State of Rhode Island and Providence Plantations
State House
Providence, Rhode Island 02903-1196
401-222-2080

Donald L. Carcieri
Governor

June 22, 2010

TO THE HONORABLE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES:

In accordance with the provisions of Section 14, Article IX of the Constitution of the State of Rhode Island and Section 43-1-4 of the Rhode Island General Laws, I transmit, with my disapproval, 2010 H 7044, "Relating to State Affairs and Government – State Police."

This act expands the definition of "hate crime" to include gender identity and gender-related expression. I vetoed this legislation in the past and I do so again.

Rhode Island has on its books a "hate crimes" statute. If the police suspect that a crime was "motivated" by hate – "bigotry and bias" – the matter is referred to the State Police where the information is compiled and disseminated to local departments, human rights organizations and other anti-discriminatory advocacy organizations. The current definition of "hate crime" includes actions or threats that are "motivated by racial, religious, sexual orientation, gender or disability prejudice". This legislation expands that list to include "gender identity" and "gender-related expression".

The legislation adopts the definition of "gender identity or expression" set forth at Rhode Island General Law §11-24-2.1(i), which defines these terms as "a person's actual or perceived gender, as well as a person's gender identity, gender-related self image, gender-related appearance, or gender-related expression, whether or not that gender identity, gender-related self image, gender-related appearance, or gender-related expression is different from that traditionally associated with the person's sex at birth."

These terms are confusing. As long as a criminal act was done willfully and knowingly, the perpetrator's motives are irrelevant.

For these reasons, I disapprove of this legislation and respectfully urge your support of this veto.

Sincerely,

Donald L. Carcieri
Governor