

From summer of violence to one of progress: Support new bias-crimes legislation

By SHAI GOLDSTEIN
For the Courier-Post

Last summer, Buford Furrow is said to have issued a "wake up call to kill the Jews" when he allegedly attempted to murder Jewish children at a Jewish community center near Los Angeles. This summer, political party conventions have an opportunity to issue a "wake-up call" to hate groups and other bigots by including in their party platforms support for the Local Law Enforcement Enhancement Act.

The nation was shocked by the brutal murders of James Byrd Jr. in Jasper, Texas, and Matthew Shepard in Wyoming. Everything we know about these horrible crimes indicates the victims were targeted solely because of their race or sexual orientation. During the summer of 1999, three Sacramento-based synagogues were fire-bombed while avowed white supremacist Furrow allegedly killed Joseph Iletto, a Filipino-American, and allegedly went on a shooting rampage at the North Valley Jewish Community Center in Granada Hills, Calif.

Benjamin Nathaniel Smith, of the racist and anti-Semitic World Church of the Creator, went on a shooting spree in Chicago and Indiana, killing Ricky Birdsong (an African-American) and Won-Joon Yoon (a Korean-American), and wounding six Orthodox Jews walking home following Friday evening Sabbath services. In each case, local law enforcement responded effectively, but crimes of this magnitude transcend local communities and have national impact.

And while hate crimes have recently been codified to an unduly constraining extent at a federal level, their existence dates back to slavery, America's longest bias crime.

At this moment, the House of Representatives has a historic opportunity to stand up against hate by passing the LLEEA, HR-1082. This legislation would eliminate gaps in federal authority to investigate and prosecute bias-motivated crimes. This vital legislation, passed by overwhelmingly bipartisan support in the Senate (S-622) in June, strengthens existing current hate-crimes law against race- and religion-based crimes by authorizing the Department of Justice to assist local prosecutors and, where appropriate, investigate and prosecute cases in which bias violence occurs because of the victim's race, religion, national origin, sexual orientation, gender or disability.

Why is such legislation necessary? First, under current federal law, the government must prove a crime occurred because of a person's membership in a protected group, such as race or religion, and because he/she was engaging in a federally protected activity such as voting, going to school or working. This new legislation will eliminate these overly restrictive limitations and provide authority in federal prosecutions in cases in which the bias violence occurred because of the victim's sexual orientation, gender or disability.

Secondly, according to the FBI, more than 8,000 hate crimes were reported in 1997. Including the District of Columbia, only 21 states include sexual orientation-based crimes in their hate-crimes statutes; 20 states include coverage of gender-based crimes; 22 states include coverage for disability-based crimes. While states still play the primary role in prosecuting bias-motivated violence, the federal government must have jurisdiction to address those limited cases in which local authorities are unable or unwilling to investigate and prosecute.

All Americans have a stake in effective response to violent bigotry. These crimes demand a priority response because of their special impact on the victim and the victim's community. Bias crimes are designed to intimidate the victim and members of the victim's community, leaving them feeling isolated and unprotected by law.

The damage done by hate crimes can't be measured solely in terms of physical injury or dollars and cents. By making members of minority communities fearful, angry and suspicious of other groups — and of the power structure supposed to protect them — these incidents can damage the fabric of our society and fragment communities.

While bigotry cannot be outlawed, hate-crime statutes demonstrate an important commitment to confront criminal activity motivated by prejudice. Therefore, to underscore the nation's determination to confront bias-motivated crimes, we call upon all political parties and the House of Representatives to join the Senate in giving the federal government the authority to act in a *real* partnership with state and local officials in combating bias crimes.

The writer is N.J. regional director of the Anti-Defamation League, based in West Orange.