

# MARYLAND COMMISSION ON HATE CRIMES RESPONSE AND PREVENTION

## **OPERATING GUIDELINES**

### **I. About the Maryland Commission on Hate Crimes Response and Prevention**

The Maryland Commission on Hate Crimes Response and Prevention was established by legislation, passed by the General Assembly, and signed into law by the Governor during the 2023 session. It is statutorily charged with developing strategies to prevent and respond to hate crime activity, evaluating State laws and policies relating to hate crimes, and annually reporting to both the General Assembly and the Maryland State Department of Education. The Commission’s work focuses on crimes and bias incidents that are motivated by and target individuals, groups, or property based on race, color, national origin, gender, gender identity, religion, sexual orientation, disability, or homeless status. The Commission is composed of 23 members, including representatives of 19 named organizations. The Attorney General is the Chair of the Commission.

#### ***Mission***

The Commission’s mission is to eradicate hate crimes and bias incidents in Maryland and to support individuals and communities victimized by hate.

#### ***Vision***

The Commission’s vision is for Maryland to be a community united against and free from hate, in all its forms.

#### ***Values***

The Values that guide the Commission’s work are:

- Integrity
- Respect
- Fairness
- Equity
- Diversity
- Empathy
- Professionalism
- Accessible
- Inclusive

#### ***Guiding Principles***

These Principles guide how we work together on the Commission:

- We seek common ground, even when we disagree, as we share the goal of eradicating hate in Maryland.
- We are open-minded and seek to understand different perspectives, recognizing that there are diverse backgrounds and opinions on the Commission and among Marylanders that may, at times, be in conflict.
- We create an atmosphere of respect and civility within which individual members are free to express their ideas in dialogue, discussion, and debate. We embrace tolerance. We do not direct personal attacks toward any individual(s) or community.
- We collaborate, appreciating the value of bringing to the table and working alongside representatives of diverse nonprofit, private, governmental organizations, and the general public.
- We assume good intent.
- We are prudent in public, recognizing the potential impact of our conduct and behavior on the success of our work together as the Commission.
- We work through our differences and dissenting opinions by focusing on our mission and vision for the Commission and its work.

## **II. The Roles and Responsibilities of the Commission**

The Commission will:

1. Develop strategies to prevent and respond to hate crimes and bias incidents in Maryland.
2. Evaluate State laws and policies relating to hate crimes and bias incidents - including their effectiveness, recommend improvements, and support change.
3. Make recommendations to improve participation by law enforcement in reporting hate crimes and bias incidents.
4. Engage the entire community, including individuals and groups that typically are not the targets of hate in our work.
5. Consider the unique challenges presented by how social media and gaming are used to spread hate.
6. Promote healing within communities through the use of restorative justice and other methods.
7. Support teachers, parents, caregivers, and students to address hate in schools.
8. Provide annual policy recommendations to the Maryland State Department of Education (“MSDE”) with the goal of reducing the incidence of hate crimes and bias incidents in schools.
9. Provide annual policy recommendations to the Maryland General Assembly.
10. Operate with transparency. Meetings will be open to the public as required under Maryland’s Open Meetings Act.
11. Not tolerate acts that constitute discrimination or harassment based on race, color, national origin, religion, age, disability, sex, sexual orientation, gender identity, homelessness, or by any other factor protected by federal or state law.

### **III. The Roles and Responsibilities of the Commission Chair.**

The Chair, or in his absence the Chair-designee, is responsible for leading and directing the work of the Commission. The Chair will:

1. Establish the agendas for and preside at meetings of the Commission.
2. Appoint subcommittees as needed, from time to time, to study specific matters of interest and prepare recommendations for the full Commission.
3. Review and approve final reports of the Commission prior to submission to MSDE or the General Assembly.
4. Assure that the Commission and Commissioners are operating in accordance with these operating guidelines and applicable law.
5. Assure that Commission meetings are conducted consistent with the Maryland Open Meetings Act.

### **IV. The Roles and Responsibilities of Individual Commissioners**

Individual Commissioners will:

1. Uphold the Mission, Vision, Values, Guiding Principles, and Roles and Responsibilities of the Commission.
2. Recognize that they serve as “public officials” and have a fiduciary duty to act in the best interests of the Commission, the OAG, and the State, as defined under by Maryland’s Public Ethics Law, including avoiding conflicts of interest and preserving confidentiality.
3. Adhere to the highest standards of personal conduct and exercise a reasonable degree of judgment. Personal behavior must not compromise a commissioner’s capacity to perform their public role in an unbiased manner or create an appearance to that effect.
4. Attend and participate in meetings of the Commission.
5. Participate in at least one of the Commission’s subcommittees.
6. Direct media inquiries about the Commission and its activities to the Commission Chair or OAG staff. Commissioners should refrain from public comment about Commission work unless otherwise authorized.
7. Maintain records in their custody, including emails and texts, which relate to the Commission in accordance with the OAG’s Record Retention Policy and the requirements of Maryland’s Public Information Act.

### **V. Additional Guidance on Public Communications by Commission Members in their Private Lives**

The Commission and the OAG recognize and support the rights of Commission members as private citizens to engage in free speech on matters of public concern to the full extent recognized and protected under the First Amendment of the United States Constitution. However, these rights must be balanced with the duties and responsibilities Commissioners take on as described above. To assist Commissioners in navigating this balancing act, the Commission is providing the following guidelines and tools.

#### Standards of Public Communications, including Social Media

- A Commission member should not express or imply that they are communicating on behalf of the Commission unless specifically authorized to do so.
- Where necessary, when communicating publicly, a Commission member should clarify that the views expressed are their own and do not reflect the views of the Commission or the OAG.
- A Commission member should not make any statement that is likely to incite imminent lawless action, constitutes a criminal threat, or expressly encourages others to engage in hate crimes, bias incidents, or violence.
- A Commission member should not make any statement that a reasonable person would likely consider to be hate speech, including false statements or statements in reckless disregard for the truth, or statements that otherwise are likely to damage the reputation of, impair the public trust in, or hinder the work of the Commission.
- A Commission member should be professional when speaking and interacting with other members of the Commission and the public.
- A Commission member should not make comments that a reasonable person would likely perceive as showing prejudice based on race, gender, sexual orientation, religion, disability, or any other protected basis.
- A Commission member should hold themselves to the same standards online as they do in person.
- A Commission member should not engage in anonymous online activity (or use a pseudonym) to engage in conduct or communications that they would otherwise not be permitted to engage in if their identities were known.

#### **VI. Resources to support your participation as a Commissioner**

[About Maryland's Open Meetings Act](#)

[About the Maryland Public Ethics Law](#)

[About Maryland's Public Information Act](#)

[About the OAG Record Retention Policy](#)