



ANTHONY G. BROWN, MARYLAND ATTORNEY GENERAL

# PRESS RELEASE

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Media Contacts:  
[press@oag.state.md.us](mailto:press@oag.state.md.us)  
410-576-7009

## **Attorney General Brown Drives Historic Progress for Equity and Justice as Key Priority Bills Advancing Marylanders' Civil Rights Are Signed into Law**

*Landmark Bills Establish Civil Rights Enforcement Authority and Prosecution Authority in Police-Involved Fatalities; Create Hate Crimes Commission and Secure Funding for Access to Counsel in Evictions*

**BALTIMORE, MD (May 16, 2023)** – Maryland Attorney General Anthony G. Brown today announced monumental achievements towards a more fair, just, and equitable Maryland as Governor Wes Moore signed into law a series of landmark bills that provide the Office of the Attorney General new authority to enforce civil rights and prosecute police-involved fatalities, establish the first Maryland Commission on Hate Crime Response and Prevention, and dedicate funding to provide access to counsel for tenants facing eviction.

“My mission is to achieve justice and equity for all Marylanders. These bills signed today provide us greater tools to pursue that mission,” **said Attorney General Brown**. “These measures will drive Maryland closer to a future where justice, accountability, and equity prevail.”



## Civil Rights Enforcement Authority

Senate Bill 540 gives the Attorney General the authority to protect Marylanders from bias and discrimination based on all categories protected under State and federal law: race, color, religion or creed, sex, age, ancestry or national origin, marital status, physical or mental disability, sexual orientation and gender identity, genetic information (in employment), and familial status and source of income (in housing). In addition to employment and housing, these rights span a wide range of issues, including public accommodations, business relationships, education, voting, and reproductive rights.

“This legislation provides the tools needed by the Office of the Attorney General to root out discrimination and bring enforcement actions on behalf of Marylanders whose civil rights have been violated,” **said Attorney General Brown**. “We will actively defend employees' rights, protect renters and homeowners, and ensure access to healthcare, the ballot, public and commercial spaces, and opportunities. No one should suffer discrimination in Maryland.”

Under this new law, the Attorney General will investigate suspected civil rights violations by non-governmental entities. If there is reason to believe a civil rights violation has occurred, the Attorney General may file a lawsuit on behalf of the citizens of Maryland and ask the courts to stop an alleged violator from continuing its discriminatory actions.

Because individuals often do not have the resources to enforce their civil rights, this new law offers a much broader level of protection for Marylanders. While no new civil rights protections were created by the law, the Attorney General will be able to use the resources of his Office to investigate and bring enforcement actions on behalf of Maryland residents facing all kinds of discrimination. Examples of potential actions include:

- Safeguarding families from being denied housing because they have children.
- Defending employees' right to wear headscarves at work.

- Protecting homebuyers from being denied mortgages because they are purchasing in predominately minority neighborhoods.
- Preserving accessibility for people living with disabilities who require wheelchair ramps.
- Ensuring fair wages for women and people of color.

The Attorney General will be able to initiate investigations and bring lawsuits to address alleged civil rights violations as well as take on investigations referred to by the Maryland Commission on Civil Rights (MCCR). The Office of the Attorney General has the experience and resources to handle large investigations and cases of systemic or widespread violations, complementing work already being done by the Commission to ensure the best possible protection of Marylanders' civil rights. In addition, the Attorney General will educate members of the public on their civil rights and resources available to protect those rights.

The Office has created a new "Frequently Asked Questions" web page with general information for the public as we work to stand up the newly expanded Civil Rights Division. For more, click here <https://www.marylandattorneygeneral.gov/Pages/CivilRights/CivilRightsFAQ.aspx>.

The new Civil Rights Division will be hiring attorneys, investigators, and administrative staff. Please visit [www.marylandattorneygeneral.gov/pages/employment/default.aspx](http://www.marylandattorneygeneral.gov/pages/employment/default.aspx) for more information about these job postings.

