

## **Criminal Justice: Hate Crime Laws**

No updates required since January 1, 2026

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## Background

While there are many dimensions of state hate crime laws, MAP's Equality Maps show three key areas:

- (1) whether a state's hate crime law **specifically enumerates crimes based on sexual orientation and/or gender identity;**
- (2) whether states require **data collection** about hate crimes, including specifically about hate crimes based on sexual orientation and/or gender identity; and
- (3) whether states require **training for law enforcement** about hate crimes, including specifically about hate crimes based on sexual orientation and/or gender identity.

Note that even in states that do not legally require data collection or law enforcement training about hate crimes, such data collection or training may still occur.

For additional information about state hate crime laws, as well as the challenges and opportunities of hate crime law, see MAP's 2021 report [Policy Spotlight: Hate Crime Laws](#).

## Equality Maps & Additional Resources

- See MAP's [Equality Maps: Hate Crime Laws](#), which are updated and maintained in real time alongside this document.
- See also MAP's 2021 in-depth report, [Policy Spotlight: Hate Crime Laws](#), featuring a foreword from Judy Shepard, for further information about the many components of state hate crime laws, as well as the challenges and opportunities of hate crime law.
- Extensive research about hate crimes law is available from other organizations and researchers, including but not limited to:
  - Brennan Center for Justice's "[State Hate Crime Statutes](#)" (July 2020), tracking enumerated categories and other statutes such as data collection, law enforcement training, and more
  - Southern Poverty Law Center's "[Hate Crimes, Explained](#)" (October 2021)
  - Alison M. Smith and Cassandra L. Foley. 2010. "[State Statutes Governing Hate Crimes](#)". Congressional Research Service.

## Summary Table

Category	States	
<p><b>States with hate crime laws that explicitly enumerate both sexual orientation and gender identity</b> (23 states, D.C., + 2 territories)</p> <p><i>Note: some states' laws define sexual orientation to include gender identity. See "State-by-State Sources &amp; More Detail" below for more.</i></p>	<p>California Colorado Connecticut Delaware Georgia Hawai`i Illinois Maine Maryland Massachusetts Michigan Minnesota Missouri Nevada</p>	<p>New Hampshire New Jersey New Mexico New York Oregon Utah Vermont Virginia Washington</p> <p>District of Columbia Puerto Rico U.S. Virgin Islands</p>
<p><b>State with hate crime laws that explicitly enumerate sexual orientation, and explicitly interpret protections to include gender identity</b> (1 state)</p> <p><i>Note: See "State-by-State Sources &amp; More Detail" below for more detail.</i></p>	<p>Tennessee</p>	
<p><b>States with hate crime laws that explicitly enumerate sexual orientation only</b> (10 states)</p>	<p>Arizona Florida Iowa Kansas Kentucky</p>	<p>Louisiana Nebraska Rhode Island Texas Wisconsin</p>
<p><b>States with hate crime laws that do not enumerate either sexual orientation or gender identity</b> (12 states)</p>	<p>Alabama Alaska Idaho Mississippi Montana North Carolina</p>	<p>North Dakota Ohio Oklahoma Pennsylvania South Dakota West Virginia</p>
<p><b>States with no hate crime law at all</b> (4 states + 3 territories)</p>	<p>Arkansas Indiana South Carolina Wyoming</p>	<p>American Samoa Guam Northern Mariana Islands</p>

## State-by-State Sources & More Detail

### Alabama

- State hate crime law does not enumerate sexual orientation or gender identity
  - See [AL Code 13A-5-13](#). State hate crime law first created by [H7/Public Act 94-581](#) (1994).
- State does not require data collection about hate crimes
- State does not require training for law enforcement about hate crimes

### Alaska

- State hate crime law does not enumerate sexual orientation or gender identity
  - See [AS 12.55.155\(C\)\(22\)](#). State hate crime law first created by HB876 (1982).
- State does not require data collection about hate crimes
- State does not require training for law enforcement about hate crimes

### Arizona

- State hate crime law enumerates sexual orientation and gender, but not gender identity
  - See [ARS § 13-701](#) and [ARS § 41-1750](#). Sexual orientation added by [SB1047c](#) (1997).
- State requires data collection about hate crimes, including for crimes based on sexual orientation
  - See [ARS § 41-1750](#) and [HB2489](#) (1991)
- State requires training for law enforcement about hate crimes, including for crimes based on sexual orientation
  - See [ARS § 41-1750](#) and [HB2489](#) (1991)

