

OFFICE OF LEGISLATIVE RESEARCH  
PUBLIC ACT SUMMARY



**PA 26-77—sSB 90**  
*Judiciary Committee*

**AN ACT REVISING AND CONSOLIDATING THE HATE CRIMES  
STATUTES**

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*Requires the Connecticut Sentencing Commission, in consultation with the Statewide Hate Crimes Advisory Council, to review Connecticut’s hate crime laws to determine appropriateness of the penalties and report the findings and recommendations to the legislature by January 1, 2027*

**SUMMARY:** This act consolidates and labels as hate crimes various crimes that in prior law involved bias against a protected class. (In practice, these crimes were already commonly referred to as “hate crimes.”) The act also makes related changes to these laws. A section-by-section analysis appears below.

**EFFECTIVE DATE:** October 1, 2026, except the provision on the Sentencing Commission’s hate crime penalties review (§ 45) is effective upon passage.

**§ 1 — PROTECTED SOCIAL CATEGORY**

*Generally, combines the various classes that were protected against bias-motivated crimes under prior law into one “protected social category” for hate crimes under the act; establishes definitions for some of the protected categories*

Existing law protects various classes of people against certain crimes motivated by bias against the victim’s protected class. The act generally combines the various protected classes under prior law into one protected social category. Under the act, a “protected social category” is a person’s actual or perceived race, color, religion, ethnicity, disability, alienage, national origin, sex, sexual orientation, gender identity or expression, age (if 60 or over), or any combination of these attributes.

In doing so, in some instances, the act adds color, alienage, national origin, and age as protected categories for some hate crimes, as specified below.

*Defined Terms*

The act defines the protected social categories as shown below.

“Disability” is any intellectual, mental, or physical disability or blindness. (Under the act, someone is blind if their (1) central visual acuity does not exceed 20/200 in the better eye with correcting lenses or (2) visual acuity is greater than 20/200 but has a limited field of vision so that its widest diameter subtends an angle that is 20 degrees or less.)

“Gender identity or expression” is a person’s gender-related identity, appearance, or behavior, whether or not it is different from the gender traditionally associated with the person’s physiology or assigned sex at birth. Gender-related

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identity can be shown through evidence such as medical history, care or treatment of the gender-related identity, consistent and uniform assertions of the gender-related identity, or any other evidence that the gender-related identity is a sincerely held part of the person's core identity or that it is not being asserted for an improper purpose.

"Race" includes ethnic traits historically associated with race, including hair texture and protective hairstyles (for example, wigs or headwraps).

"Religion" includes denomination, creed, and any aspect of religious observance and practice as well as belief.

"Sex" includes pregnancy, child-bearing capacity, sterilization, fertility, or related medical conditions.

"Sexual orientation" is a person's identity in relation to the gender or genders to which they are romantically, emotionally, or sexually attracted, including any identity that a person (1) may have previously expressed, or (2) is perceived by another person to hold.

### §§ 1-21 & 25-37 — HATE CRIMES

*Renames as specific hate crimes (1) certain crimes under prior law with specific penalties if bigotry- or bias-based, (2) prior law's intimidation crimes based on bigotry or bias, and (3) certain discriminatory practices under prior law*

The act renames as specific hate crimes certain crimes motivated by bias against a protected class under prior law.

*Physical Injury, Physical Contact, Affecting Property, or Advocacy or Urging (§§ 2-4, 6, 7, 10 & 37)*

The act renames as specific hate crimes prior law's "intimidation crimes based on bigotry or bias," as shown in the table below. The act also lowers the required criminal intent for certain of these crimes, indicated below, requiring that the offender acted intentionally rather than maliciously.

