

CHAPTER 42-28

State Affairs and Government

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

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

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

(2) "Hate crime" – means any crime motivated by bigotry and bias, including, but not limited to threatened, attempted, or completed acts that appear after investigation to have been motivated by racial, religious, ethnic, sexual orientation, gender, gender identity or expression or disability prejudice or motivated by prejudice against a person who is homeless or is perceived to be homeless. For the purposes of this chapter, the definitions of disability, sexual orientation and gender identity or expression shall be defined as set forth in Rhode Island general laws § 11-24-2.1;

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

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

(b) The state police shall, by January 1, 1994, develop a system monitoring the occurrence of crimes committed in the state which the evidence of the offense demonstrates was motivated by racial, religious, ethnic bigotry, or bias on any other matter defined as a "hate crime" herein. All police departments within the state shall report monthly the occurrence of such crimes to the state police. The state police shall maintain a permanent record of these offenses categorized by community of occurrence, type of offense, target of offense, and such other information as the department deems relevant. The department shall develop a plan for the collection, analysis, and dissemination of the data regarding such crimes and shall promulgate regulations relating to the collection of hate crime data, as defined in this section, which are submitted by law enforcement agencies, individuals, state and local human rights commissions, and anti-discrimination advocacy organizations.

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

(d) This section shall not be construed to increase or enhance the penalties against the perpetrators of hate crimes as defined in this section, unless provided for by any other section of law.