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LWVSC Testimony: H. 3014 and S.615, Hate Crimes
Subcommittee of the Senate Judiciary Committee

We believe that the majority of South Carolinians share our belief that there should be enhanced penalties for violent crimes motivated in whole or in part by hatred of some group within our society. South Carolina is long overdue to join the 49 state and territories that have enacted a hate crimes statute that provides enhanced penalties for violent criminal behavior directed specifically toward persons perceived as belonging to a group defined by race, color, religion, sex, gender, national origin, sexual orientation, or physical or mental disability.

The bills before this subcommittee would provide those penalties. They also addresses common concerns raised about such bills. Enhanced penalties would be applicable only when there is an underlying criminal offense of violent crime or assault by mob as already defined in law. Hate speech, whether intended as such or simply perceived as such, would not be sufficient to trigger any penalties unless it is found to be causal in whole or in part in targeting the victims of a violent crime or mob assault.

The penalties provided here of not more than ten thousand dollars and additional imprisonment of five years are not excessive. Hate crimes harm not only the immediate victim or victims and the group to which they belong, but tear at the fabric of our society in a way that is harmful to all of us, dividing us and spreading fear and distrust of our fellow citizens.

We note that S.615 includes the definition of "sex" found in the majority's holding in *Bostock v. Clayton County, Georgia*, 140 S.Ct.1731 (2020). We prefer inclusion of this definition but note that the House failed to include this provision in H.3014 as forwarded to the Senate, following amendment of that bill during floor debate.

We ask that this subcommittee forward these bills, preferably in the Senate version, with a favorable recommendation.

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