### Arkansas

- State does not have a hate crime law
  - Arkansas's [SB 622](#) (2021) is sometimes described as a hate crime law, but it does not constitute a true hate crime law. The 2021 law includes bias-motivated crimes, among many other types of crimes, but the law is written so broadly that it could be applied to virtually any circumstance, which is at odds with both the structure and purpose of hate crime law. See, for example, analysis from [the Anti-Defamation League \(ADL\)](#) and [the Brennan Center](#) noting that Indiana's law (similar in structure) does not constitute a hate crime law.
- State does not require data collection about hate crimes
- State does not require training for law enforcement about hate crimes

## California

- State hate crime law enumerates sexual orientation and gender identity
  - See [CA Penal Code § 422.55](#) and [CA Penal Code § 422.56](#). Sexual orientation added by [AB 63](#) (1987). Gender identity added by [AB 1999](#) (1998, effective 1/1/1999; “gender” defined to cover gender identity).
- State requires data collection about hate crimes, including for crimes based on sexual orientation and gender identity
  - See [CA Penal Code § 13023](#)
  - [SB 2080](#) (1984) required the state DOJ to study and make recommendations about statewide data collection on bias crimes. This report was issued by the state DOJ in 1986. [SB 202](#) (1989) added § 13023 to the state penal code, requiring data collection.
- State requires training for law enforcement about hate crimes, including for crimes based on sexual orientation and gender identity
  - See [CA Penal Code § 13519.6](#)

## Colorado

- State hate crime law enumerates sexual orientation and transgender status (included in definition of sexual orientation)
  - See [CRS 18-9-121](#). State hate crime law first created in 1988. Sexual orientation, defined to include transgender status, added by [HB 05-1014](#) (2005). Gender identity moved to its own standalone definition (“transgender identity”) by [SB189](#) (2024).
- State requires data collection about hate crimes, including for crimes based on sexual orientation and transgender status
  - See [CRS 24-33.5-412 5\(b\)](#), added by [HB 1138](#) (2017)
- State does not require training for law enforcement about hate crimes

## Connecticut

- State hate crime law enumerates sexual orientation and gender identity
  - See [CT Penal Code 53a-181j-l](#). State hate crime law first created by [HB 5978](#) (1990), including sexual orientation. Gender identity added by [HB 5657](#) (2004).
- State requires data collection about hate crimes, including for crimes based on sexual orientation and gender identity
  - See [CT ST § 29-7m](#)
- State requires training for law enforcement about hate crimes, including for crimes based on sexual orientation and gender identity
  - See [CT ST § 7-294n](#)

### **Delaware**

- State hate crime law enumerates sexual orientation and gender identity
  - See [75 Del. Laws, c. 271, 1304](#). State hate crime law first created by [SB 132](#) (1995). Sexual orientation added by [SB 53](#) (1997). Gender identity added by [SB 97](#) (2013).
- State does not require data collection about hate crimes
- State does not require training for law enforcement about hate crimes

### **District of Columbia**

- State hate crime law enumerates sexual orientation and gender identity
  - See [DC Code § 22-3701](#). State hate crime law first created by [D.C. Law 8-121](#) (1989, effective 5/8/1990), including sexual orientation. Gender identity added by [D.C. Law 17-177](#) (2008).
- State requires data collection about hate crimes, including for crimes based on sexual orientation and gender identity
  - However, the law relies only on voluntary (rather than mandatory) participation from law enforcement agencies, which may limit available data.
  - See [DC Code § 22-3702](#)
- State does not require training for law enforcement about hate crimes

### **Florida**

- State hate crime law enumerates sexual orientation
  - See [FL ST § 775.085](#). State hate crime law first created by [HB 1112](#) (1989; see p381). Sexual orientation added by [SB 1482](#) (1991).
- State requires data collection about hate crimes, including for crimes based on sexual orientation
  - See [FL ST § 877.19](#). Data collection law first created by [HB 1111](#) (1989). Sexual orientation added by [SB 1482](#) (1991).
- State does not require training for law enforcement about hate crimes

