
Community Safety, Justice, & Reentry Committee

SSB 5917

Brief Description: Concerning criminal penalties for bias-motivated defacement of private or public property.

Sponsors: Senate Committee on Law & Justice (originally sponsored by Senators Billig, Dhingra, Pedersen, Trudeau, Hasegawa, Kuderer, Liias, Lovick, Mullet, Nguyen, Nobles, Salomon, Valdez and Wilson, C.).

<p>Brief Summary of Substitute Bill</p> <ul style="list-style-type: none">• Modifies the elements of a Hate Crime.

Hearing Date: 2/15/24

Staff: Lena Langer (786-7192).

Background:

A person is guilty of a Hate Crime offense if the person maliciously and intentionally commits one of the following acts because of the person's perception of the victim's race, color, religion, ancestry, national origin, gender, sexual orientation, gender expression or identity, or mental, physical, or sensory disability:

- assaults the victim or another person;
- causes physical damage to or destruction of the property of the victim or another person;
or
- threatens a specific person or group of persons and places that person, or members of the specific group of persons, in reasonable fear of harm to person or property.

The fear must be a fear a reasonable person would have under all the circumstances. Reasonable

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person is defined as a reasonable person who is a member of the victim's race, color, religion, ancestry, national origin, gender, or sexual orientation, or who has the same gender expression or identity, or the same mental, physical, or sensory disability as the victim.

Words alone do not constitute a Hate Crime offense unless the context or circumstances surrounding the words indicate the words are a threat. Threatening words do not constitute a Hate Crime offense if it is apparent to the victim the person does not have the ability to carry out the threat.

Hate Crime offenses are class C felonies ranked at seriousness level IV. Hate Crime offenses are classified as crimes against persons.

Summary of Bill:

The elements of a Hate Crime offense are modified so that a person is guilty of the offense if the person maliciously and intentionally commits one of the following acts because of the person's perception of another person's race, color, religion, ancestry, national origin, gender, sexual orientation, gender expression or identity, or mental, physical, or sensory disability:

- assaults another person;
- causes physical damage to or destruction of the property of another; or
- threatens a specific person or group of persons and places that person, or members of the specific group of persons, in reasonable fear of harm to person or property.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.