#### Intimidation Crimes Based on Bigotry or Bias

| <b>Crime Name<br/>Under Prior law</b>                        | <b>Crime Name<br/>Under the Act</b>            | <b>Penalties*<br/>Under the Act</b>                              |
|--------------------------------------------------------------|------------------------------------------------|------------------------------------------------------------------|
| 1 <sup>st</sup> degree intimidation based on bigotry or bias | Hate crime causing physical injury (§ 2)       | Class C Felony<br>(Minimum fine of \$3,000)                      |
| 2 <sup>nd</sup> degree intimidation based on bigotry or bias | Hate crime causing physical contact (§ 3)      | Class D felony<br>(Minimum fine of \$1,000)                      |
| 2 <sup>nd</sup> degree intimidation based on bigotry or bias | Hate crime by threat of physical contact (§ 6) | Class D felony<br>(Minimum fine of \$1,000)                      |
| 3 <sup>rd</sup> degree intimidation based on bigotry or bias | Hate crime affecting property (§ 4)            | Class D felony or<br>Class E felony<br>(Minimum fine of \$1,000) |

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| <b>Crime Name<br/>Under Prior law</b>                        | <b>Crime Name<br/>Under the Act</b>     | <b>Penalties*<br/>Under the Act</b>                              |
|--------------------------------------------------------------|-----------------------------------------|------------------------------------------------------------------|
| 3 <sup>rd</sup> degree intimidation based on bigotry or bias | Hate crime by threat to property (§ 7)  | Class D felony or<br>Class E felony<br>(Minimum fine of \$1,000) |
| 3 <sup>rd</sup> degree intimidation based on bigotry or bias | Hate crime by advocacy or urging (§ 10) | Class E felony<br>(Minimum fine of \$1,000)                      |

\*See [Table on Penalties](#)

As under prior law, for the act's newly labeled hate crimes, the judge must state on the record any reason to remit or reduce the fine shown in the table above.

Under prior law, these crimes addressed certain actions that intimidate or harass another person and are motivated, in whole or in substantial part, by the person's actual or perceived race, religion, ethnicity, disability, sex, sexual orientation, or gender identity or expression. The act's new protected social category expands these hate crimes to include those actions that are motivated in whole or in substantial part by the person's actual or perceived age, color, alienage, and national origin.

*Hate Crime Causing Physical Injury.* Under the act, a person is guilty of a "hate crime causing physical injury" when he or she (1) acts with specific intent to intimidate or harass another person, (2) is motivated in whole or in substantial part by the other person's protected social category, and (3) intentionally causes that person or another person physical injury.

Under prior law, this was punishable as 1st degree intimidation based on bigotry or bias if the person acted maliciously. Under the act and prior law, this is a class C felony.

*Hate Crime Causing Physical Contact.* Under the act, a person is guilty of a "hate crime causing physical contact" when he or she (1) acts with specific intent to intimidate or harass another person, (2) is motivated in whole or in substantial part by the other person's protected social category, and (3) intentionally causes physical contact with him or her.

Prior law penalized this behavior as 2nd degree intimidation based on bigotry or bias if done maliciously. Under the act, and prior law, this is a class D felony.

*Hate Crime by Threat of Physical Contact.* Under the act, a person is guilty of a "hate crime by threat of physical contact" when he or she (1) acts with specific intent to intimidate or harass another person; (2) is motivated in whole or in substantial part by the other person's protected social category; and (3) threatens, by word or act, to cause physical contact with the other person, if there is reasonable cause to believe that the act will occur.

Under prior law, this was another form of 2nd degree intimidation based on bigotry or bias if done maliciously. Under the act and prior law, this is a class D felony.

*Hate Crime Affecting Property.* Under the act, a person is guilty of a "hate crime affecting property" when he or she acts with specific intent to intimidate or harass another person, motivated in whole or in substantial part by the other person's protected social category, and (1) intentionally damages, destroys, or defaces the

other person's real or personal property or (2) damages, destroys, or defaces a third person's real or personal property.

Under prior law, this was punishable as 3rd degree intimidation based on bigotry or bias, a class E felony with a \$1,000 mandatory minimum fine. The act increases the penalty to a class D felony with the same mandatory minimum fine when the offender intentionally damages the victim's property. It maintains the E felony penalty, with the mandatory minimum fine, when the offender's actions damage a third person's property.

*Hate Crime by Threat to Property.* Under the act, a person is guilty of a "hate crime by threat to property" when he or she (1) acts with specific intent to intimidate or harass another person; (2) is motivated in whole or in substantial part by the other person's protected social category; and (3) threatens, by word or act, to damage, destroy, or deface real or personal property of the other person or a third person, and there is reasonable cause to believe it will happen.

