

NLWJC - Kagan

DPC - Box 039 - Folder 007

Race-Hate Crimes [1]



U.S. Department of Justice

Race - hate crimes

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

The Honorable Orrin G. Hatch
Chairman
Committee on the Judiciary
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

Thank you for your recent letter directing to Deputy Attorney General Eric Holder questions concerning hate crimes prevention. These questions arose from Mr. Holder's May 11, 1999 testimony before the Committee. We apologize for the delay in responding.

We have attached responses to these questions, as well as to three questions that were posed to Mr. Holder during the hearing. Please do not hesitate to call upon us if we may be of additional assistance. The Office of Management and Budget has advised us that from the standpoint of the Administration's program, there is no objection to submission of these responses.

Sincerely,

Jon P. Jennings
Acting Assistant Attorney General

Enclosure

Oral Questions from Senator Hatch

1. **Do you have any examples of hate crimes matters in which the State took no action and the federal government prosecuted?**

Pages 13-15 of my written testimony describe three cases in which, after the State declined to prosecute the defendants, the Department failed to secure a conviction because of the federally protected activity requirement. In addition to those examples, the Department filed charges against defendants in the following cases after determining that the state response was inadequate.

1. U.S. v. Lee and Jarrard (11/3/94) (S.D. Ga.), involved two defendants who were convicted at trial of conspiracy and housing interference, and related firearms offenses, stemming from a drive-by shooting into several homes of African-American residents. Although there were no injuries in the incident, one bullet struck the headboard of one victim's bed and the other hit the bedroom wall below which one of the victim's daughters was sleeping. Both defendants were sentenced to 81 months imprisonment, to be followed by three years supervised release. The State did not prosecute this matter.

2. In U.S. v. Black and Clark (12/12/91) (E.D. Calif.), two white supremacists were charged federally in the assault of a black man at a convenience store/gasoline station. The victim received multiple stab wounds and required hospital treatment. There was no previous state action. After indictment on federal charges, Clark pled guilty to violating Section 245 and was sentenced to serve seven years and 10 months in prison, to be followed by three years supervised release. Black was convicted at trial and sentenced to serve 10 years in prison. Under 18 U.S.C. Section 245, the federal government would have lacked jurisdiction to prosecute the defendants if the convenience store had not been considered a place of entertainment due to the presence of a pinball machine in the store.

3. In U.S. v. Bledsoe (2/17/83) (W.D. Kan.), the defendant was convicted of clubbing to death a 26 year old Black jazz musician with a baseball bat in a Kansas City park. The victim, Steven Harvey, frequently visited the park late at night to practice his music. A local homicide prosecution of Bledsoe resulted in acquittal. Bledsoe was sentenced to life imprisonment on the federal charges. Under 18 U.S.C. Section 245, the federal government would have lacked jurisdiction to prosecute Bledsoe if he had been, for instance, across the street from the park at the time of the attack.

2. **Did statistics for attacks based on sexual orientation outnumber those for attacks based on race?**

No. In 1997, the FBI reported a total of 5,898 offenses based on racial bias and 1,375 offenses based on sexual orientation bias. In 1996, the FBI reported 6,767 offenses based on racial bias and 1,256 based on sexual orientation bias.

Oral Question from Senator Specter

1. **Has there been an increase in the number or severity of hate crimes based on sexual orientation?**

It is clear from statistics collected by the FBI and private organizations that an alarming number of hate crimes based on sexual orientation occur each year in this country. However, as many law enforcement jurisdictions do not report hate crime data to the FBI, we know that the Bureau's statistics understate the problem. Indeed, even the higher statistics collected by private organizations may significantly understate the number of hate crimes based on sexual orientation that actually occur in this country.

While the FBI data offers perspective on the general nature of hate crime occurrences, it is difficult to assess the relative number and severity of these attacks from year to year. For example, the number and distribution of law enforcement agencies participating in the Hate Crimes Statistics Program has not remained constant from one year to the next, and the FBI report cautions that the data is not sufficient to allow valid national or regional measures of the volume and type of hate crimes. Moreover, the FBI report does not include details about the injuries sustained by the victims or the severity of the attacks.

For 1997, the latest year for which statistics are available, the number of total offenses based on sexual orientation reported to the FBI pursuant to the Hate Crimes Statistics Act increased to 1,375 from 1,256. The 11 traditional offenses included in the collection of hate crime data are murder and nonnegligent manslaughter, forcible rape, robbery, aggravated assault, burglary, larceny-theft, motor vehicle theft, arson, simple assault, intimidation, and destruction or vandalism of property. The table below shows the number of reported sexual orientation-based offenses for 1997 and 1996 categorized by type of offense.

