



HATE CRIME – FAQs MARYLAND

Disclaimer: This guide is designed for informational purposes only. It is not legal advice and is not intended to create an attorney-client relationship. The Lawyers' Committee for Civil Rights does not warrant any information contained in this guide, nor does the Committee suggest that the information in this guide should be used as a basis to pursue legal advice or decision-making.

Note: This guide is not exhaustive. Situations or inquiries may arise that are not answered below. In those circumstances, please call 844-9-NO-HATE.

TABLE OF CONTENTS

1. What is a hate crime or hate incident?	9. The State is not investigating my case or bringing a lawsuit. How can I get in touch with an attorney with the State to discuss my case?
2. I believe I was the victim of a hate crime or hate incident. What should I do?	10. The State is not investigating my case or bringing a lawsuit, but I would like to explore bringing a case with a private attorney against the perpetrator (known as a “civil case”). Does Maryland have civil laws relevant to hate crimes or hate incidents?
3. Does Maryland have a state hate crime law?	11. I have been attacked, put in fear of danger, intentionally made to suffer emotional distress, had my property vandalized, or harmed in another way due to an act motivated by hate. What other civil laws can I use to bring a case?
4. Who is protected under Maryland’s hate crime law?	12. I would like to explore bringing a case with a private attorney against the perpetrator, but I do not know any private attorneys. How can I find someone to represent me?
5. Someone attacked me or a family member. The attack appears to have been motivated by bias, prejudice, or hatred against a certain social group. What are Maryland’s relevant laws?	13. What are some local and state organizations working on hate crimes and hate incidents?
6. Someone damaged my property and it appears to have been motivated by bias, prejudice, or hatred against a certain social group. What are Maryland’s relevant laws?	14. Where can I find additional information or get help?
7. Someone defaced my place of worship or otherwise interfered with my religious practice. Does Maryland have any special laws protecting religious groups from hate motivated acts?	
8. Someone hung a noose at my work, burnt a religious symbol by my home, or otherwise tried to humiliate me and members of my community with a symbol or message. Are there any special laws against crimes which are meant to intimidate based on someone’s social identity in Maryland?	

1. What is a hate crime or hate incident?

A hate crime is generally defined as a crime against a person or property that is motivated by bias, prejudice, or hatred toward the personal, or perceived personal, characteristics of a victim, including: race, religion, disability, sexual orientation, ethnicity, gender, or gender identity.

The definition of a hate crime differs from state to state, but always includes an underlying crime.* Several states do not have separate statutes for crimes motivated by hate, but at a minimum, most states have enhanced penalties for crimes motivated by hatred based upon the above characteristics. Furthermore, if state and local authorities do not sufficiently protect victims of hate crimes, then the federal government may step in and prosecute hate crime violations.

Maryland's hate crime definition closely resembles the general definition above. In Maryland, it is illegal to commit a crime or attempt to commit a crime, damage, deface, or destroy, or attempt to deface, damage, or destroy, or burn or attempt to burn the real or personal property of a person because of their (1) race; (2) color; (3) religious beliefs; (4) sexual orientation; (5) disability; (6) national origin; or (7) status as homeless.¹

A hate incident is based on the same behaviors and motivations as a hate crime, but does not rise to the level of a crime. For example, you may be a victim of hate speech, which, depending on the circumstances, may not constitute a crime (and may be protected under the First Amendment), but which may constitute a hate incident.

2. I believe I was the victim of a hate crime or hate incident. What should I do?

If you think you may be a victim of a hate crime or hate incident, you should immediately take the following three steps:

STEP 1 - - REPORT IT

For emergencies:

- If you (or others) have been injured or fear for your safety, call 911 immediately.
- If you are uncomfortable calling 911 or local law enforcement, consider calling the local United States Attorney, the local FBI Field Office, or the State Attorney General's office to report the offense. Understand, however, that these authorities may not respond as quickly as local law enforcement responding to a 911 call.
- Obtain medical attention if necessary.

For non-emergencies:

- If a non-emergency, call your local police station, or visit your local police office or federal law enforcement office as soon as possible to report the offense.