## Georgia

- State hate crime law enumerates sexual orientation, sex, and gender. MAP, community advocates, and Georgia policymakers understand this to cover gender identity.
  - See [HB 426](#) (2020)
  - “Sex” was added to the bill after the June 2020 Supreme Court decision in *Bostock*, which affirmed that sex includes both sexual orientation and gender identity. The term “gender” was added to the bill after [criticism](#) that omitting it would leave out protections for transgender people. Testimony before the Georgia Senate (beginning around 20 min mark [of this video](#)) discussed implications for transgender people if “gender” was omitted from the bill. Legislators understood the impact of including both sex and gender to include protections for transgender people.
- State requires data collection about hate crimes, including for crimes based on sexual orientation and gender identity
  - See [O.C.G.A. § 17-4-20.2](#) (2020)
- State does not require training for law enforcement about hate crimes

## Hawai`i

- State hate crime law enumerates sexual orientation and gender identity
  - See [Haw. Rev. Stat. Ann. 706-662\(6\)](#). State hate crime law first created by [SB 951](#) (2001), including sexual orientation. Gender identity added by [SB 616](#) (2003).
- State requires data collection about hate crimes, including for crimes based on sexual orientation and gender identity
  - See [Haw. Rev. Stat. Ann. 846-51 – 846-54](#). Data collection law first created by [SB 951](#) (2001), including sexual orientation. Gender identity added by [SB 616](#) (2003).
- State does not require training for law enforcement about hate crimes

## Idaho

- State hate crime law does not enumerate sexual orientation or gender identity
  - See [Idaho Statutes 18-7902](#), added 1983
- State requires data collection about hate crimes, but not for crimes based on sexual orientation or gender identity
  - See [Idaho Statutes 67-2915](#), added by [SB 1150](#) (1989) (see p591)
- State does not require training for law enforcement about hate crimes

## Illinois

- Law enumerates sexual orientation and “gender-related identity”
  - See [720 Ill. Comp. Laws Ann. 5/12-7.1](#)
  - State hate crime law first created by [HB 2391](#) (1982, effective 1/1/1983). Sexual orientation added by SB2267 (1990, effective 1/1/1991). Gender identity added by [HB 3930](#) (2015, effective 1/1/2016).
- State requires data collection about hate crimes, including for crimes based on sexual orientation and gender identity
  - See [20 ILCS 4070/20](#), added by [SB1047](#) (2007), requiring an annual report by the Commission on Discrimination and Hate Crimes
  - See [50 ILCS 709/5-10 and 5-12](#), added by [SB1304](#) (2015), requiring law enforcement to submit monthly reports on hate crime incidents and requiring Department of State Police to issue an annual report
- State requires training for law enforcement about hate crimes, including for crimes based on sexual orientation and gender identity
  - See [20 ILCS 2605/2605-390](#), added by HB2051 (1988)
  - See also [20 ILCS 4070/15](#), added by [SB1047](#) (2007)

## Indiana

- State does not have a hate crime law
  - Indiana’s [SB 198](#) (2019) is sometimes described as a hate crime law, but it does not constitute a true hate crime law. The 2019 law includes bias-motivated crimes, among many other types of crimes, but the law is written so broadly that it could be applied to virtually any circumstance, which is at odds with both the structure and purpose of hate crime law. See, for example, analysis from [the Anti-Defamation League \(ADL\)](#) and [the Brennan Center](#) noting that Indiana’s law does not constitute a hate crime law.
- State requires data collection about hate crimes, including for crimes based on sexual orientation
  - See [Indiana Code 10-13-3-38](#), added by [S257](#) (2003) (see p148)
- State does not require training for law enforcement about hate crimes

## Iowa

- State hate crime law enumerates sexual orientation
  - See [Iowa Code § 729.A](#). State hate crime law first created by [SF 2065](#) (1992), including sexual orientation.
- State requires data collection about hate crimes, including for crimes based on sexual orientation
  - See [Iowa Code § 692.15](#), added by [SF 2065](#) (1992)
- State requires training for law enforcement about hate crimes, including for crimes based on sexual orientation
  - See [Iowa Code § 80B.11](#), added by [SF 2065](#) (1992), and see also [IAC 501.3.5\(5\)e](#)

## **Kansas**

- State hate crime law enumerates sexual orientation
  - See [Kansas Code 21-6815](#). State hate crime law first created by SB 479 (1992). Sexual orientation added by [HB 2154](#) (2002).
- State does not require data collection about hate crimes
- State does not require training for law enforcement about hate crimes