	<u>1997</u>	<u>1996</u>
Murder and nonnegligent manslaughter	3	2
Forcible rape	3	0
Robbery	44	31
Aggravated assault	202	222
Burglary	13	6
Larceny-theft	15	12
Motor vehicle theft	1	0
Arson	6	8
Simple assault	348	287
Intimidation	479	472
Destruction or vandalism of property.	256	215
Other	<u>3</u>	<u>1</u>
Total	1375	1256

Written Questions from Senator Kennedy

1. **In testimony submitted to the Committee, the American Civil Liberties Union proposed that the following evidentiary provision be added to S. 622, the Hate Crimes Prevention Act (HCPA):**

In any prosecution under this section, (i) evidence proving the defendant's mere abstract beliefs or (ii) evidence of the defendant's mere membership in an organization, shall not be admissible to establish any element of an offense under this section.

What would the Department of Justice's position be on inclusion of this language in the HCPA?

An evidentiary prohibition in a substantive criminal statute like that suggested by the ACLU could prompt judges to exclude all evidence of a defendant's beliefs or membership in an organization. The Civil Rights Division introduces such evidence, in conjunction with other evidence such as the defendant's statements during the alleged crime, the preceding course of events, and prior acts or statements, to prove the required element that an attack was motivated because of the race, color, or national origin of the victim. The consideration of such evidence is permissible under the First Amendment, Dawson v. Delaware, 503 U.S. 159, 164 (1992), and can be important to the successful prosecution of bias motivated crimes. Excluding such evidence could severely compromise our ability to successfully prosecute defendants who do not explicitly state their reason for an attack during the course of that attack. The Department of Justice believes that the existing Federal Rules of Evidence and the constitutional standard set forth by the Supreme Court strike the proper balance in determining when to allow consideration of evidence of a defendant's beliefs or membership in an organization.

In Dawson, the Supreme Court rejected the argument that "the Constitution forbids the consideration in sentencing of any evidence concerning beliefs or activities that are protected under the First Amendment." Id. at 164. The Court did hold, however, that the admission of protected First Amendment activity that was irrelevant to the defendant's sentencing proceeding violated the First Amendment. Id. at 165. Because the evidence of the defendant's membership in a white supremacist organization was not linked in any way to the murder of the victim, who was white, and there was no showing that the organization to which the defendant belonged had committed or endorsed the commission of violent acts, the Court ruled the introduction of the evidence unconstitutional. If, however, the prosecution had provided such evidence, the Court stated, the introduction would have been permissible. Id.

The Federal Rules of Evidence are consistent with the Dawson standard. Such evidence is admissible only if the defendant's beliefs or membership in an organization is relevant to the charges. F.R.E. 402. Even relevant evidence may be excluded when its probative value is

substantially outweighed by the danger of unfair prejudice, confusion of issues, or misleading the jury. F.R.E. 403.

2. What is your response to concerns that an expanded hate crimes law would federalize crimes that are prosecuted by state officials?

Were Congress to enact the HCPA, state and local law enforcement would continue to play the primary role in the investigation and prosecution of hate crimes. Only in rare circumstances would the federal government go beyond its usual role as the investigative partner of state and local law enforcement officials. Federal jurisdiction is necessary for two reasons. First, it permits joint state federal investigations. Second, federal jurisdiction authorizes federal prosecution in those limited cases in which state and local officials are either unable or unwilling to bring appropriate criminal charges in state court, or where federal law or procedure is significantly better suited to the vindication of the federal interest in punishing and deterring hate crimes, such as where the federal law imposes a longer sentence than state law. The Department's principal goal would continue to be the creation of effective working relationships with state and local law enforcement officers.

I emphasize again that between 1993 and 1998, the Department brought an average of fewer than six hate crimes prosecutions under 18 U.S.C. § 245 each year. We expect that the enactment of the HCPA would modestly increase this number but would significantly enhance our ability to assist in state and local prosecutions.

3. What steps would DOJ take to ensure that a federal hate crimes law would not interfere with state prosecutions?

The Department would continue to limit its investigations and prosecutions to those cases where federal jurisdiction is necessary to achieve justice in a particular case. Our decision to use our authority would only be made after consultation with the state and local officials involved, a policy that is explicitly reflected in the Memorandum of Understanding ("MOU") we entered last July with the National District Attorneys Association ("NDAA"). The MOU encourages early communication between local, state and federal prosecutors to explore the most effective way to investigate these cases and to deploy the most productive set of investigative resources, whether local, state, federal, or some combination of all three.

In addition to the MOU with the NDAA, under the Department's "backstop policy" that applies to all criminal civil rights investigations, we work with state and local officials and generally defer to them in the prosecution of these cases. Only in highly sensitive cases in which the federal interest in prompt federal investigation and prosecution outweighs the usual justifications of the backstop policy does the Department take a more active role. In addition, the Department has a formal policy on dual and successive prosecutions which bars bringing a federal prosecution after a state prosecution arising from the same incident unless the matter involves a "substantial federal interest" that was "demonstrably unvindicated" in the state proceeding. Between 1993 and 1998, the Department pursued an average of only three successive prosecutions each year, and only one of those prosecutions involved racial violence.

4. Do you know of any gender bias crimes that have gone unaddressed by state and local authorities but that you would have prosecuted if you had the

authority to do so under the Hate Crimes Prevention Act?

Because the Department does not have jurisdiction over these offenses, we do not systematically track gender-biased crimes and generally are not informed about gender-biased crimes in which the state response was inadequate.

