

H.1704 / S.996 – Hate Crimes Bill: An Act to reform the hate crime statutes

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Summary:

This bill reforms how hate crimes are treated under state law, strengthening protections against hate crimes and ensuring that when a hate crime does take place, it is taken seriously by all levels of law enforcement and the courts.

What this bill does:

- Requires the identification and recommendation of best practices for hate crime prevention, restorative justice programs, culturally competent outreach and reporting mechanisms, including those that can be implemented by police, prosecutors, judges, school officials, state agencies, community groups and others.
- Standardizes reporting of hate crime data from local police and law enforcement to a crime reporting unit.
- Clarifying that an offender must intentionally select the victim based on the victim's perceived race, color, religion, national origin, ethnicity, caste, immigration status, sexual orientation, gender, gender identity, or disability.
- Prohibiting violent, threatening, and destructive conduct — not First-Amendment-protected expressions of hate.
- Differentiating between various crimes, setting different punishments according to the severity, providing judges with the discretion to sentence accordingly, and without establishing any new mandatory minimum sentences

Why this bill matters:

At a time of increasing bias-related incidents and hate crimes around the country, Massachusetts' hate crimes laws are not only far weaker than those in other states, but too poorly drafted to be easily understood or enforced. Each of us has a stake in an effective response to violent bigotry and countering the special impact hate crimes have on victims and communities. This reform will promote equity and justice by protecting vulnerable communities; and promote consistent, fair application of the law.