

103^D CONGRESS
1ST SESSION

S. 1522

To direct the United States Sentencing Commission to promulgate guidelines or amend existing guidelines to provide sentencing enhancements of not less than 3 offense levels for hate crimes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 6 (legislative day, SEPTEMBER 27), 1993

Mrs. FEINSTEIN (for herself, Mrs. BOXER, Mr. CAMPBELL, Mr. INOUE, and Ms. MOSELEY-BRAUN) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To direct the United States Sentencing Commission to promulgate guidelines or amend existing guidelines to provide sentencing enhancements of not less than 3 offense levels for hate crimes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Hate Crimes Sentenc-
5 ing Enhancement Act of 1993”.

1 **SEC. 2. DIRECTION TO UNITED STATES SENTENCING COM-**
2 **MISSION.**

3 (a) DEFINITION.—In this Act, “hate crime” means
4 a crime in which the defendant intentionally selects a vic-
5 tim, or in the case of a property crime, the property that
6 is the object of the crime, because of the actual or per-
7 ceived race, color, religion, national origin, ethnicity, gen-
8 der, or sexual orientation of any person.

9 (b) SENTENCING ENHANCEMENT.—Pursuant to sec-
10 tion 994 of title 28, United States Code, the United States
11 Sentencing Commission shall promulgate guidelines or
12 amend existing guidelines to provide sentencing enhance-
13 ments of not less than 3 offense levels for offenses that
14 the finder of fact at trial determines beyond a reasonable
15 doubt are hate crimes. In carrying out this section, the
16 United States Sentencing Commission shall ensure that
17 there is reasonable consistency with other guidelines, avoid
18 duplicative punishments for substantially the same of-
19 fense, and take into account any mitigating circumstances
20 that might justify exceptions.

○