5. Why do we need federal government involvement for gender-biased crimes?

The majority of states do not have hate crimes statutes that include gender among the categories of prohibited bias crimes. The federal government also should have jurisdiction to work with state and local law enforcement in states that do have such laws to investigate and prosecute violent gender-based hate crimes. When states are unable, unwilling or simply do not have the resources, the federal government should have authority to step in and fill that void. For example, in most circumstances, we can provide substantial investigatory and prosecutorial assistance to small localities like Jasper, Texas only where there is a colorable claim of federal jurisdiction. Thus under current law, we could not provide that type of help to a small town investigating and prosecuting a violent attack based on gender rather than race, color or national origin.

6. Given the overwhelming statistics on violence against women in America, will adding gender bias crimes to the HCPA overwhelm the FBI and the federal courts?

As I outlined in my answers to questions 2 and 3 above, we expect that state and local investigators and prosecutors would continue to play the primary role in the investigation and prosecution of hate crimes, including crimes based on gender bias. The same requirements for consultation with local officials and the presumption that prosecution would occur in state court would apply to gender-based crimes.

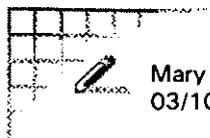
The HCPA would require not only proof of a violent act, but also evidence of bias towards the victim because of the victim's gender. We expect that most crimes in which women are victims would not present the type of evidence necessary to demonstrate the requisite gender bias. Moreover, the Department would use its discretion to prosecute only those cases that present the strongest evidence of bias. This evidence could include statements of motive, the defendant's use of epithets during the offense, or other aspects of the offense itself, such as mutilation of the victim or other acts of extreme violence indicating hatred based on gender. Moreover, even in instances that manifest the requisite evidence, the Department would prosecute only the most severe violations.

7. If S. 622 were to become law, would it interfere with or infringe on the state's authority to prosecute these crimes against women?

No. The overlapping jurisdiction of state and federal laws for hate crimes is not unique,

and in fact is common. Violent crimes, whether motivated by discrimination or not, are generally covered under state law. As is the case in homicides, bank robberies, kidnappings, fraud, and other crimes covered by both state and federal law, there will be no need for federal prosecution in the majority of cases. The purpose of including gender-based violent crimes in the HCPA is to provide a backstop to state and local enforcement and to permit federal assistance in investigations. States would retain full authority to investigate and prosecute these crimes pursuant to state law.

Race-hate crimes



Mary L. Smith
03/10/99 06:36:04 PM

Record Type: Record

To: Bruce N. Reed/OPD/EOP, Elena Kagan/OPD/EOP
cc: Thomas L. Freedman/OPD/EOP
Subject: Hate Crimes Bill will be re-introduced tomorrow, Thursday,

----- Forwarded by Mary L. Smith/OPD/EOP on 03/10/99 06:36 PM -----

Richard Socarides 03/10/99 04:05:29 PM

Record Type: Record

To: See the distribution list at the bottom of this message
cc:
Subject: Hate Crimes Bill will be re-introduced tomorrow, Thursday,

at 1:30 in 226 Dirksen. This will be all members except for Holder, who will represent the Administration. The VP will issue a statement and WH Communications Research is preparing a piece we will e-mail around and will want to get out. All the groups who are part of the ADL organized Hate Crimes Working Group have been invited. Please invite anyone not a part of that group who you think should be there and let me know.

Message Sent To: _____

1629 "K" St., NW, Suite 1010
Washington, D.C. 20006
Phone: 202/466-3311
Fax: 202/466-3435
www.civilrights.org



Leadership Conference on Civil Rights

FOUNDERS

Arnold Aronson*
A. Philip Randolph*
Roy Wilkins*

OFFICERS

CHAIRPERSON:

Dorothy I. Height

VICE CHAIRPERSONS

Antonia Hernandez

Judith L. Lichtman

William L. Taylor

SECRETARY

Horace Deets

TREASURER

Gerald W. McEntee

COUNSEL EMERITUS

Joseph L. Rau, Jr.*

HONORARY CHAIRPERSONS

Marvin Kaplan

Benjamin L. Hooks

Clarence M. Mitchell, Jr.*

EXECUTIVE COMMITTEE

Barbara Arnwine

Lawyers Committee for Civil Rights Unions, Inc.

Sandy Bernard

American Association of University Women

Elizabeth Brich

Human Rights Campaign

Joan Brown Campbell

National Council of Churches

JoAnn K. Chase

National Congress of American Indians

Robert Chase

National Education Association

Anita Perez Ferguson

National Women's Political Caucus

Marcia Greenberger

National Women's Law Center

Patricia Ireland

National Organization for Women

Carolyn Jefferson-Jenkins

League of Women Voters

Elaine R. Jones

NAACP Legal Defense & Educational Fund, Inc.

