime – if it meets any one of the following criteria:

- Racial, religious or ethnic statements are made during the incident;
- Hate group symbols are displayed;
- The motive of a crime is to harm, injure or intimidate a particular group or organization;
- The victim perceives it to be a hate crime.

HOW DOES FEDERAL LAW PROTECT ME AGAINST HATE CRIMES?

Federal law addresses hate crimes primarily through the Civil Rights Statutes (U.S.C. Titles 18 and 42) which includes the following:

Conspiracy Against Rights – makes it illegal for two or more people to conspire to injure, threaten, or intimidate someone in the exercise of any right provided by the U.S. Constitution.

Prevention of Intimidation – addresses intimidation based on race and ethnicity in housing or the exercise of certain other federally-protected rights.

In addition, federal law provides for increased sentences where a defendant selects a victim because of race, color, religion, national origin, ethnicity, gender or disability. When a hate crime results in bodily injury or fire is used, the crime is a felony. It is a capital crime if death results.

WHAT ARE MARYLAND'S HATE CRIMES LAWS & HOW CAN THEY PROTECT ME?

Article 49B, Annotated Code of Maryland, enforced by the Maryland Commission on Human Relations, protects people against hate crimes in their homes, from harassment by neighbors,

or interference with fair housing rights based on race, national origin, sex, familial status, color, religion, marital status, physical and mental disability or sexual orientation.

Maryland law addresses hate crimes specifically through Article 27, 470A – Religious and Ethnic Crimes. Under Article 27, it is illegal in Maryland, punishable by fine and/or imprisonment, for any person to vandalize or attempt to vandalize any religious property or to interfere by force or threat of force with any person in the exercise of their religious beliefs.

It is also forbidden to damage, destroy, burn or otherwise vandalize the property of a person or an institution because of their race or beliefs, or to harass or commit a crime against any person because of their “race, color, religious beliefs or national origin.”

This statute also provides an extra sentencing enhancement for those crimes motivated by hate.

I BELIEVE THAT I WAS THE VICTIM OF A HATE CRIME. WHAT CAN I DO?

1. Report the incident to your local law enforcement agency or human rights agency. Even if you do not have any information on the suspects or there is no physical injury or property damage, your report will serve as important investigative information if a future incident occurs.
2. Do not destroy any evidence related to the crime. Keep all letters and answering machine tapes. Do not clean up any vandalism until the police arrive and investigate.
3. Get help. Your local victim assistance agencies and human rights agencies are here to help **you**.

HATE CRIMES HOTLINE

If you do not know who your local victim service providers are or you need to reach your local human rights agency, call the Maryland Hate Crimes Hotline at:

1-800-637-6247 between 8:30 a.m. and 5:00 p.m. weekdays.