## **Kentucky**

- State hate crime law enumerates sexual orientation
  - See [KY Statutes 532.031](#). State hate crime law first created by [HB455](#) (1998), including sexual orientation.
- State requires data collection about hate crimes, but not for crimes based on sexual orientation or gender identity
  - See [KY Statutes 17.1523](#), added by SB8/Ch. 413 (1992)
- State requires training for law enforcement about hate crimes, but not for crimes based on sexual orientation or gender identity
  - See [KY ST 15.334\(1\)\(d\)](#), added by SB8/Ch. 413 (1992)

## **Louisiana**

- State hate crime law enumerates sexual orientation
  - See [RS 14:107.2](#). State hate crime law first created by [SB 914](#) (1997), including sexual orientation.
- State requires data collection about hate crimes, including for crimes based on sexual orientation
  - However, the law relies only on voluntary (rather than mandatory) participation from law enforcement agencies, which may limit available data.
  - See [LA Rev. St. 15:1204.2 \(B\)\(4\)](#) and [LA Rev. St. 15:1204.4](#), added by HB1176/PA509 (1991). Sexual orientation added by [SB 914](#) (1997).
- State requires training for law enforcement about hate crimes, including for crimes based on sexual orientation
  - See [LA Rev. St. 40:2403 \(H\)\(1\)](#)

## Maine

- State hate crime law enumerates sexual orientation and gender identity (included in definition of sexual orientation)
  - See [5 MRS 4684-A](#) and [5 MRS 4553\(9-C\)](#) for definition of sexual orientation
  - State hate crime law first created by LD 1253 (1989). Enumerated categories first added by [LD 1334](#) (1993), including sexual orientation. Gender identity added by [LD 1196](#) (2005), which defined sexual orientation to include gender identity.
  - See also [this 2001 article](#) on the history of Maine’s hate crime law.
- State requires data collection about hate crimes, including for crimes based on sexual orientation and gender identity
  - See [25 MRS 1544](#)
- State requires training for law enforcement about hate crimes, including for crimes based on sexual orientation and gender identity
  - See [25 MRS 2803-B \(1-E\)](#), added by [LD1475](#) (2019)

## Maryland

- State hate crime law enumerates sexual orientation and “gender-related identity” (included in definition of sexual orientation)
  - See [MD Code 10-301](#) and [10-304](#). Sexual orientation, defined to include “gender-related identity,” added by [HB692](#) (2005). [SB220](#) (2021) moved gender identity into its own enumerated category.
- State requires data collection about hate crimes, including for crimes based on sexual orientation and gender identity (via definition of sexual orientation)
  - See [MD Public Safety Code 2-307](#)
- State requires training for law enforcement about hate crimes, including for crimes based on sexual orientation and gender identity
  - See [MD Statutes §3-207\(a\)\(6\)\(iii\)](#), added by [SB633](#) (2020)

## Massachusetts

- State hate crime law enumerates sexual orientation and gender identity
  - See [Mass. Gen. Laws 265-39](#). State hate crime law first created in 1983. Sexual orientation added in [1996](#). Gender identity added by [H3810/Ch.199](#) (2011).
- State requires data collection about hate crimes, including for crimes based on sexual orientation and gender identity
  - See [Mass. Gen. Laws 22C §32-35](#), created in 1990. Sexual orientation added in 1996, and gender identity added in 2011.
- State requires training for law enforcement about hate crimes, including for crimes based on sexual orientation and gender identity
  - See [Mass. Gen. Laws 6 §116B](#)

## Michigan

- State hate crime law enumerates sexual orientation and gender identity
  - See [HB5400](#) (2025)
  - Formerly, state hate crime law did not enumerate sexual orientation or gender identity. See [MI 750.147b](#) “Ethnic Intimidation.”
- State requires data collection about hate crimes, including for crimes based on sexual orientation
  - See [MI 28 §257A](#), added by HB5105/PA172 (1991), and [MI 28.252](#)
- State does not require training for law enforcement about hate crimes

## Minnesota

- State hate crime law enumerates sexual orientation and gender identity (included in definition of sexual orientation)
  - See MN Statutes [609.2231](#) and [363A.03](#). State hate crime law first created by [HF700](#) (1989), including sexual orientation. Gender identity added by [HF585](#) (1993), where new definition of sexual orientation covered gender identity.
- State requires data collection about hate crimes, including for crimes based on sexual orientation and gender identity
  - See [MN ST 626.5531](#), added by [HF2340](#) (1988), including sexual orientation
- State requires training for law enforcement about hate crimes, including for crimes based on sexual orientation and gender identity
  - See [MN ST 626.8451](#) and [MN ST 8.34](#)

