

AB 1535: The Hortman-Kirk Political Violence Prevention Act

Assemblymember Laurie Davies

IN BRIEF

AB 1535 States that circumstances underlying any felony that are motivated by the victim's political affiliation may be considered as aggravating factors during sentencing.

THE ISSUE

Groups on both the far-left and far-right increasingly resort to dangerous rhetoric that leads to violence, vandalism, and property damage to achieve political goals, targeting symbols or representatives of the opposing ideology. Major incidents, such as attacks on prominent political figures, drive media attention and can inspire copycat acts of political violence.

Look no further than the tragic killings of both Former Minnesota House Speaker Melissa Hortman who was murdered with her husband at their home on June 14th, 2025 and conservative influencer Charlie Kirk on September 10, 2025 at the University of Utah. Both assassinations were politically motivated based on beliefs and policies they were advocating for.

The growing divide between political ideologies has led to the "othering" of political opponents, moving from policy disagreement to viewing the opposing side as an existential threat that must be defeated or eliminated. As a country and state, Californians must go back to being able to civilly disagree with each other.

CURRENT LAW

The Ralph Civil Rights Act (California Civil Code 51.7) already explicitly grants all persons the right to be free from violence or intimidation based on political affiliation for civil redress. However, this was left out of any penal code reference.

THE SOLUTION

The proposed bill provides that it is a factor in aggravation at sentencing for a person who commits a felony that the felony was motivated, in whole or in part, by the victim's actual or perceived political affiliation. Defines "political affiliation" as "the state of belonging to a political party, the endorsement of a political party or a platform of a political party, or the endorsement of a politician or a platform of a politician."

FOR MORE INFORMATION

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