Under prior law, this was punishable as 3rd degree intimidation based on bigotry or bias, a class E felony with a \$1,000 mandatory minimum fine. The act increases the penalty to a class D felony, with the mandatory minimum fine, when the victim's property is threatened. It maintains the E felony penalty, with the mandatory minimum fine, when the threat involves a third person's property.

*Hate Crime by Advocacy or Urging.* Under the act, a person is guilty of a "hate crime by advocacy or urging" if he or she (1) acts with specific intent to intimidate or harass another person; (2) is motivated in whole or in substantial part by the other person's protected social category; and (3) advocates or urges another person to damage, destroy, or deface any real or personal property of a third person, and there is reasonable cause to believe it will happen.

Under prior law, this was punishable as 3rd degree intimidation based on bigotry or bias. Under the act and prior law, this is a class E felony with a \$1,000 mandatory minimum fine.

*Civil Action for Damages.* By law, a person alleging injury ("the injured party") due to the crimes listed above can sue for damages for his or her injury. The court must award triple damages if the injured party wins the case and may award equitable relief and reasonable attorney's fees. The injured party must file the lawsuit within three years of the alleged acts. The act makes conforming changes to apply this provision to the newly labeled hate crimes under this category of crimes.

#### *Hate Crime Affecting a House of Religious Worship (§§ 5 & 25)*

Under the act, it is a "hate crime affecting a house of religious worship" when a person, having no reasonable ground to believe that he or she has a right to do so, intentionally damages, destroys, or defaces a house of religious worship.

The act applies to this crime the same penalties as prior law's penalties for desecrating a house of religious worship. Under the act, a hate crime affecting a house of religious worship is a:

1. class D felony, with a \$1,000 minimum fine if the property damage is \$10,000 or less, or

2. class C felony, with a \$3,000 minimum fine if the property damage is more than \$10,000.

The act keeps “desecrating a house of worship” as a discriminatory practice, but it removes the specific criminal penalties described above from the Commission on Human Rights and Opportunities (CHRO) antidiscrimination statutes.

*Threatening a House of Religious Worship or Religiously Affiliated Community Center (§§ 8, 9, 30 & 31)*

Under prior law, the penalties for the crimes of 1st and 2nd degree threatening were enhanced to a class C and class D felony, respectively, if the elements of the underlying crime were met and the threat had certain intended effects during certain times of the day (for example, to cause the evacuation of a house of religious worship during its operational hours) or involved certain buildings (for example, a religiously-affiliated community center).

The act classifies these enhanced penalties as two hate crime-specific threatening crimes but maintains prior law’s elements and penalties. The act specifically labels these crimes as:

1. hate crime by threatening of a house of religious worship or religiously-affiliated community center in the first degree, a class C felony, and
2. hate crime by threatening of a house of religious worship or religiously-affiliated community center in the second degree, a class D felony.

Under the act, a “religiously-affiliated community center” is real property (1) used for recreational, social, or educational services and (2) owned or leased by a nonprofit organization that holds the property out as being affiliated with a religion. Unlike prior law, the act does not specify that the affiliation is with an organized religion.

*1st Degree.* Under the act, a person is guilty of a “hate crime by threatening of a house of religious worship or religiously-affiliated community center in the first degree” if the person commits 1st degree threatening (see below) with the intent to cause an evacuation of a building or the grounds of a house of religious worship or religiously-affiliated community center during operational hours or when the building or grounds are being used for religious or community services or activities sponsored by the house of worship or community center. As under prior law, this is a class C felony.

By law, 1st degree threatening includes threatening to commit a violent crime or a crime using a hazardous substance with intent to cause, or with reckless disregard of the risk of causing (1) the evacuation of a building, place of assembly, or public transportation facility; (2) serious public inconvenience; or (3) for hazardous substance crimes, a person to be terrorized.

*2nd Degree.* Under the act a person is guilty of a “hate crime by threatening of a house of religious worship or religiously-affiliated community center in the second degree” if the person commits 2nd degree threatening (see below) and the person threatened is in a building or on the grounds during operational hours, religious or community services, or activities sponsored by the house of worship or community center. As under prior law, this is a class D felony.