* Examples of underlying crimes include: assault, battery, destruction of property, threats, rape, murder, arson, robbery, and burglary. This list of criminal offenses is not exhaustive, however, and other criminal offenses may also be considered hate crimes.

- If you are not comfortable calling law enforcement, consider calling a trusted community or legal services organization. You can call 1-844-9-NO-HATE to be connected to a local organization.

Follow-up and key things to remember for both emergencies and non-emergencies:

- Ensure that a police report is filed regarding the offense and obtain a copy of the report (which should include the responding officer's name and badge number).
- Request that the police report indicate that the offense may have been a hate crime or a hate incident.
- File the report with local law enforcement, the State Attorney General's office, and federal law enforcement.
- For additional support and documentation, also report it to 844-9-NO HATE.

STEP 2 - - GATHER INFORMATION

- Preserve any evidence and take photographs of the evidence. For example, do not remove graffiti but instead, take photographs of the graffiti. Do not delete electronic correspondence (e.g., text messages, e-mails, social media posts, etc.), including your own. If you decide to involve law enforcement, you should preserve all evidence as directed by law enforcement.
- Document the experience in writing as soon as possible after the offense, including any specific words used during the offense. Record all your thoughts.
- Record any information you can remember about the perpetrator, including approximate age, height, weight, gender, race, clothing and any other distinguishing characteristics.
- Obtain contact information (names, addresses, and telephone numbers) of any other victims or witnesses to the offense.

STEP 3 - - GET ADDITIONAL SUPPORT

- Find support in the community -- through friends and family, victims' organizations, advocacy or community groups, religious organizations, legal groups, professional counseling, etc.
- Consider seeking legal representation.

Remember, you can always contact 1-844-9-NO-HATE.

3. Does Maryland have a state hate crime law?

Yes, Maryland has a state hate crime law.

Maryland Criminal Laws § 10-301 et seq.: Subtitle 3 of Title 10 of the Maryland Criminal Code is commonly referred to as Maryland's hate crimes statute. Sections 10-301 through 10-308 protect against discrimination due to race, color, religious beliefs, sexual orientation, gender, disability, national origin, or homeless status.² These sections prohibit crimes directed at both people and property due to bias against another's

protected trait. In other words, if someone commits a crime against a property or person due to bias directed at that person or property due to that person or property's affiliation with one of the aforementioned classes, then that person may be guilty of a hate crime under Maryland law. Enhanced penalties for crimes falling within these sections can be found in § 10-306.

4. Who is protected under Maryland's hate crime law?

Maryland's hate crime statute protects any person who is the victim of a crime because of their:³

- Race;
- Color
- Religious Beliefs;
- Sexual Orientation;
- Gender;
- Disability;
- National Origin; or
- Homeless Status.

Note: Maryland law does not include political affiliation or age as protected traits.

Maryland law provides specific definitions for some of these characteristics.⁴ "Sexual orientation" is "the identification of an individual as to male or female homosexuality, heterosexuality, bisexuality, or gender-related identity."⁵ The law defines "homeless" as "lacking a fixed, regular, and adequate nighttime residence; or having a primary nighttime residence that is: a supervised publicly or privately operated shelter designed to provide temporary living accommodations; or (ii) a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings."⁶

5. Someone damaged my property and it appears to have been motivated by bias, prejudice, or hatred against a certain social group (e.g., a swastika, derogatory terms, etc). What are Maryland's relevant laws?

Maryland's hate crimes statute (see also [Question 3](#)) prohibits any person from damaging, defacing, destroying, burning, or attempting to damage, deface, destroy, or burn another's real or personal property because of their association with one of the protected traits.⁷

Maryland Criminal Laws §§ 10-302, 10-304, & 10-305: These sections prohibit a damaging or attempting to damage religious property. Religious property includes: personal property or real estate owned, leased, or used by a religious entity; property used for any religious purpose; places of worship; cemeteries and burial grounds; religious schools, educational centers, and community centers; and "the grounds adjacent to them."⁸ These sections prohibit burning or attempting to burn objects on the real or personal property of a person falling within the protected classes. Both public and private property are covered by these sections. Just as affected individuals are protected if the evidence exhibits bias because of the race, color, religious beliefs, sexual orientation, gender, disability, or national origin of that person or group or because that person or group is homeless, building and property are likewise protected against property crimes if the property is affiliated or associated with one of the aforementioned groups. Penalties for crimes covered by these sections are located in § 10-306.⁹

