



POSITION ON PROPOSED LEGISLATION

BILL: HB 917 – Hate Crimes - Basis (2nd Lieutenant Richard Collins, III's Law)

POSITION: OPPOSE UNLESS AMENDED

DATE: February 11, 2020

Our current hate crimes statute prohibits the commission of a crime undertaken “*because of*” hatred towards a victim based on one or more of eight protected characteristics. Our penalties in light of the current prohibition include a general penalty of 3 years, 10 years if the crime associated with the hate is classified as a felony, and up to 20 years if the hateful offense results in death.

This bill seeks to lessen the threshold of the causal connection between the hate and the commission of the crime, to allow for punishment for crimes done *partially* in hate, as opposed to *because of* or *in whole*.

If done at all, we believe this goal should be codified through the creation of a lesser included offense within our current framework. But to the degree that such an offense is to be created, we would ask that the penalties be correspondingly lowered, with the current higher penalties only applicable to the current “*because of*” offense which has a higher causal threshold.