## Mississippi

- State hate crime law does not enumerate sexual orientation or gender identity
  - See [MS Code 99-19-301](#). State hate crime law first created by HB768 (1994).
- State does not require data collection about hate crimes
- State does not require training for law enforcement about hate crimes

## Missouri

- State hate crime law enumerates sexual orientation and gender identity (included in definition of sexual orientation)
  - See MO Rev Statutes [557.035](#) and [556.061](#). State hate crime law first created by [SB328](#) (1999), including sexual orientation, defined to cover gender identity (see original version [here](#); definition now found [here](#)).
- State does not require data collection about hate crimes
- State does not require training for law enforcement about hate crimes

### Montana

- State hate crime law does not enumerate sexual orientation or gender identity
  - See [MCA 45-5-221](#). State hate crime law first created in 1989.
- State does not require data collection about hate crimes
- State does not require training for law enforcement about hate crimes

### Nebraska

- State hate crime law enumerates sexual orientation
  - See [NE Revised Statutes 28-110 – 28-114](#). State hate crime law first created by [LB90](#) (1997), including sexual orientation.
- State requires data collection about hate crimes, including for crimes based on sexual orientation
  - However, the law relies only on voluntary (rather than mandatory) participation from law enforcement agencies, which may limit available data.
  - See [NE Revised Statutes 28-114](#) (1997)
- State does not require training for law enforcement about hate crimes

### Nevada

- State hate crime law enumerates sexual orientation and gender identity
  - See [NRS 193.1675](#). State hate crime law first created by [AB606](#) (1995), including sexual orientation. Gender identity added by [SB139](#) (2013).
- State requires data collection about hate crimes, including for crimes based on sexual orientation and gender identity
  - See [NRS 179A.175](#), added by [AB606](#) (1995), including sexual orientation. Gender identity added by [SB139](#) (2013).
- State does not require training for law enforcement about hate crimes

### New Hampshire

- State hate crime law enumerates sexual orientation and gender identity
  - See [NH RSA 651:6\(f\)](#). State hate crime law first created by [HB1299](#) (1990), including sexual orientation. Gender identity added by [HB608](#) (2019).
- State does not require data collection about hate crimes
- State does not require training for law enforcement about hate crimes

### New Jersey

- State hate crime law enumerates sexual orientation and gender identity
  - See [NJ Rev Stat 2C:16-1](#). State hate crime law first created by SB1062/Ch.87 (1990), including sexual orientation. [S1897](#) (2002) created new statute, still including sexual orientation. Gender identity added by [S2975](#) (2008).
- State requires data collection about hate crimes, including for crimes based on sexual orientation and gender identity
  - See [NJ Rev Stat § 52:17B-5.3](#), added by [S2975](#) (2008)
  - See also [NJ Rev Stat § 52:17B-5.4a](#) and [NJ Rev Stat 52:9DD-9](#)
- State requires training for law enforcement about hate crimes, including for crimes based on sexual orientation and gender identity
  - See [NJ RS 52:17B-77.12](#), added by [S2975](#) (2008)
  - See also [NJ RS 52:17B-77.13](#), added by [A1663](#) (2016)

### New Mexico

- State hate crime law enumerates sexual orientation and gender identity
  - See [NM Statutes 31-18B-3](#). State hate crime law first created by [SB38](#) (2003), including sexual orientation and gender identity.
- State does not require\* data collection about hate crimes
  - \*[NM Statutes 31-18B-4](#) (2003) requires state attorneys and law enforcement to submit data to the FBI, as required under the federal Hate Crime Statistics Act, but does not require collecting or reporting data to New Mexico itself, as in other states
- State requires training for law enforcement about hate crimes, including for crimes based on sexual orientation and gender identity
  - See [NM Statutes 31-18B-5](#) (2003)

### New York

- State hate crime law enumerates sexual orientation and gender identity
  - See [NY Penal Code 240.30](#). State hate crime law first created by [S4691](#) (2000), including sexual orientation. Gender identity added by [A00747](#) (2019).
- State requires data collection about hate crimes, including for crimes based on sexual orientation and gender identity
  - However, the law relies only on voluntary (rather than mandatory) participation from law enforcement agencies, which may limit available data.
  - See [NY Executive Code §837\(4-c\)\(a\)](#) (2000; gender identity added in 2019)
- State requires training for law enforcement about hate crimes, including for crimes based on sexual orientation and gender identity
  - See [NY Executive Code §840 \(6\)](#), added by [A3606](#) (2019)