Maryland Criminal Law § 3-1001: This section prohibits threats communicated orally or via written communication or electronic mail if a person knowingly threatens to commit or cause a violent crime that would place others at substantial risk of death or serious physical injury if certain criteria are met.¹⁰ This section also provides a full list of qualifying violent crimes that may be charged under this section.[†]

This section may apply if someone makes a threat that results in **five or more people**:

- Being placed in reasonable fear that a crime will be committed;
- Being evacuated from a dwelling, storehouse, or public place;
- Being required to move to a designated area within a dwelling, storehouse, or public place; or
- Being required to remain in a designated safe area within a dwelling, storehouse, or public place.

–Even if such threats are not carried out, this section may still apply–

Note: These are criminal laws, and thus, any claims under this code must be brought by a prosecutor.

6. Someone attacked me or a family member. The attack appears to have been motivated by bias, prejudice, or hatred against a certain social group (e.g., before attacking, the perpetrator shouted “Go home!”). What are Maryland’s relevant laws?

Maryland’s hate crimes statute, discussed under [Question 3](#), addresses attacks motivated by bias, prejudice, or hatred due to race, color, religious beliefs, sexual orientation, gender, disability, national origin, or homelessness status. If someone commits a crime (such as assault or battery) against a person who falls within one of these protected classes, then that person may be guilty of a hate crime under Maryland law and may be subject to enhanced penalties. For example, if you were physically attacked by another individual, that would mostly likely be considered battery—a common crime. But, if another individual attacked you because of your race or nationality, then that battery may carry with it a hate crime penalty enhancement, and your attacker may face a longer than normal prison sentence. In Maryland the following penalty enhancement laws may be used for hate crimes:

Maryland Criminal Law Penalties (§ 10-306):

In General: Any person found guilty of violating a provision of Maryland’s hate crimes statute (as described under [Question 3](#)) is guilty of a misdemeanor and on conviction is

[†] Crimes of violence include: (1) abduction; (2) arson in the first degree; (3) kidnapping; (4) manslaughter, except involuntary manslaughter; (5) mayhem; (6) maiming; (7) murder; (8) rape; (9) robbery; (10) carjacking; (11) armed carjacking; (12) sexual offense in the first degree; (13) sexual offense in the second degree; (14) use of a handgun in the commission of a felony or other crime of violence; (15) child abuse in the first degree; (16) sexual abuse of a minor; (17) an attempt to commit any of these 16 crimes; (18) continuing course of conduct with a child; (19) assault in the first degree; (20) assault with intent to murder; (21) assault with intent to rape; (22) assault with intent to rob; (23) assault with intent to commit a sexual offense in the first degree; and (24) assault with intent to commit a sexual offense in the second degree.

subject to imprisonment up to 3 years or a fine not exceeding \$5,000 or both.¹¹ (This section does not supersede the enhanced penalties section located below).

Enhanced penalties: A person who is found guilty of violating (§ 10-304) in a crime that results in death of the victim is further guilty of a felony and on conviction is subject to imprisonment not exceeding 20 years or a fine not exceeding \$20,000 or both.

Note: these are criminal laws, and thus, any claims under this code must be brought by a prosecutor.

7. Someone defaced my place of worship (or otherwise targeted a religious institution). Does Maryland have any special laws protecting religious groups from hate motivated acts?

As discussed in [Question 5](#), many different crimes that target religious institutions or religious groups through hate motivated acts are prohibited by Maryland's "Hate Crimes Statute" Special laws that protect religious groups and places of worship from hate motivated acts include:

Damaging of Property of Religious Entity (§ 10-302): A person may not deface, damage, or destroy, or attempt to deface, damage, or destroy, personal or real property that is owned, leased, or used by a religious entity or for any religious purpose, including: a place of worship; a cemetery; a religious school, educational facility, or community center, and the grounds adjacent to them.¹²

Obstructing Exercise of Religious Belief (§ 10-303): A person may not, by force or threat of force, obstruct or attempt to obstruct another in the free exercise of that person's religious beliefs.¹³ Nothing in § 10-303, nor the rest of Maryland's hate crimes statute, may be construed to infringe on the speech of a religious leader or other individual during peaceable activity intended to express the leader's or individual's religious beliefs or convictions.¹⁴

Note: these are criminal laws, and thus, any claims under this code must be brought by a prosecutor.

