

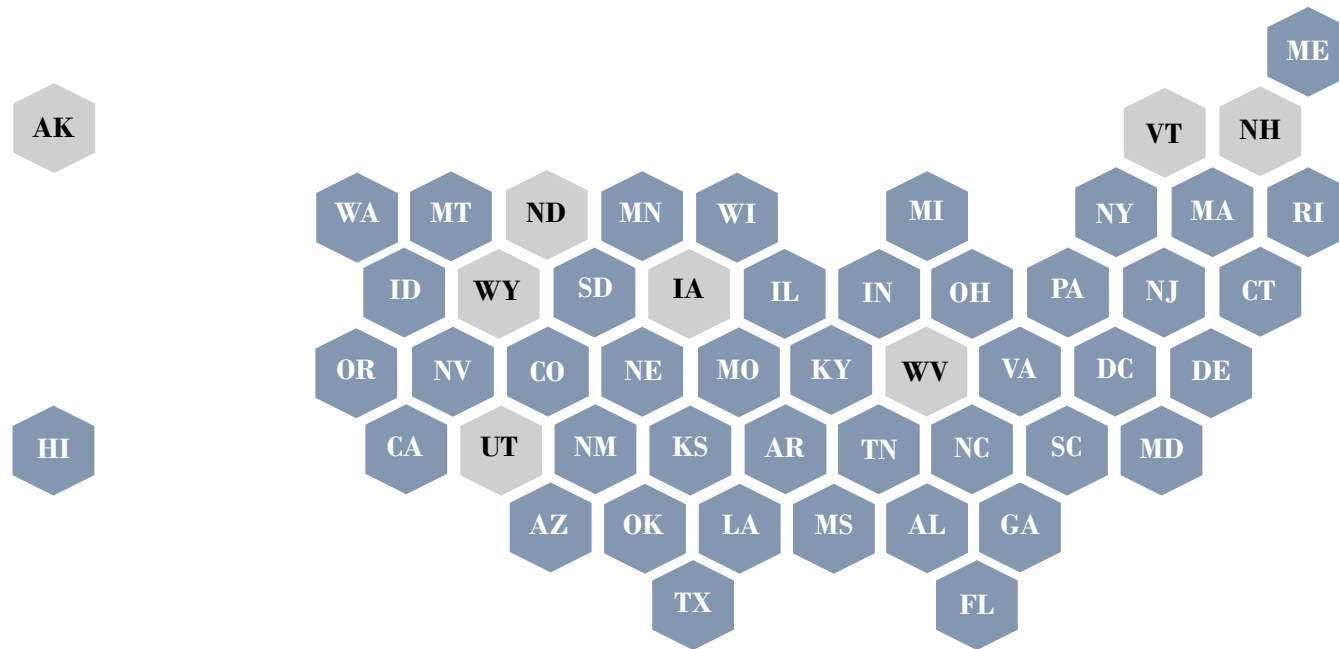
HB 238:
Criminal Mischief
in the Third Degree

Office of Rep Josephson

Institutional Vandalism

- Intentional defacement, damage, or desecration of a building of worship.
- 42 states and D.C. make this a distinct crime from property damage.
- US Department of Justice and FBI report an increase in recent years of crimes to property motivated by religious bias.

States with Institutional Vandalism Laws / Statutes*



* From footnote 10 in report titled "Hate Crime Laws: The ADL Approach."

Why Do We Need This Bill?

- Vandalism to a place of worship is currently treated as a typical property crime.
- National and global events have a lead to an increase in these types of crimes, both nationally and locally.
- In 2022 (most recent data), crimes against property and religion as a bias motivating factor accounted for 80% of all hate crimes.*

Hate Crime Incidents in 2022 (Alaska)

| Bias Motivation Categories | 2020 | 2021 | 2022 | Percentage in 2022 |
|----------------------------|------|------|------|--------------------|
| Race/Ethnicity/Ancestry | 5 | 5 | 0 | 0.0% |
| Religion | 0 | 0 | 4 | 80.0% |
| Sexual Orientation | 1 | 4 | 1 | 20.0% |
| Disability | 0 | 0 | 0 | 0.0% |
| Gender | 2 | 2 | 0 | 0.0% |
| Gender Identity | 1 | 1 | 0 | 0.0% |



The Alaska Watchman. "Eagle River church vandalized again with phallic symbols." November 25, 2022.

The Alaska Shepherd. "A New Church for Chefnak." A Publication of the Catholic Bishop of Northern Alaska. December 2022



Must Read Alaska. "Vandals burn chemical swastika into lawn of Mountain City Church." June 14, 2023.

What Does HB 238 Do?

1. Elevates any intentional vandalism to a religious institution to a C Felony.
2. Exempts authorized intentional damage by an employee of the institution.
3. Provides for an immediate effective date.

This ensures that no matter the value of property damaged, vandalism of a place of worship is treated the same:

- There is no dollar value that can be placed on psychological and/or spiritual harm.
- The bill's language will house places of worship and places of burial in Criminal Mischief in the Third Degree.

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Thank you