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By law, 2nd degree threatening consists of (1) intentionally causing, or attempting to cause, someone to fear imminent serious physical injury by physical threat or (2) threatening to commit a violent crime with intent to terrorize someone or with reckless disregard for the risk of doing so.

### *Deprivation of Rights and Placing Burning Cross or Noose on Property (§§ 11-13 & 25)*

The act names as specific hate crimes certain violations that, under prior law, could have been charged as crimes under the human rights statutes. These human rights violations remain discriminatory practices, but the act moves the specific criminal penalties from the antidiscrimination statutes and consolidates them with the act's other hate crimes. The elements of these new hate crimes are similar to those of the existing human rights violations but, for certain of these crimes a narrower set of classes are protected. The act also makes a minor change to some of the penalties, as summarized below.

*Hate Crime by Deprivation of Civil Rights.* Under the act, a person is guilty of a "hate crime by deprivation of civil rights" when he or she deprives, or causes someone else to deprive, another person of any rights, privileges, or immunities secured or protected by state or federal laws or by the Connecticut or U.S. constitutions, and is motivated wholly or substantially by that person's, or another person's, protected social category.

This is already a crime under existing law; the act specifically labels it as a hate crime. Unlike the act, prior law also included as protected classes for this crime, a person's age (including ages under 60 years, which the act's hate crimes do not cover), status as a veteran or victim of domestic violence, sexual assault, or human trafficking. So, under the act, violations motivated by these classes are not hate crimes and do not have a specific criminal penalty, though these remain discriminatory practices under existing human rights laws.

*Hate Crime by Burning a Cross.* Under existing law and the act, it is a crime to place a burning cross or simulation of one on public property, or on private property without the owner's written consent, with the intent to intimidate or harass another person. The act labels this crime "hate crime by burning a cross." It also remains a discriminatory practice under the human rights laws.

*Hate Crime by Noose.* Under the act, a person is guilty of a "hate crime by noose" if he or she places a noose or simulation of one on public property, or on private property without the owner's written consent, with the intent to harass someone motivated in whole or in substantial part by any protected social category of the other person or another person.

This is already a crime under existing law; the act reestablishes it as a hate crime. Unlike the act's hate crime, prior law also included as protected classes a person's age (including ages under 60 years) or status as a veteran, victim of domestic violence, sexual assault, or human trafficking. So, under the act, acts motivated by the victim's status as a veteran, domestic violence victim, sexual assault victim, human trafficking victim, or age (if under 60) are not hate crimes and do not have a specific penalty but remain discriminatory practices under

existing law.

*Penalties.* Under the act, the offenses described above are generally class A misdemeanors (see [Table on Penalties](#)) but are class E felonies if they result in more than \$1,000 of property damage. These crimes were also class A misdemeanors under prior law, however, if the damages were more than \$1,000, they were a class D felony. Both the act and existing law impose a minimum fine of \$1,000 whether the crime is a misdemeanor or a felony.

*Commercial Advertisement (§ 14)*

It was a misdemeanor under prior law for anyone, by advertisement, to ridicule or hold up to contempt a person or class of people based on their creed, religion, color, denomination, nationality, or race.

The act labels this crime “hate crime by commercial advertisement” if motivated wholly or substantially by any protected social category. By doing so, the act adds disability, sex, sexual orientation, gender identity or expression, alienage, and age (if age 60 or older) as protected categories. As under prior law, this is a class D misdemeanor (see [Table on Penalties](#)).

The act specifies that for this provision, an “advertisement” only includes commercial speech.

*Housing and Public Accommodations (§§ 15, 16 & 26-29)*

By law, certain discriminatory housing and public accommodations practices are illegal and subject to civil or criminal penalties under the CHRO antidiscrimination statutes. The act moves the criminal offenses from the antidiscrimination statutes, names them specific hate crimes, and consolidates them with other hate crimes under the act. (These discriminatory practices remain subject to fines and civil penalties under the antidiscrimination statutes.) As under prior law, the criminal violation is a class D misdemeanor.

However, the act changes the protected categories for these crimes by (1) adding sexual orientation and alienage; (2) limiting age to 60 or older; and (3) removing marital status, lawful source of income, and status as a veteran or domestic violence, sexual assault, or human trafficking victim.