8. Someone hung a noose at my work, burnt a religious symbol by my home, or otherwise tried to intimidate me and members of my community with a symbol or message. Are there any special laws against intimidation or terrorism in Maryland?

As discussed in [Question 5](#), Maryland law explicitly prohibits burning or attempting to burn objects on the real or personal property of another. Also, threats to commit crimes of violence are further prohibited by [§3-1001](#) and can include both oral and written threats as well as those communicated via electronic mail if certain criteria are met; a deeper discussion of §3-1001 is included in [Question 5](#).

Damaging religious property and obstructing one's right to freely exercise their religious beliefs are also both prohibited in [§ 10-302](#) and [§ 10-303](#) respectively and are discussed further in [Question 7](#).

Damage to Associated Building (§ 10-305): This section prohibits damaging or destroying publicly or privately owned property due to a property's association with a person or group related to race, color, religious belief, sexual orientation, gender, disability, national origin, or homelessness status. Burning or attempting to burn objects on such property and any crimes that display evidence exhibiting animosity towards a person or group belonging to the protected classes listed under this section are prohibited.¹⁵

Note: these are criminal laws, and thus, any claims under this code must be brought by a prosecutor.

9. The state is not investigating my case or bringing a lawsuit. How can I get in touch with an attorney with the state to discuss my case?

The Lawyers' Committee for Civil Rights Under Law maintains the Stop Hate Resource Hotline (1-844-9-NO-HATE) which serves as a resource for organizations and individuals working to combat hate in their community and can be called for reporting and resource purposes.

You can contact the State's Hate Incident Hotline at (866) 481-8361; your State Attorney General's Office by Telephone: (410) 576-6300; your local District Attorney's Victim or Witness Program (County listing online, or the United States Attorney's Office Victim/Witness Assistance Program in your district listing online.

10. The state is not investigating my case or bringing a lawsuit, but I would like to explore bringing a case with a private attorney against the perpetrator (known as a "civil case"). Does Maryland have civil laws relevant to hate crimes or hate incidents?

Notes: Maryland does not have a civil statute analogous to its Hate Crimes Statute. However, Maryland Code § 20-207 provides that Maryland's Commission on Civil Rights ("MCCR"), an independent state agency that serves individuals, businesses, and communities throughout Maryland, is statutorily mandated to protect against discrimination based on race, color, religion or creed, sex, age, national origin or ancestry, marital status, physical disability, sexual orientation, and gender identity.

Powers and Duties of MCCR (Maryland's Commission on Civil Rights) (§20-207):

This section lists the general duties of MCCR, which includes conducting studies and surveys concerning human relations, conditions, and problems; promoting improvement of human relations; and, when appropriate, recommending legislation to the Governor. This section also covers establishment of investigatory hearings, meetings, and an annual report.¹⁶

Discriminatory conduct explicitly prohibited by Maryland's civil laws, which is to be enforced by the MCCR, includes the following:

- Discrimination in Places of Public Accommodation (§ 20-304)¹⁷
- Discrimination by Persons Licensed or Regulated by the Department of Labor (§ 20-402)¹⁸

- Discrimination in Leasing of Commercial Property (§ 20-501)¹⁹
- Discrimination in Employment; Unlawful Employment Practices (§ 20-606)²⁰
- Discrimination in Housing (§ 20-702)²¹
- Discrimination by Governmental Units, Officers & Employees; Prohibited Acts (§ 20-901)²²

Notes: Maryland law further prohibits bullying, harassment, and intimidation of students and requires mandatory reporting of this prohibited behavior when such behavior was motivated by personal characteristics, including race, national origin, marital status, sex, sexual orientation, gender identity, religion, ancestry, physical attributes, socioeconomic status, familial status, physical or mental ability, or disability.

