**The Case**

On the fateful night of 22nd December 1994, Charles Apprendi fired several shots of .22-caliber gun on to the family of African-America descent living next to his door in a previously all-white neighborhood. Apprendi, on promptly being arrested at 03.05 am in the morning, affirmed that he is the shooter. Soon, he made the statement that he killed the family because he did not like an African-American family in his all-white neighborhood. He was charged with four first-degree, eight second-degree, six third-degree, and five fourth-degree offences. The 23-count indictment was returned from a grand jury. However, none of the counts referred to the term ‘hate crime’; also none of them alleged him for acting in ‘racial biasness’.

**The Matter of Concern**

The ruling gives rise to an important question, i.e., what role does a jury must/is supposed to play in determining a hate crime.

**The Possible Answer**

The possible answer to the question can be presented with a constitutional reference, i.e., any fact that increases the penalty of a crime due to a substantial factor must be submitted to a jury; it must also be proved beyond a reasonable doubt. Therefore, it became a legal duty of the jury to mention the involvement of racial biasness in the crime since Apprendi himself made the statement, which clearly showed his intent behind the shooting. In this regard, the jury failed to refer to the hate crime statute of the State, which provides the trial judge to give the defendant an enhanced sentence if he finds that the crime has been committed with a motive of intimidating an individual(s). A jury must always a prominent role in punishment enhancement of a hate crime because the degree of culpability associated with the factually distinct conduct significantly impacts the liberty of the defendant and the heightened stigma associated with the crime worthy of greater punishment.