

To: Members of the Senate Judiciary Committee  
From: Falko Schilling, Advocacy Director ACLU of Vermont  
Re: H.428 An act relating to hate-motivated crimes and misconduct  
Date: 4/20/21



I am writing to share the ACLU of Vermont's thoughts on the proposal to remove the word "maliciously" from 13 V.S.A. § 1455. We would instead propose that the committee revise Sec. 1. 13 V.S.A. § 1455 to read "A person who commits, causes to be committed, or attempts to commit any crime and intentionally selects the victim on the basis of their ~~whose conduct is maliciously motivated by the victim's~~ actual or perceived race, color, religion, national origin, sex, ancestry, age, service in the U.S. Armed Forces, disability as defined by 21 V.S.A. § 495d(5), sexual orientation, or gender identity shall be subject to the following penalties:"

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James Duff Lyall  
*Executive Director*

Falko Schilling  
*Advocacy Director*

Thank you for your consideration of this proposal.

Sincerely,  
Falko Schilling  
Advocacy Director  
ACLU of Vermont