School Policies Prohibiting Bullying, Harassment & Intimidation (§ 7-424): Maryland enacted a civil law mandating that public schools institute and enforce anti-discrimination policies. This section covers any activities occurring on school property, at school activities or events, or on school busses. However, this law does not create a private cause of action. The law prohibits intentional written, verbal, or physical acts that are motivated by actual or perceived personal characteristic, including race, national origin, marital status, sex, sexual orientation, gender identity, religion, ancestry, physical attributes, socioeconomic status, familial status, physical or mental ability, or disability.

A definition for “Bullying, harassment, or intimidation” of students is provided that includes actions motivated by actual or perceived personal characteristic, including race, national origin, marital status, sex, sexual orientation, gender identity, religion, ancestry, physical attributes, socioeconomic status, familial status, physical or mental ability, or disability. This section also requires mandatory reporting of any incidents and requires that incidents be recorded using a standard report form, which includes details such as a description of the incident, the identity and age of the victims and perpetrators (when known), any alleged statements made by the perpetrator, and any physical injuries suffered by a victim as well as any permanent effects that came about as a result of the injuries. This section also requires that county boards distribute copies of the report form to each public school under the county board's jurisdiction.

Security upgrades for facilities at risk of hate crimes or attacks (§ 7-1502.1): This section allows schools and child care centers determined to be at risk of specified hate crimes or attacks to apply for grants so these facilities can undergo specified security-related projects. The Maryland Center for School Safety handles these state grants.

Information about incidence of crime (§ 2-307): This section requires the State Police Department to collect, analyze, and disseminate information about the incidence of hate crimes in Maryland if such crimes were directed against an individual or group due to race, religion, ethnicity, or sexual orientation. The State Police Department must also make monthly reports to the Commission on Civil Rights regarding any crimes of the type mentioned in this section.

Note: *This section only covers crimes directed against an individual or group due to race, religion, ethnicity, or sexual orientation.*

11. I have been attacked, put in fear of danger, intentionally made to suffer emotional distress, had my property vandalized, or harmed in another way due to an act motivated by hate. What other civil laws can I use to bring a case?

There are a number of other civil laws that you can use to bring a case against someone who physically or emotionally injures you. This is true even if the person's actions do not rise to the legal definition of a hate crime or hate incident. These other civil laws, or causes of action, are generally known as torts. A tort is a wrongful act that results in legal liability.

In Maryland, if someone intentionally injures you or your property, you may be able to sue that person for damages using any of the following tort causes of action:

- **Assault** – An assault is defined as “any unlawful attempt to cause a harmful or offensive contact with the person of another or to cause an apprehension of such a contact.”²³ An example of an assault is when someone uses a weapon, open fist or hand in a manner to threaten another.
- **Battery** - Battery is defined as “intentional, unpermitted touching of the body of another that is harmful or offensive to the person who was touched.”²⁴ Accidental or inadvertent contact does not constitute battery.²⁵ An example of a battery is when someone uses a real gun to shoot another person. Another, less extreme, example of a battery is when someone punches or kicks another person.
- **False Imprisonment** – False imprisonment is defined as “a deprivation of the liberty of another without his consent and without legal justification.”²⁶ An example of false imprisonment would be if someone locked you in a room and you were unable to escape.
- **Intentional Infliction of Emotional Distress (“IIED”)** - IIED is best defined by its elements: “1) the conduct must be intentional or reckless, 2) the conduct must be extreme and outrageous, 3) there must be a casual connection between the wrongful conduct and the emotional distress, and 4) the emotional distress must be severe.”²⁷ An example of outrageous conduct that could lead to a successful IIED claim would be someone calling your home phone and leaving threatening messages of physical violence or death.
- **Trespass to Land & Conversion** – Trespass to land and conversion are causes of action used when another damages your real or personal property. Trespass is defined as “intentional or negligent intrusion upon or to the possessory interest in property of another.”²⁸ “Every unauthorized entry upon the land of another is a trespass, and whether the owner suffers substantial injury or not, [the owner] at least sustains a legal injury, which entitles [the owner] to a verdict for some damages; though they may, under some circumstances, be so small as to be merely nominal.”²⁹ Conversion is defined as “any distinct act of ownership or dominion exerted by one person over the personal property of another in denial of his right or inconsistent with it.”³⁰ Conversion is the civil equivalent to the crime

of theft. A party may sue to collect the value of the item taken. To make a case for conversion, the suing person must be able to show the legal title to the property or the actual possession or right of possession at the time the property was taken. An example of conversion would be if someone removed a coat from a coat rack and used it for several months.