*Hate Crime by Discriminatory Public Accommodations Practice.* Under the act, a person is guilty of a “hate crime by discriminatory public accommodations practice” if he or she commits any discriminatory public accommodation practice in existing law with the intent to intimidate or harass anyone motivated in whole or in substantial part by any protected social category of the victim or another person.

*Hate Crime by Discriminatory Housing Practice.* Under the act, a person is guilty of a “hate crime by discriminatory housing practice” if he or she engages in any discriminatory housing practice in existing law, such as refusing to sell or rent a dwelling to someone based on a protected class status.

*False Reporting (§§ 17-19 & 32-34)*

Prior law enhanced the penalties for (1) falsely reporting an incident in the 1st degree; (2) falsely reporting an incident resulting in serious physical injury or death; and (3) falsely reporting an incident in the 2nd degree if done with the specific intent to falsely report another person or group of people because of their actual or perceived race, religion, ethnicity, disability, sex, sexual orientation, or gender identity or expression.

The act specifically labels the crimes subject to enhanced penalties as hate crimes as described below, and adds alienage, national origin, color, and age, as protected social categories.

*Hate Crime by False Report.* Under the act, a person is guilty of a “hate crime by false report” if he or she commits certain elements of falsely reporting an incident in the 1st degree (see below), with the specific intent to falsely report another person motivated in whole or in substantial part by the other person’s protected social category. Under the act, as under existing law, this is a class C felony.

By law, and the act, a person commits falsely reporting an incident in the 1st degree when, knowing the information reported, conveyed, or circulated to be false or baseless, he or she:

1. starts or circulates a false report or warning about an alleged or impending fire, explosion, catastrophe, or emergency under circumstances in which it is likely that public alarm or inconvenience will result;
2. reports, by word or action, to any official or quasi-official agency or organization that deals with emergencies involving danger to life or property, an alleged or impending fire, explosion, or other catastrophe or emergency that did not happen or does not exist; or
3. violates (1) or (2) above with intent to cause a large-scale emergency response (CGS § 53a-180).

*Hate Crime by False Report to Law Enforcement.* Under the act, a person is guilty of a “hate crime by false report to law enforcement” if he or she commits falsely reporting an incident in the 2nd degree (see below), with the specific intent to falsely report another person motivated in whole or in substantial part by the other person’s protected social category. As under existing law, this is a class E felony.

By law, and under the act, a person commits falsely reporting an incident in the 2nd degree when, knowing the information reported, conveyed, or circulated is false or baseless, he or she gratuitously reports to a law enforcement officer or agency about (1) an alleged offense or incident that did not happen, (2) an allegedly impending offense or incident that is not about to happen, or (3) false information about an actual offense or incident or the person in the report (CGS § 53a-180c).

*Hate Crime by False Report Resulting in Serious Physical Injury or Death.* Under the act, a person is guilty of a “hate crime by false report resulting in serious physical injury or death” if he or she commits either of the crimes above and the false report results in another person’s serious physical injury or death. As under existing law, this is a class B felony (see [Table on Penalties](#)).

*Hate Crime by Stalking (§§ 20 & 36)*

Under the act, a person is guilty of a “hate crime by stalking” if he or she commits 2nd degree stalking (see below) and intentionally directs the conduct at the other person wholly or partially because of the other person’s protected social category.

Under prior law, this was punishable as 1st degree stalking when the conduct was intentionally directed at the other person, in whole or in part, because of the that person’s actual or perceived race, religion, ethnicity, disability, sex, sexual orientation, or gender identity or expression.

The act adds alienage, national origin, color, and ages 60 and older, as protected social categories. As under existing law, this is a class D felony.

