



Fiscal Impact Statement for Proposed Legislation

Virginia Criminal Sentencing Commission

Senate Bill 624 (Patron—Salim)

LD#: 26104940

Date: 1/12/2026

Topic: Definition of hate crimes

Fiscal Impact Summary:

- **State Adult Correctional Facilities:**
None (\$0)*
- **Local Adult Correctional Facilities:**
None (\$0)
- **Adult Community Corrections Programs:**
None (\$0)

- **Juvenile Direct Care:**
Cannot be determined**
- **Juvenile Detention Facilities:**
Cannot be determined**

**Provided by the Department of Juvenile Justice

*Pursuant to § 30-19.1:4, fiscal impact statements prepared by the Virginia Criminal Sentencing Commission only include the estimated increase in operating costs associated with additional state-responsible prison beds and do not reflect any other costs or savings that may be associated with the proposed legislation.

Summary of Proposed Legislation:

The proposal amends § 18.2-57 by adding that intentionally selecting victims for assault and battery because of the victim's religious affiliation with Islam qualifies as a hate crime, which is currently punishable as a Class 1 misdemeanor. If bodily injuries result from the attack, the offense is punishable as a Class 6 felony.

Under current law, the targeting of victims for assault and battery based on their religious conviction is already considered a hate crime. As a result, the proposal does not expand the applicability of any current offense or add any new offenses. The proposal goes on to provide a definition of the term "Islamophobia" and clarify that its definition of that term is simply designed to assist law enforcement in classifying bias-motivated criminal behavior rather than to create a new offense.

Analysis:

According to General District Court Case Management System (CMS) data for fiscal year (FY) 2020 through FY2025, a misdemeanor hate crime assault under the existing § 18.2-57(A) was the primary, or most serious, offense at sentencing for 39 offenders. Of these, 23 offenders (59.0%) were sentenced to local-responsible (jail) terms with a median sentence length of 2.7 months. The remaining 16 offenders (41.0%) did not receive an active term of incarceration to serve after sentencing.

Circuit Court CMS data for the same six-year period indicate that a felony hate crime assault and battery (under the existing § 18.2-57(B)) was the primary offense for nine offenders; of these, five were

sentenced to serve jail terms with a median sentence of six months. The remaining four offenders were sentenced to serve state-responsible (prison) terms with a median sentence of 2.4 years.

Impact of Proposed Legislation:

State adult correctional facilities. Because the proposal doesn't add any new offenses or meaningfully modify any existing offenses, the proposed legislation is not expected to increase the state-responsible (prison) bed space needs of the Commonwealth.

Local adult correctional facilities. Similarly, the proposal is not expected to impact the local-responsible (jail) bed space needs of the Commonwealth.

Adult community corrections resources. The proposal is not expected to result in any additional supervision requirements or community corrections resources.

Virginia's Sentencing Guidelines. Felony convictions under § 18.2-57 are not covered by the Sentencing Guidelines as the primary (most serious) offense; however, convictions under these statutes could augment the Guidelines recommendation (as additional offenses) if the most serious offense at sentencing is covered by the Guidelines. Felony offenses in § 18.2-57 are defined as violent in § 17.1-805(C) for the purposes of the Guidelines). No adjustment to the Guidelines would be necessary under the proposal.

Juvenile direct care. According to the Department of Juvenile Justice, the impact of the proposal on direct care (juvenile correctional center or alternative commitment placement) bed space needs cannot be determined.

Juvenile detention facilities. According to the Department of Juvenile Justice, the impact of the proposal on the bed space needs of juvenile detention facilities cannot be determined.

Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation is \$0 for periods of imprisonment in state adult correctional facilities and cannot be determined for periods of commitment to the custody of the Department of Juvenile Justice.

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