In addition, if it can be proven that the person injured you or your property because of bias, prejudice, or hatred, you may be able to recover punitive damages. Punitive damages are damages awarded in addition to typical compensatory damages and they are generally considered to be a form of punishment.

Under Maryland law, punitive damages are allowable only in tort actions.³¹ Also, there must be an award of compensatory damages for a particular tort in order for the plaintiff to receive an award of punitive damages based upon that tort. Finally, a plaintiff has no right or entitlement to punitive damages under Maryland law and “the trier of fact has discretion to deny punitive damages even where the record otherwise would support their award.”³²

To recover punitive damages in any Maryland tort action, facts sufficient to show actual malice must be pleaded and proven by clear and convincing evidence, and a specific demand for recovery of punitive damages must be made before punitive damages can be awarded.³³ Punitive damages cannot be awarded in a nonintentional tort action unless a plaintiff establishes that a defendant's conduct was characterized by “actual malice,” which consists of “conscious and deliberate wrongdoing, evil or wrongful motive, intent to injure, ill will, or fraud.”³⁴ This same principle is applied for intentional torts; even if a plaintiff sufficiently pleads a case of an intentional tort in a court of law, a plaintiff must be able to show additionally, to a clear and convincing standard, that the tort was committed with “actual malice.”³⁵

Note: Private citizens can bring these civil tort claims.

12. I would like to explore bringing a case with a private attorney against the perpetrator (known as a “civil case”), but I do not know any private attorneys. How can I find someone to represent me?

You can contact the 844-9-NO-HATE hotline, or use the local attorney referral services listed below.

Contact either:

- Maryland State Bar Association’s Lawyer Referral Service: (410) 685-7878 or toll-free at (800) 492-1964; or
- Maryland Volunteer Lawyers Services: (410) 547-6537 (Baltimore metro area) or toll-free at (800) 510-0050.

13. What are some local and state organizations working on hate crimes and incidents?

The following organizations are key providers of legal assistance for victims of hate crimes and discrimination:

Office of the Attorney General

200 St. Paul Place
Baltimore, MD 21202
Hate Incident Hotline: 1-866-481-8361
General Phone: (410) 576-6300
Phone (Toll-Free): (888) 743-0023
Phone (TDD): (410) 576-6372
Website: <http://www.oag.state.md.us/>

FBI Field Office - Baltimore

2600 Lord Baltimore Drive
Baltimore, MD 21244
Phone: (410) 265-8080
Fax: (410) 277-6677
E-mail: Baltimore@ic.fbi.gov
Submit an Electronic Tip: tips.fbi.gov
Website: <https://www.fbi.gov/contact-us/field-offices/baltimore>

Governor's Office of Crime Control & Prevention

Victim Services
100 Community Place
Crownsville, MD 21032-2023
Website: <http://goccp.maryland.gov/victims/>
Phone: 410-697-9338 (GOCCP main line)

Maryland Commission on Civil Rights

William Donald Schaefer Tower
6 Saint Paul Street, Suite 900
Baltimore, MD 21202-1631
Main Phone: 410.767.8600
Toll free: 1.800.637.6247
Maryland Relay 7-1-1
Fax: 410.333.1841
E-mail: mccr@maryland.gov
Website: <http://mccr.maryland.gov/>

Department of Public Safety & Correctional Services

Criminal Injuries Compensation Board

6776 Reisterstown Road, Suite 206
Baltimore, Maryland 21215
Phone: (410) 585-3010
Phone: (888) 679-9347
Fax: (410) 764-3815

14. I find additional information or get help?

If you would like additional information or need additional help, please visit the Communities against Hate resource page at www.communitiesagainsthate.org. If the information you are seeking is not on the resource page or if you need immediate help, please contact 844-9-NO-HATE.

