



Federal Hate Crimes Statutes

Federal Bureau of Investigation
Civil Rights Unit

COMPARISON BETWEEN 18 USC § 245 AND 18 USC § 249

245	249(a)(1)	249(a)(2)
Act willfully	Act willfully	Act willfully
Use of force or threat or force	Cause bodily injury or attempts to do so with a dangerous weapon	Cause bodily injury or attempts to do so with a dangerous weapon
Act because of race, color, religion*, or national origin	Act because of race, color, religion*, or national origin	Act because of religion*, national origin, gender, sexual orientation, gender identity, or disability
Act because the victim is exercising a specifically listed federal right	No limitations	Must prove affects interstate/foreign commerce
Thirteenth Amendment	Thirteenth Amendment	US Constitution Article I, Section 8



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COMPARISON BETWEEN 18 USC § 247 AND 42 USC § 3631

247(a)(1)	247(a)(2)	247(c)	3631
Act intentionally	Act intentionally	Act intentionally	Act willfully
Deface, damage, or destroy religious real property	Obstruct by force or threat of force any person	Deface, damage, or destroy religious real property	Force or threats of force to injure, intimidate, or interfere
Act because of religious character of that property	Act to obstruct person's enjoyment of free exercise of religious beliefs	Act because of race, color, or ethnic characteristics of any individual associated with that religious property	Act because of race, color, religion, national origin, sex, handicap, familial status AND because person purchasing, occupying, renting a dwelling
Must prove affects interstate commerce	Must prove affects interstate commerce	No limitation	No limitation
US Constitution Article I, Section 8	US Constitution Article I, Section 8	Thirteenth Amendment	Thirteenth Amendment