George Kouroulas

National Council of Senior Citizens

Daohne Kwok

Organization of Chinese Americans

Leon Lynch

United Steelworkers of America

Kwesi Mfume

NAACP

Laura Mirony

American Civil Liberties Union

Hugh B. Price

National Urban League

David Saperstein

Union of American Hebrew Congregations

Carole Shields

People For The American Way

Richard Womack

AFL-CIO

Patisha Wright

Disability Rights Education and Defense Fund

Stephen P. Yokich

International Union, United Automobile Workers of America

Raul Yzaguirre

National Council of La Raza

COMPLIANCE/ENFORCEMENT COMMITTEE

Karen Narasaki, Chairperson

STAFF

EXECUTIVE DIRECTOR

Wade J. Henderson

**EXECUTIVE ASSISTANT/
OFFICE MANAGER**

Lisa M. Haywood

POLICY/RESEARCH ASSOCIATE

Karen McGill Lawson

**LEGISLATIVE ANALYST/
DIRECTOR OF TECHNOLOGY PROGRAMS**

Brian Komar

April 29, 1999

Dear Senator:

On behalf of the Leadership Conference on Civil Rights (LCCR), the nation's oldest and largest civil rights coalition representing people of color, women, children, labor, gays and lesbians, older Americans, people with disabilities, and civil liberties and human rights organizations, we write to urge your support for S. 622, the **Hate Crimes Prevention Act of 1999 (HCPA)**.

The recent death of Billy Jack Gaither in Alabama, and the horrific 1998 deaths of James Byrd in Texas and Matthew Shepard in Wyoming all serve as painful reminders of how beastly attacks against innocent citizens driven by nothing but irrational hatred threaten the very soul of America. How many more victims are needed in order to substantiate an expansion of the current federal statute on hate crimes? Not only do these gruesome crimes have devastating effects on the victims, their families and friends, but hate crimes are also acts of violence against the American ideal: that we can make one nation out of many different people.

While we recognize that bigotry cannot be legislated out of existence, a forceful moral response to hate violence is required of us all. We strongly believe that the federal government must play a leadership role in confronting criminal acts motivated by prejudice. In that regard, we urge you to support the Hate Crimes Prevention Act of 1999.

The Hate Crimes Prevention Act of 1999 expands the federal criminal civil rights statute on hate crimes by removing unnecessary obstacles to federal prosecution and by providing authority for federal involvement in crimes directed at individuals because of their race, color, religion, national origin, gender, disability, or sexual orientation.

The Hate Crimes Prevention Act is needed because current federal law (18 U.S.C. Sec. 245) leaves prosecutors powerless to intervene in bias-motivated crimes when they cannot establish the victim's involvement in a federal-protected activity. Moreover, federal authorities cannot act in cases involving death or serious bodily injury based on sexual orientation, gender, or disability-based bias when local law enforcement is unavailable.

The federal government's jurisdiction under the HCPA would be limited to only the most serious violent crimes directed at persons, not property crimes. Prosecutions under 18 U.S.C. Sec. 245 can only be brought if a crime is certified in writing by the Attorney General or her designee that an individual prosecution would be "in the public interest and necessary to secure substantial justice." As they do now, federal authorities would consult with state and local authorities before deciding whether assertion of federal jurisdiction is warranted.

In spite of our nation's substantial advances toward equality over the past forty years, irrational antagonism and inequalities of all kinds stubbornly persist. Congress, working in bipartisan fashion, has on several occasions tackled the problem of bigotry that spills over into violence. The Hate Crimes Statistics Act of 1990; the Violence Against Women Act of 1994; and, the Church Arson Prevention Act of 1996 are three such examples. Now is the time for Congress, working in similar bipartisan fashion, to strengthen the federal response to hate violence by passing the Hate Crimes Prevention Act of 1999.

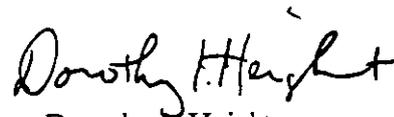
Momentum is already building for Congress to strengthen the current federal hate crimes statute. Senator Hatch (R-UT) has scheduled a Judiciary Committee hearing May 11th to examine the extent of hate crimes in America. The Leadership Conference commends Chairman Hatch's commitment and recognition of the seriousness of hate crimes violence and we look forward to working with all members of Congress to enact the Hate Crimes Prevention Act of 1999 during the 106th Congress.

Thank you for your consideration of our views.

Sincerely,



Wade Henderson
Executive Director



Dorothy I. Height
Chairperson



OFFICERS OF THE NATIONAL COMMISSION

National Chair
HOWARD P. BERKOWITZ

National Director
ABRAHAM H. FOXMAN

Chair
National Executive Committee
GLEN A. TOBIAS

Chief Operating Officer
PETER T. WILLNER

Honorary Chairs
KENNETH J. BIALKIN
SEYMOUR GRADISARD
MAXWELL E. GREENBERG
BURTON M. JOSEPH
BURTON S. LEVINSON
MELVIN SALBERG
DAVID H. STRASSLER