### North Carolina

- State hate crime law does not enumerate sexual orientation or gender identity
  - See [NC Statute 14-3](#), added by [HB513](#) (1991)
- State does not require data collection about hate crimes
- State does not require training for law enforcement about hate crimes

### North Dakota

- State hate crime law does not enumerate sexual orientation or gender identity
  - See [ND Ch 12.1-14-04](#), added by Ch.117 (1973)
  - Note that some researchers or advocates characterize North Dakota as not having a hate crime law, given that the state's statute is more similar to an antidiscrimination law than to other states' hate crime laws. See for example [the Brennan Center](#).
- State does not require data collection about hate crimes
- State does not require training for law enforcement about hate crimes

### Ohio

- State hate crime law does not enumerate sexual orientation or gender identity
  - See [OH Revised Code 2927.12](#). State hate crime law first created by S316 (1986).
- State does not require data collection about hate crimes
- State does not require training for law enforcement about hate crimes

### Oklahoma

- State hate crime law does not enumerate sexual orientation or gender identity
  - See [OK ST § 21-850](#). State hate crime law first created by SB132 (1987).
- State requires data collection about hate crimes, but not for crimes based on sexual orientation or gender identity
  - See [OK ST § 21-850 \(F\)](#) (1987)
- State does not require training for law enforcement about hate crimes

## Oregon

- State hate crime law enumerates sexual orientation and gender identity (included in definition of sexual orientation)
  - See [ORS 166.155](#) . State hate crime law first created by HB2479/Ch.785 (1981). Sexual orientation added by HB2784/Ch.1029 (1989). Gender identity added through new definition of sexual orientation added by [SB2](#) (2007). Gender identity moved to its own enumeration/definition by [SB577](#) (2019).
- State requires data collection about hate crimes, including for crimes based on sexual orientation and gender identity
  - See ORS [181A.225](#)
- State requires training for law enforcement about hate crimes, including for crimes based on sexual orientation and gender identity
  - See ORS [181A.470](#) (1-A)

## Pennsylvania

- State hate crime law does not enumerate sexual orientation or gender identity
  - See [PA 18 § 2710](#). State hate crime law first created by [HB1806](#) (1982).
  - Note: [HB1493](#) (2002) added sexual orientation and gender identity, but the bill was ruled unconstitutional in 2007 for technical reasons (see [Marcavage v. Rendell](#)).
- State requires data collection about hate crimes, but not for crimes based on sexual orientation or gender identity
  - See [PA Code 37 Ch. 53](#), added by [HB1337](#) (1985)
- State does not require training for law enforcement about hate crimes

## Rhode Island

- State hate crime law enumerates sexual orientation and gender, but not gender identity
  - See [RI Gen. Laws 12-19-38](#). State hate crime law first created by [S 2025A](#) (1998), including sexual orientation.
- State requires data collection about hate crimes, including for crimes based on sexual orientation and gender identity
  - See [RI ST 42-28-46](#), [H8788](#) (1988, not including sexual orientation), [S224/H5092](#) (1993, including sexual orientation). [SB 2488](#) (2012) added gender identity to hate crime data collection requirements, but not to the main hate crime law itself. See also [Rhode Island Advisory Committee to the U.S. Commission on Civil Rights memo](#) (2019).
- State requires training for law enforcement about hate crimes, including for crimes based on sexual orientation and gender identity
  - See [RI ST 42-28.2-8.1](#)

### South Carolina

- State does not have a hate crime law
- State does not require data collection about hate crimes
- State does not require training for law enforcement about hate crimes

### South Dakota

- State hate crime law does not enumerate sexual orientation or gender identity
  - See [SD Codified Laws 22-19B-1](#). State hate crime law first created in 1993.
- State does not require data collection about hate crimes
- State does not require training for law enforcement about hate crimes

### Tennessee

- State hate crime law enumerates sexual orientation and gender, which state attorney general currently interprets to apply to transgender people
  - See [TN Code § 40-35-114](#). State hate crime law first created in 1989. Sexual orientation added by [HB989](#) (2000). Gender identity application affirmed by [Opinion No. 19-01](#) (2019).
- State does not require data collection about hate crimes
- State does not require training for law enforcement about hate crimes