### **Independent Investigations Division Prosecutorial Authority**

Also signed into law today was Judicial Proceedings Chair Will Smith's Senate Bill 290, which expands the Office's Independent Investigations Division (IID) authority to prosecute, when warranted, police-involved fatalities and serious injuries likely to result in death. Building on the General Assembly's historic 2021 police reform efforts, this new law will align the State with best practices in police accountability and increase public confidence that investigations and prosecutorial decisions are independent and transparent.



The IID has investigated all police-involved fatalities in the State of Maryland occurring since October 1, 2021. At the conclusion of its investigations, the IID has completed an investigative report containing detailed findings and analysis and forwarded its report to the local State's Attorney of the county with jurisdiction over the incident. The local State's Attorney – not the IID – has decided whether to prosecute an involved officer or decline to bring criminal charges.

Beginning with incidents occurring on October 1, 2023, the IID will also have prosecution authority over all police-involved fatalities. At the conclusion of an investigation, the IID will determine whether to prosecute an involved officer. Maryland joins nine other states that have adopted this best practice to ensure impartiality in this crucial area of police accountability.

“The Office of Attorney General will exercise this new authority in an impartial manner to improve public confidence in prosecutorial decisions and to ensure that police who are involved in these incidents are treated fairly,” **said Attorney General Brown**. “The General Assembly’s work on this bill, and Governor Moore’s signature today, align Maryland with best practices that all Marylanders deserve.”

For more information on the Independent Investigations Division’s new prosecutorial authority, visit [www.marylandattorneygeneral.gov/pages/IID/IID.aspx](http://www.marylandattorneygeneral.gov/pages/IID/IID.aspx).

### **Commission on Hate Crime Response and Prevention**

Since 2016, hate crimes and hate bias incidents have risen sharply nationwide. Maryland is no exception, having experienced a significant and sustained increase in hate crimes and bias incidents over the past six years, particularly in conduct motivated by bias against a victim’s race, ethnicity, ancestry, religion, sexual orientation, and gender identification. Despite recent enhancements to the State’s hate crime laws, which expand protected categories and prohibited conduct, standardize reporting, and mandate law enforcement training, Maryland continues to face significant challenges in obtaining complete reporting, engaging law enforcement and

community-based organizations in areas impacted by hate activity, and in securing justice for victims through prosecution.

In response, the Office of the Attorney General applied for and received a U.S. Department of Justice grant to create the Attorney General Hate Crimes Task Force, comprised of law enforcement, civil rights agencies, and community-based organizations.

Today, Governor Moore signed House Bill 1066, which creates a permanent State Commission on Hate Crime Response and Prevention that is chaired and staffed by the Office of the Attorney General and includes funding for additional personnel. The commission will be required to develop strategies to prevent and respond to hate crime activity and evaluate State laws and policies relating to hate crimes.

On or before December 1 each year, beginning in 2024, the commission will recommend policies to the Maryland State Department of Education to address hate crimes that occur in schools and propose legislative policies to the General Assembly to address hate crimes throughout the State.

### **Access to Counsel in Evictions**

Black and Brown households and those led by women, which are disparately impacted by evictions, also found some relief today with the signing of a bill supported by the Attorney General that provides critical and continued funding for the Access to Counsel in Evictions Special Fund. In 2021, Maryland became the second state in the nation to require that legal counsel be provided in eviction proceedings for income-eligible tenants. The new requirement acknowledges the markedly uneven legal representation between landlords and tenants and the significant personal and societal costs of eviction, including the disparate impact on overburdened and underserved communities.

This year, the Attorney General supported legislation, Senate Bill 756, which ensures funding for this Access to Counsel Program and Task Force through FY 2027. The continued funding of this program is critical to ensuring eligible tenants facing eviction will be provided meaningful legal representation.

For more information about the Task Force, visit <https://www.marylandattorneygeneral.gov/Pages/A2C/index.aspx>.

The Civil Rights Enforcement Authority and the Independent Investigations Division Prosecutorial Authority bills will become effective October 1, 2023.

The Access to Counsel in Evictions Funding bill will become effective July 1, 2023, and the Hate Crimes Commission bill will take effect on June 1, 2023.

<https://www.marylandattorneygeneral.gov/press/2023/051623a.pdf>