Vice-Chairs
MEYER EISENBERG
THOMAS HOMBURGER
JUDITH KRUPP
LESTER POLLACK
ALVIN I. ROCKOFF
ROBERT G. SUGARMAN

Honorary Vice-Chairs
LEONARD L. ABESS
DOROTHY BINSTOCK
RUDY BOSCHWITZ
EDGAR M. BRONFMAN
MAXWELL DANE
MAX FISHER

BRUCE I. HOCHMAN
SYDNEY P. JARROW
GERIM. JOSEPH
NAT. JAMENY

MAX M. KAMPELMAN
SAM KANE
PHILIP M. KLUTENICK
PHILIP KRUPP

BERNARD MARCUS
SAMUEL H. MILLER
BERNARD D. MINTZ
MILTON MOLLEN

ROBERT R. NATHAN
ROWLAND SCHAEFER
IRVING SHAPIRO
JOEL SPRAYREGEN

WILLIAM VEPRIN
EUGENE WARNER
CARMEN WARSCHAW
SIDNEY R. YATES

Vice-Chair
National Executive Committee
GEORGE E. MOSS

Honorary Chair
National Executive Committee
RONALD B. SOBELL

Treasurer
ROBERT H. NAFTALI

Assistant Treasurer
MURRAY KOPPELMAN

Secretary
BARBARA B. BALSER

Assistant Secretary
J. BARRY MEHLER

President, B'nai B'rith
TOMMY P. BAER

Executive Vice President
B'nai B'rith
SIDNEY CLEARFIELD

Assistant National Director,
Program & International Affairs
KENNETH JACOBSON

DIVISION DIRECTORS

Community Service
ANN TOURK

Education
CARYL STERN-LAROSA

Finance & Administration
BOBBIE ARBESFELD

Leadership
Assistant to the National Director
MARK D. MEDIN

Marketing & Communications
MARK A. EDELMAN

Washington Representative
ESS N. HORDES

General Counsel
ARNOLD FORSTER

April 27, 1999

Hand Deliver

Dear Senator:

On behalf of the Anti-Defamation League we are writing to urge you to support S. 622, the Hate Crimes Prevention Act.

This necessary legislation would strengthen existing federal hate crime laws in two ways. Under current law, 18 U.S.C. Sec. 245, the government must prove that the crime occurred because of a person's membership in a designated group and because (not simply while) the victim was engaged in certain specifically federally-protected activities – such as serving on a jury, voting, or attending public school. The HCPA would eliminate these overly-restrictive obstacles to federal involvement, which have prevented government from involvement in many cases in which individuals kill or injure others because of racial or religious bias.

Second, the HCPA would authorize the Department of Justice to assist local prosecutions, and, where appropriate, investigate and prosecute cases in which the bias violence occurs because of the victim's sexual orientation, gender, or disability. Current federal law does not provide authority for involvement in these cases at all.

State and local authorities investigate and prosecute the overwhelming majority of hate crime cases – and will continue to do so after the HCPA is enacted. The HCPA, however, would provide a necessary backstop to state and local enforcement by permitting federal authorities to provide assistance in these investigations – and by allowing federal prosecutions when necessary to achieve a just result.

We urge you to actively support enactment of the Hate Crimes Prevention Act.

Sincerely,

Howard P. Berkowitz
National Chairman

Abraham H. Foxman
National Director

NCLR

NATIONAL COUNCIL OF LA RAZA

Raul Yzaguirre, President

National Office
1111 19th Street, N.W., Suite 1000
Washington, DC 20036
Phone: (202) 785-1670
Fax: (202) 776-1792

April 30, 1999

Dear Senator:

I write on behalf of the National Council of La Raza (NCLR) to urge your support of *The Hate Crimes Prevention Act of 1999* (HCPA – S. 622). We strongly believe that the federal government must play a leadership role in confronting criminal acts motivated by prejudice. In that regard, we urge you to support S. 622.

The HCPA expands the federal criminal civil rights statute on hate crimes in two ways:

- by removing unnecessary obstacles to federal prosecution; and
- by providing new authority for federal involvement in crimes directed at individuals because of their gender, disability, or sexual orientation.

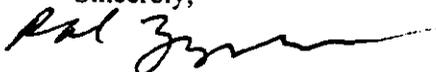
The HCPA is needed because current federal law (18 U.S.C. Sec. 245) leaves prosecutors powerless to intervene in bias-motivated crimes when they cannot establish the victim's involvement in a federally-protected activity such as voting or going to school or work. Moreover, federal authorities cannot act in cases involving death or serious bodily injury based on sexual orientation, gender, or disability-based bias when local law enforcement is unavailable.

The federal government's jurisdiction under the HCPA would be limited to only the most serious violent crimes directed at persons, not property crimes. *Prosecutions under 18 U.S.C. Sec. 245 can only be brought if a crime is certified in writing by the Attorney General or her designee that an individual prosecution would be in the public interest and necessary to secure substantial justice. As they do now, federal authorities would consult with state and local authorities before deciding whether assertion of federal jurisdiction is warranted.*

The Hate Crimes Statistics Act of 1990; the Violence Against Women Act in 1994; and, the Church Arson Prevention Act of 1996 are three examples in which Congress has worked in bipartisan fashion to tackle hate violence. Now is the time for the Congress, working in similar bipartisan fashion, to strengthen the federal response to hate violence by passing the Hate Crimes Prevention Act of 1999.