¹ Md. Code Ann., Crim. Law § 10-304.

² Md. Code Ann., Crim. Law § 10-301 et seq.

³ Md. Code Ann., Crim. Law § 10-304.

⁴ Md. Code Ann., Crim. Law § 10-301.

⁵ Md. Code Ann., Crim. Law § 10-301(c).

⁶ Md. Code Ann., Crim. Law § 10-301(b).

⁷ Md. Code Ann., Crim. Law § 10-304.

⁸ Md. Code Ann., Crim. Law § 10-302.

⁹ Md. Code Ann., Crim. Law § 10-302; Md. Code Ann., Crim. Law § 10-304; Md. Code Ann., Crim. Law § 10-305 (West).

¹⁰ Md. Code Ann., Crim. Law § 3-1001 (West).

¹¹ Md. Code Ann., Crim. Law § 10-306 (West).

¹² Md. Code Ann., Crim. Law § 10-302 (West).

¹³ Md. Code Ann., Crim. Law § 10-308 (West).

¹⁴ Md. Code Ann., Crim. Law § 10-303 (West).

¹⁵ Md. Code Ann., Crim. Law § 10-305 (West).

¹⁶ Md. Code Ann., State Gov't § 20-207 (West).

¹⁷ Md. Code Ann., State Gov't § 20-304 (West).

¹⁸ Md. Code Ann., State Gov't § 20-402 (West).

¹⁹ Md. Code Ann., State Gov't § 20-501 (West).

²⁰ Md. Code Ann., State Gov't § 20-606 (West).

²¹ Md. Code Ann., State Gov't § 20-702 (West).

²² Md. Code Ann., State Gov't § 20-901 (West).

²³ Cont'l Cas. Co. v. Mirabile, 52 Md. App. 387, 398, 449 A.2d 1176, 1183 (1982); See [Restatement \(Second\) of Torts §§ 13, 21 \(1965\)](#); Prosser, *Law of Torts*, §§ 9, 10 (4th ed. 1971).

²⁴ Ghassemieh v. Schafer, 52 Md. App. 31, 447 A.2d 84 (1982).

²⁵ Richard J. Gilbert & Paul T. Gilbert, *Maryland Tort Law Handbook* § 3.1, at 29 (2d ed. 1992).

²⁶ Safeway Stores, Inc. v. Barrack, 210 Md. 168, 173, 122 A.2d 457, 460 (1956) abrogated by *Montgomery Ward v. Wilson*, 339 Md. 701, 664 A.2d 916 (1995).

²⁷ *Harris v. Jones*, 281 Md. 560, 562, 380 A.2d 611, 612 (1977).

²⁸ *Patapsco Loan Co. of Baltimore City v. Hobbs*, 129 Md. 9, 98 A. 239, 240 (1916).

²⁹ *Tyler v. Cedar Island Club, *753 Inc.*, 143 Md. 214, 219, 122 A. 38 (1923) (quoting *B. & O. R.R. Co. v. Boyd*, 67 Md. 32, 40, 10 A. 315 (1887)).

³⁰ *Interstate Ins. Co. v. Logan*, 205 Md. 583, 588–89, 109 A.2d 904, 907 (1954) (citing *Martin v. W.W. Lanahan & Co.*, 133 Md. 525, 105 A. 777 (1919); *Merchants' Nat'l Bank v. Williams*, 110 Md. 334, 72 A. 1114 (1909)).

³¹ *Middle States Holding Co. v. Thomas*, 340 Md. 699, 702, 668 A.2d 5, 7 (1995).

³² *Adams v. Coates*, 626 A.2d 36, 43 (Md. 1993).

³³ *Scott v. Jenkins*, 345 Md. 21, 690 A.2d 1000 (1997).

³⁴ *Hoffman v. United Iron and Metal Co., Inc.*, 1996, 671 A.2d 55, 108 Md.App. 117; *Bowden v. Caldor, Inc.*, 710 A.2d 267, 276 (Md. 1998).

³⁵ *Beall v. Holloway-Johnson*, 446 Md. 48, 72, 130 A.3d 406, 420 (2016).