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NEWS RELEASE

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Evan Low Introduces Bills Strengthening Hate Crime Enforcement

Legislation to Equip Law Enforcement to Prosecute Increasing Hate Crimes

SACRAMENTO — Today Assemblymember Evan Low (D-Silicon Valley) introduced two pieces of legislation, AB 2603 and AB 2604, which strengthen the tools available to California law enforcement to prosecute the alarming rise of hate crimes against communities. AB 2603 allows for a court to issue a search warrant in cases of misdemeanor hate crimes, and AB 2604 expands the law in order to allow prosecutors to introduce evidence relating to biases against protected groups. Together, these bills will give prosecutors new tools to effectively identify and charge criminals that commit hate crimes.

Assemblymember Evan Low described existing law as “poorly written”:

“The rise in hate crimes against the elderly, as well as Asian Americans and other groups, necessitates that California adopt stronger laws to provide the best possible tools for law enforcement to protect communities against criminals that would target people based on race, gender, disability, age or other characteristics. No criminal that targets Californians with hate should be able to escape prosecution and consequences as a result of poorly written laws that currently protect criminals over the victims of hate crimes.”

AB 2603 addresses the fact that under current California law, search warrants are not allowed for misdemeanor hate crimes despite the difficulty of collecting evidence in order to prosecute hate crimes. AB 2603 will allow law enforcement to seek search warrants in misdemeanor hate crime cases thereby increasing the ability of prosecutors to hold accountable individuals that target communities with hate crimes.

AB 2604 will allow prosecutors to introduce evidence relating to biases against protected groups. A “bias against” means a negative attitude toward actual or perceived characteristics of the victim listed in the definition of “hate crime” in subdivision (a) of Section 422.56. Depending on the circumstances of each case, evidence of bias motivation may include, but is not limited to, hatred, animosity, resentment, revulsion, contempt, unreasonable fear, paranoia, callousness, thrill-seeking, desire for social dominance, desire for social bonding with those of one’s “own kind,” or a perception of the vulnerability of the victim due to the victim being perceived as being weak, worthless, fair game, or the selective targeting of victims because of an actual or perceived characteristic of the victim.

Ultimately, while current law allows for the prosecution of people who *clearly* state their intent is to target an individual of a protected class, it is weak when it comes to an individual who is

deliberately targeting individuals. AB 2604 will allow for prosecutors to introduce critical evidence of motivation behind hate crimes to jurors, making it easier to hold criminals that target communities with hate accountable for their violence.

With an increased focus by Californians on the rising rate of hate-driven crime throughout our communities, Assemblymember Low is hopeful his legislative colleagues will be prepared to act on these critical protections for vulnerable communities.

Evan Low represents the Silicon Valley in the California State Assembly. He was elected in 2014 after serving as a Councilmember and Mayor for the City of Campbell. He serves as a Member of the Assembly Committees on Business and Professions, Elections, Governmental Organization, Higher Education, and Rules. Assemblymember Low also serves as the Chair of the California Asian American & Pacific Islander Legislative Caucus, is the founder and Co-Chair of the California Legislative Technology & Innovation Caucus, and is a Member of the California Legislative LGBTQ Caucus.