### Texas

- State hate crime law enumerates “sexual preference” (definition refers to heterosexuality, homosexuality, or bisexuality)
  - See [Tex. Code of Criminal Procedure 42.014](#). State hate crime law first created by [SB456](#) (1993). Sexual orientation added by [HB587](#) (2001).
- State requires data collection about hate crimes, including for crimes based on sexual orientation
  - See [TX Government Code 411.046](#) and [TX Criminal Code 2.211](#)
- State requires training for law enforcement\* about hate crimes, including for crimes based on sexual orientation
  - \*However, the law applies only to prosecuting attorneys and not to police.
  - See [TX Government Code 22.111](#)

### Utah

- State hate crime law enumerates sexual orientation and gender identity
  - See [Utah Code 76-3-203.14](#), created by [SB 103](#) (2019)
- State requires data collection about hate crimes, but not for crimes based on sexual orientation or gender identity
  - Additionally, the law relies only on voluntary (rather than mandatory) participation from law enforcement agencies, which may limit available data.
  - See [UT Code 53-10-202](#)
- State does not require training for law enforcement about hate crimes

### **Vermont**

- State hate crime law enumerates sexual orientation and gender identity
  - See [13 V.S.A 1455](#). State hate crime law first created by [H504](#) (1989), including sexual orientation. Gender identity added by [S45](#) (1999).
- State does not require data collection about hate crimes
- State does not require training for law enforcement about hate crimes

### **Virginia**

- State hate crime law enumerates sexual orientation and gender identity
  - See [VA Code 18.2-57 \(A\) & \(B\)](#). State hate crime law first created by [HB889](#) (1994). Sexual orientation and gender identity added by [HB618](#) (2020).
- State requires data collection about hate crimes, including for crimes based on sexual orientation and gender identity
  - See [VA ST § 52-8.5](#) (1988; sexual orientation and gender identity added in 2020).
- State does not require training for law enforcement about hate crimes

### **Washington**

- State hate crime law enumerates sexual orientation and gender identity
  - See [RCW 9A.36.070](#) and [49.60.040](#). State hate crime law first created by [SB 3342](#) (1981). Sexual orientation added by [HB 1569](#) (1993). Gender identity added through new definition of sexual orientation by [SB 5952](#) (2009). Gender identity moved to its own enumeration/definition by [HB 1732](#) (2019).
- State requires data collection about hate crimes, including for crimes based on sexual orientation and gender identity
  - See [WA ST 36.28A.030](#)
- State requires training for law enforcement about hate crimes, including for crimes based on sexual orientation and gender identity
  - See [RCW 43.101.290](#)

### **West Virginia**

- Existing hate crime law does not enumerate sexual orientation or gender identity
  - See [WV Code Ann. 61-6-21](#)
- State does not require data collection about hate crimes
- State does not require training for law enforcement about hate crimes

### **Wisconsin**

- Law enumerates sexual orientation
  - See [WI State 939.645](#). State hate crime law first created by [AB599](#) (1987), including sexual orientation.
- State does not require data collection about hate crimes
- State does not require training for law enforcement about hate crimes

## **Wyoming**

- State does not have a hate crime law
- State does not require data collection about hate crimes
- State does not require training for law enforcement about hate crimes

## **U.S. Territories**

Note: All five U.S. territories are covered by federal hate crime law, which explicitly enumerates sexual orientation and gender identity.

### **American Samoa**

- Territory does not have a hate crime law
- Territory does not require data collection about hate crimes
- Territory does not require training for law enforcement about hate crimes

### **Commonwealth of the Northern Mariana Islands**

- Territory does not have a hate crime law
- Territory does not require data collection about hate crimes
- Territory does not require training for law enforcement about hate crimes

### **Guam**

- Territory does not have a hate crime law
- Territory does not require data collection about hate crimes
- Territory does not require training for law enforcement about hate crimes

### **Puerto Rico**

- Territory hate crime law enumerates sexual orientation and gender identity
  - See [Act No. 46 \(2002\)](#)
- Territory does not require data collection about hate crimes
- Territory does not require training for law enforcement about hate crimes

### **U.S. Virgin Islands**

- Territory hate crime law enumerates sexual orientation and gender identity
  - See [The Hate-Motivated Crimes Act \(2014\)](#)
- Territory does not require data collection about hate crimes
- Territory does not require training for law enforcement about hate crimes