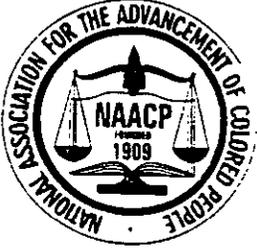
Thank you for your consideration of our views.

Sincerely,



Raul Yzaguirre
President





NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE
4805 MT. HOPE DRIVE • BALTIMORE, MD 21215-3297 • (410) 358-8900

KWEISI MFUME
President and Chief Executive Officer

JULIAN BOND
Chairman, Board of Directors

April 26, 1999

United States Senate
Washington, D.C. 20510

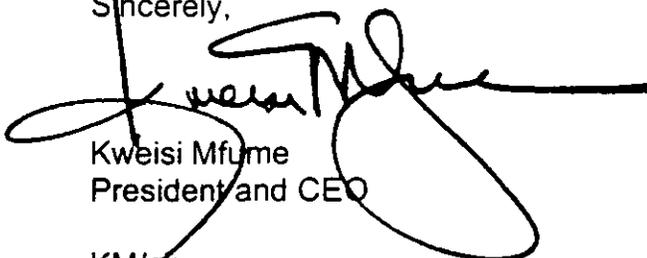
Dear Senator;

The NAACP, the nation's oldest and largest grassroots civil rights organization, is pleased to endorse **S. 622, the Hate Crimes Prevention Act of 1999**, and has made it one of our legislative priorities for the 106th Congress. This means that we will enlist all of the resources available to the NAACP, including the mobilization of our regional directors, our state conferences, our local branches, our youth and college units and our rank and file membership to fight for the enactment of this bill before the end of the 106th Congress. The Hate Crimes Prevention Act of 1999 will also be one of the top issues we use to grade each Senator on our Congressional Civil Rights Report Card.

Crimes that are committed because of the victim's race, gender, nationality, religion, disability, or sexual preference hurt not only the victim, but whole communities and indeed the entire nation as well. As the heinous murders of James Byrd, Jr., in Jasper Texas and Matthew Shepard in Wyoming recently demonstrated, there is unfortunately a real need for this legislation. Individuals, and the nation as a whole, continue to suffer. The Hate Crimes Prevention Act of 1999 would provide the federal government with more opportunities to assist state and local municipalities in investigating and prosecuting Hate Crimes, and would expand the definition of hate crimes to include crimes against people because of their gender, sexual orientation, or disability. Both of these provisions are vital if we as a nation are going to stop crimes based on bias and begin to move forward to realize our full potential.

I look forward to joining forces with you and others who believe that this should be a national priority. Please feel free to contact me directly or Hilary Shelton, the Director of the Washington Bureau, at (202) 638-2269, to discuss ways to see that his important legislation becomes law.

Sincerely,



Kweisi Mfume
President and CEO

KM/ek



HUMAN
RIGHTS
CAMPAIGN

April 30, 1999

Dear Senator:

The Human Rights Campaign urges you to support S. 622, the Hate Crimes Prevention Act of 1999 (HCPA). This bill was introduced last month and has strong, bi-partisan support in both the House and Senate. Your support of this legislation would help demonstrate your commitment to helping put an end to violent crime against gays, lesbians and bisexuals in our country.

No person in a civilized society should have to live in fear of being targeted for a crime based on their sexual orientation, race, color, religion, national origin, gender or disability. Yet, these categories are not all covered by federal law. Anti-gay hate crimes are consistently ranked as the third highest category of reported hate crime by the FBI and according to a report released April 6 by the National Coalition of Anti-Violence Programs anti-gay hate crimes are becoming increasingly more violent.

The federal government and Congress have a history of fighting discrimination and protecting minorities who are the targets of hate violence. Building on the civil rights laws passed in the 1960s, Congress passed the Hate Crimes Statistics Act in 1990. In 1994, it passed the Hate Crimes Sentencing Enhancement Act and the Violence Against Women Act. Later, Congress reauthorized the Hate Crimes Statistics Act and passed the Church Arson Prevention Act.

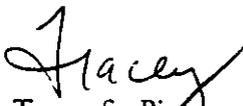
Congress has not been afraid to deal with nation-wide bias crime with federal laws in the past. It is time to take the next step and continue this important work. The overriding message that this legislation would send, i.e. that we will not tolerate hate violence, should far outweigh any concerns about federalization of crime. This bill does not break new ground. It merely amends current law to add actual or perceived gender, sexual orientation and disability and would help alleviate the burden that federal law enforcement has had in providing that the crime was committed because the victim was engaging in a federally-protected activity, such as voting or going to school. In addition, limitations in the bill should allow for prosecution of a relatively limited number of cases each year. State and local law enforcement will continue to have primary responsibility for investigating and prosecuting the vast majority of violent hate crimes.

Most Americans think that violence against gays and lesbians is serious problem across the country, and according to a February 1999 Gallup poll 75 percent believe that "homosexuals" should be covered by hate crime laws. In addition, HCPA is endorsed by over 100 organizations, including the Leadership Conference on Civil Rights, the National Sheriff's Association, the Police Executive Research Forum and the U.S. Conference of Mayors.