*2nd Degree Stalking.* By law, someone commits 2nd degree stalking when he or she:

1. knowingly engages in conduct directed at a specific person that would cause a reasonable person to (a) fear for his or her, or another person’s, physical safety; (b) suffer emotional distress; or (c) fear injury to or the death of an animal owned by or in possession and control of the specific person;
2. has already been asked to stop and intentionally, and for no legitimate purpose, engages in conduct, with the intent to harass, terrorize, or alarm, that is directed at a specific person and would cause a reasonable person to fear that his or her employment, business, or career is threatened; or
3. for no legitimate purpose and with intent to harass, terrorize, or alarm, by means of electronic communication, discloses a specific person’s personally identifiable information without the person’s consent, knowing, that under the circumstances, the disclosure would cause a reasonable person to suffer emotional stress or fear for their physical safety or that of a third person (CGS § 53a-181d).

#### *Misuse of the Emergency 9-1-1 System (§§ 21 & 35)*

Under prior law, a person was guilty of misuse of the emergency 9-1-1 system when he or she (1) dialed or otherwise caused 9-1-1 to be called to make a false alarm or complaint; (2) purposely reported false information that could result in dispatching emergency services; or (3) did either of these actions with specific intent to make a false alarm or complaint or report false information about another person or group of people because of their actual or perceived race, religion, ethnicity, disability, sex, sexual orientation, or gender identity or expression.

The act instead relabels the crime’s bias-motivated component ((3) above) as “hate crime by misuse of emergency 9-1-1 system” and makes a person guilty of it if he or she misuses the system as described above, with specific intent to make a false alarm or complaint or report false information about another person motivated in whole or in substantial part by the other person’s protected social category.

Under the act and existing law this is a class A misdemeanor (see [Table on Penalties](#)).

#### § 22 — PERSISTENT OFFENDER

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*Extends persistent offender status to certain offenders who commit a hate crime under the act and lowers the enhanced penalty for those who commit subsequent class A misdemeanors*

Under prior law, a persistent offender of crimes involving bigotry or bias was a person convicted of any of the following crimes after having been previously convicted of one of them: (1) intimidation based on bigotry or bias; (2) deprivation of rights, desecration of property, cross burning, or placing a noose; or (3) deprivation of rights by a person wearing a mask or hood.

Under the act, a person is a persistent offender of a hate crime if he or she:

1. is convicted of any of the hate crimes under the act and
2. was previously convicted of (a) any of the act's hate crimes; (b) a violation of the antidiscriminatory practices law in effect before October 1, 2026; or (c) a violation of the law prohibiting intimidation based on bigotry or bias in effect before October 1, 2000.

Under prior law, when a court found that someone was a persistent offender of a crime involving bigotry or bias, it had to (1) for a felony, impose the prison sentence authorized for the next more serious degree of felony or (2) for a misdemeanor, impose the prison sentence authorized for the next more serious misdemeanor, except if the persistent offense was a class A misdemeanor the court had to impose the prison sentence for a class D felony. Under the act, for a persistent offender of a hate crime that is a class A misdemeanor, the court must impose the prison sentence for a class E felony instead.

### § 23 — ACCELERATED PRETRIAL REHABILITATION

*Allows courts to require those who violate the act's hate crimes to participate in a hate crimes diversion program as a condition of probation under the existing accelerated rehabilitation program*

By law, a court can require an offender to participate in a hate crimes diversion program as a condition of probation under accelerated rehabilitation.

Under the law, the court may do so for people charged with (1) deprivation of rights, desecration of property, cross burning, and placing a noose; (2) deprivation of a person's civil rights by a person wearing a mask or hood; or (3) intimidation based on bigotry or bias (renamed under the act). The act expands this to include all the hate crimes under the act.

### § 24 — COURT AND CHRO JURISDICTION AND AUTHORITY

*Specifies that its provisions do not limit (1) someone's rights to file a discrimination complaint with CHRO, (2) CHRO's jurisdiction and power, or (3) the court's authority*

The act specifies that its hate crimes provisions do not:

1. limit the rights of someone claiming to be aggrieved by a discriminatory practice to file a complaint with CHRO or to bring a civil action in Superior Court,
2. limit CHRO's and the attorney general's jurisdiction and powers, or
3. affect the court's authority to order financial restitution.

