

2010 -- S 2323

LC01321

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2010

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT - CRIMINAL PROCEDURE  
SENTENCE AND EXECUTION - HATE CRIMES

Introduced By: Senators Metts, Pichardo, Jabour, Perry, and Crowley

Date Introduced: February 11, 2010

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 42-28-46 of the General Laws in Chapter 42-28 entitled "State  
2 Police" is hereby amended to read as follows:

3 **42-28-46. Development of system monitoring crimes motivated by bigotry and bias. -**

4 -(a) For the purposes of this section, the following words shall have the following meanings:

5 (1) "Police department" -- means all state, municipal and campus police departments  
6 within the state of Rhode Island;

7 (2) "Hate crime" -- means any crime motivated by bigotry and bias, including, but not  
8 limited to threatened, attempted, or completed acts that appear after investigation to have been  
9 motivated by racial, religious, ethnic, sexual orientation, gender or disability prejudice or  
10 motivated by prejudice against a person who is homeless or is perceived to be homeless;

11 (3) "Hate crime data" -- means information, incident reports, records and statistics  
12 relating to hate crimes, collected by the state police unit pursuant to this section;

13 (4) "Incident report" -- means account of any individual occurrence of hate crime  
14 received or collected by the crime reporting unit pursuant to this section.

15 (b) The state police shall, by January 1, 1994, develop a system monitoring the  
16 occurrence of crimes committed in the state which the evidence of the offense demonstrates was  
17 motivated by racial, religious, ethnic bigotry, or bias on any other matter defined as a "hate  
18 crime" herein. All police departments within the state shall report monthly the occurrence of such

1 crimes to the state police. The state police shall maintain a permanent record of these offenses  
2 categorized by community of occurrence, type of offense, target of offense, and such other  
3 information as the department deems relevant. The department shall develop a plan for the  
4 collection, analysis, and dissemination of the data regarding such crimes and shall promulgate  
5 regulations relating to the collection of hate crime data, as defined in this section, which are  
6 submitted by law enforcement agencies, individuals, state and local human rights commissions,  
7 and anti-discrimination advocacy organizations.

8 (c) The state police shall compile and distribute to each police department a listing of all  
9 criminal offenses and penalties for those actions defined as "hate crimes" herein. Notice of the  
10 provision of these sections shall be primarily posted at each police station.

11 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT - CRIMINAL PROCEDURE  
SENTENCE AND EXECUTION - HATE CRIMES

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- 1           This act would include crimes against homeless persons within the definition of "hate
- 2 crimes" for the purposes of reporting and monitoring by the state police.
- 3           This act would take effect upon passage.

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