Passage of HCPA is one of our top legislative priorities for the 106th Congress; therefore, HRC will be scoring cosponsorship of S. 622 as a "key vote" in our congressional scorecard. If you have already co-sponsored HCPA, thank you very much. If not, we strongly urge you to consider doing so. If you have any questions, please call Tracey St. Pierre at 216-1555 or to cosponsor, call Angela Williams with the Senate Judiciary Committee minority staff at 224-7878.

Sincerely,


Winnie Stachenberg
Political Director


Tracey St. Pierre
Senior Policy Advocate

WORKING FOR LESBIAN AND GAY EQUAL RIGHTS.

919 18th Street NW, Suite 800 Washington, D.C. 20006



NATIONAL EDUCATION ASSOCIATION

Robert E. House, President
Reg Weaver, Vice President
Dennis Van Rooyel, Secretary-Treasurer

1201 16th Street, N.W.
Washington, D.C. 20036-3290

Don Cameron, Executive Director

April 29, 1999

United States Senate
Washington, D.C. 20510

Dear Senator:

On behalf of the National Education Association's 2.4 million members, we would like to express our strong support for S. 622, the Hate Crimes Prevention Act of 1999 (HCPA). As educators, NEA members share a commitment to protecting the civil and human rights of our students and communities. We believe the federal government must play a leadership role in confronting criminal acts motivated by prejudice.

NEA has taken aggressive steps to address the issue of hate crimes in the context of schools and school districts. NEA and its affiliates have worked to develop training for educators and programs for students regarding hate crimes and human relations skills. Our efforts in this area will not be successful absent a comprehensive federal/state/local partnership to address hate crimes. The HCPA would strengthen the federal role in this partnership by enabling federal authorities to assist state and local enforcement efforts.

In spite of our nation's substantial advances toward equality over the past forty years, prejudice and hatred continue to lead to violence. NEA believes it is essential to strengthen the federal response to hate violence and we urge your support of the Hate Crimes Prevention Act of 1999.

Thank you for your consideration of our views.

Sincerely,

A handwritten signature in cursive script that reads "Mary Elizabeth Teasley".

Mary Elizabeth Teasley
Director of Government Relations



NATIONAL URBAN LEAGUE

Chairman

JONATHAN S. LINEN

Senior Vice Chairman

CHARLES M. COLLINS

Vice Chairmen

REGINALD K. BRACK, JR.

KENNETH D. LEWIS

Secretary

MARTHA M. MITCHELL

Treasurer

WILLIAM M. LEWIS, JR.

President & CEO

HUGH B. PRICE

Board of Trustees

MICHAEL B. ALEXANDER

SHAWN M. BARNEY

STEPHANIE BELL-ROSE

DONALD F. BOUDREAU

LELAND C. BRENDSEL

WILLARD W. BRITTAIN

GLENN M. BRONKS

ALMA ARRINGTON BROWN

THELMA SCOTT BRUNSON

RONALD W. BURKE

PHILIP I. CARROLL

LEONARD S. COLEMAN, JR.

MICHAEL I. CRITELLI

CAL DARDEN

EDWARD F. DEGRAAN

DANIELLE V. EADY, ESQ.

PATRICK A. EWING

ELINOR L. FERDIN

SAMUEL GRESHAM, JR.

JOSEPH S. HELENICZ

BONNIE GUTSON HILL

KEVIN E. HONKS

ELEANOR V. HORNE

MAE C. JEMISON, M.D.

C. ROBERT KIDDER

JIM KING

RICHARD LOVETT

ARTHUR C. MARTINEZ

CAROL A. MASON

WILLIAM G. MAYS

THOMAS E. MCKINNON

JAMES E. OESTERREICHER

JONATHAN OGDEN

REV. DR. W. FRANKLYN RICHARDSON

DIANE STEVENS ROBINSON

GERALD S. ROBINSON

IVAN SEIDENBERG

CANDACE N. SMITH

BILL STEPHNEY

LOUISA STRAYHORN

PAUL TAGLIABUE

ROBERT D. TAYLOR

ISRAEL TRIBBLE, JR., Ed.D.

CAROLYN L. WRIGHT-LEWIS

Honorary Trustees

M. ANTHONY BURNS

COY G. EKUND

DAVID T. KEARNS

THEODORE W. KHEEL

ROBERT C. LARSON

April 27, 1999

Dear Senator:

On behalf of the National Urban League, the premier social service and civil rights organization in America, I want to underscore our support for S.622, the *Hate Crimes Prevention Act of 1999 (HPCA)*. The League is a non-profit, non-partisan, community-based movement, headquartered in New York City, with affiliates in 114 cities in 34 states and the District of Columbia.

As with other federal criminal statutes, the *Hate Crimes Prevention Act* gives prosecutors an additional set of tools to reinforce society's moral response to crime, and allows the full commitment of federal resources to assist local authorities in solving hate-motivated crimes. Its passage would remove overly-restrictive obstacles to federal involvement, and extend moral outrage to crimes committed because of the victim's gender, sexual orientation, or disability.