## § 38 — ATTORNEY GENERAL’S AUTHORITY

*The act extends the attorney general’s authority to investigate hate-based crimes, initiate legal action, and seek relief to apply to all hate crimes under the act*

By law, the attorney general’s powers include (1) investigating allegations of certain hate-based crimes and civil rights violations; (2) initiating related legal proceedings, with certain exceptions; and (3) seeking relief for the affected person. When conducting these investigations, the attorney general may issue subpoenas and interrogatories but the information obtained from these investigations may not be used in a criminal proceeding. The law also generally prohibits the attorney general from asserting a claim against a state agency, officer, or employee acting in an official capacity.

Under prior law, the above authorities and prohibitions applied to allegations of certain hate-based crimes (for example, 1st, 2nd, and 3rd degree intimidation based on bigotry or bias) and civil rights violations. Under the act, the attorney general’s authority applies to all the consolidated hate crimes. The act also makes conforming changes.

Existing law, unchanged by the act, imposes a civil penalty of up to \$2,500 for each hate crime or civil rights violation established by clear and convincing evidence (CGS §§ 3-129f & -129g).

## § 39 — HATE CRIMES INVESTIGATIVE UNIT

*Expands the Hate Crimes Investigative Unit’s duties to prevent and detect criminal activity involving hate crimes to apply to all hate crimes under the act*

By law, there is a Hate Crimes Investigative Unit within the State Police to seek to prevent and detect certain actual or suspected bias-based criminal activity. Under the act, the unit’s duties cover all of the act’s hate crimes. It also makes conforming changes.

Under existing law, unchanged by the act, the unit must compile, monitor, and analyze data about these criminal activities. It must also share data and information with other law enforcement units to help with their investigations of the criminal activities listed above, and it may provide additional help with those investigations (CGS § 29-7d(a)).

## § 40 — STATEWIDE HATE CRIMES ADVISORY COUNCIL

*Expands the Statewide Hate Crimes Advisory Council membership by adding the director of the Institute for Municipal and Regional Policy at UConn; requires the governor’s appointees to also be representative of the people protected from hate crimes under the act*

By law, the Statewide Hate Crimes Advisory Council was created to encourage and coordinate programs to increase community awareness, reporting, and combating of hate crimes. The council is within the Office of the Chief State’s Attorney for administrative purposes only.

The act expands the council’s membership by adding the director of the Institute

for Municipal and Regional Policy at UConn. It also makes a conforming change, aligning the qualifications of the governor's appointees (organizations that represent certain groups' interests) with the act's hate crimes.

§§ 41-43 — MISCELLANEOUS PROVISIONS

*Makes minor, technical, and conforming changes*

The act makes technical and conforming changes for consistency in references to the terms "intellectual disability" and "gender identity or expression."

§ 44 — PROBATION OR CONDITIONAL DISCHARGE

*Allows the court to require offenders of any of the hate crimes under the act to participate in certain anti-bias programs as a condition of probation or conditional discharge*

By law, a court may require an offender to participate in an anti-bias or diversity awareness program or community service as a condition of probation or conditional discharge. The court may do so for people convicted of (1) intimidation based on bigotry or bias, (2) deprivation of rights or property (including through cross burning or placing a noose on property), or (3) deprivation of someone's civil rights by a person wearing a mask or hood (all renamed under the act). The act expands this to include conviction for all the hate crimes under the act.

§ 45 — SENTENCING COMMISSION'S REVIEW OF HATE CRIME PENALTIES

*Requires the Connecticut Sentencing Commission, in consultation with the Statewide Hate Crimes Advisory Council, to review Connecticut's hate crime laws to determine appropriateness of the penalties and report the findings and recommendations to the legislature by January 1, 2027*

*Review of Penalty Structure and Comparison to Other Laws*

The act requires the Connecticut Sentencing Commission, in consultation with the Statewide Hate Crimes Advisory Council, to review Connecticut's hate crime laws and the associated penalties.

The commission and council must determine whether the penalties are appropriate by considering at least the following:

1. penalty structure, including the offenses' gradation of penalties and degrees;
2. penalties for hate crimes compared to penalties for other offenses in Connecticut that are not hate crimes but have substantially similar elements; and
3. penalties in Connecticut compared with those for similar hate crimes in other jurisdictions.

*Report to the Legislature*

## OLR PUBLIC ACT SUMMARY

By January 1, 2027, the commission must report to the Judiciary Committee its findings and any recommendations to adjust hate crime penalties.