The recent murder of Billy Jack Gaither in Alabama, and the horrific lynching and murder last year of James Byrd in Texas and Matthew Shepard in Wyoming remind us that unfortunately, irrational hatred still threatens the lives of innocent Americans. Because hate crimes are against an individual because of their group identity, these are acts of terror! Such acts threaten the very soul of America, undermining our ideal to make one nation out of many different people.

We cannot outlaw bigotry and hate, but the federal government must lead the nation in setting a moral standard. As Congress has acted in a nonpartisan way to pass the *Hate Crimes Statistics Act of 1990*, the *Violence Against Women Act in 1994*, and the *Church Arson Prevention Act of 1996*, so we call upon Congress to act again, in a similar nonpartisan way, and pass the *Hate Crimes Prevention Act of 1999*.

Sincerely,

William Spriggs
Director, Research and Public Policy



The Interfaith Alliance

1012 14th Street, N.W. • Suite 700 • Washington, D.C. 20005 • (202)639-6370 • Fax (202)639-6375
Email address: tia@tiaalliance.org • Web site address: <http://www.tiaalliance.org>

Dear Senator:

I write to you on behalf of The Interfaith Alliance, a national, clergy-led grassroots organization whose 80,000 members come from more than 50 different faith traditions in all fifty states, to express support for S. 622, the Hate Crimes Prevention Act of 1999 (HCPA).

As people of faith, we have an obligation to stand up for those who cannot speak for themselves. As people of faith, we must also stand up to those who degrade and destroy our moral fabric by demonizing those who are different from themselves and inflicting harm as a result of their hatred. The recent murders of James Byrd in Texas and Matthew Shepard in Wyoming are two particularly horrific examples of hate-based actions that threaten the safety and well being of our sisters and brothers because of who they are or who they are perceived to be.

We know that bigotry and hate cannot be legislated out of existence. Nevertheless, a moral society must mount a vigorous response to stop hate-incited violence. This legislation will send a strong, unmistakable message to those whose actions are motivated by their prejudices.

We urge you to move in an expeditious and bipartisan manner to pass the Hate Crimes Prevention Act of 1999 and strengthen the federal response to hate-incited violence.

Sincerely,

Rev. Dr. C. Welton Gaddy

Reverend Dr. J. Philip Wogaman,
President
Foundry United Methodist Church,
Washington, D.C.

Ms. Denise Davidoff,
Vice President at Large
Moderator of the Unitarian Universalist
Association

Rabbi David J. Gelfand,
Vice President at Large
Jewish Center of the Hamptons,
East Hampton, NY

Bishop Frederick Calhoun James,
Vice President at Large
Retired Bishop of the African Methodist
Episcopal Church

Bishop P. Francis Murphy,
Vice President at Large
Auxiliary Bishop, Roman Catholic
Archdiocese of Baltimore

Reverend Leonard B. Jackson,
Secretary
Associate Pastor of First
African Methodist Episcopal Church,
Los Angeles, CA

Dr. David Currie,
Treasurer
Coordinator of Texas Baptists Committed

Reverend Dr. Amos Brown
National Chairman, National Baptist
Commission on Civil Rights and
Human Services

Reverend Dr. Joan Brown Campbell
General Secretary of the National
Council of Churches of Christ in the USA

Ms. Alicia Claypool
Executive Director of The Interfaith Alliance
of Iowa

Right Reverend Jane Holmes Dixon
Suffragan Bishop, Episcopal Diocese of
Washington, D.C.

Mr. Arun Gandhi
Co-founder of the M.K. Gandhi Institute for
Nonviolence, Memphis, TN

Reverend Dr. Gwynne M. Guibord
National Ecumenical Officer/USA, Universal
Fellowship of Metropolitan Community Churches

Dr. Maher H. Hathout
Senior Advisor to the Muslim Public
Affairs Council

Rabbi Arthur Hertzberg
Former President of American
Jewish Congress

Rabbi Jack Molina
Former President of the Washington Board
of Rabbis, Rabbi of Agudas Achim
Congregation of Northern Virginia

Reverend Dr. Albert M. Pernybacker
President of Ecumenical Development
Initiative

Dr. Diane M. Porter
President, NTL Institute for
Applied Behavioral Science

Reverend Meg A. Riley
Director of Washington Office of Faith
in Action, Unitarian Universalist Association

Reverend Dr. Daniel Rosemergy
Co-chair of The Interfaith Alliance of Middle
Tennessee, Pastor of Brookmeade
Congregational Church, Nashville, TN

Reverend LaVene Senyo Sasaki
Buddhist Church of San Francisco

Dr. A. Knighton Stanley
Peoples Congregational Church,
Washington, D.C.

Bishop Walter F. Sullivan
Bishop, Roman Catholic Diocese
of Richmond, VA

Dr. John M. Swamley
Professor Emeritus, St. Paul School
of Theology

Reverend Gardner C. Taylor
Former President of the Progressive
Baptist Convention

Dr. Foy Valentine
Former Director of the Christian Life
Commission of the Southern
Baptist Convention

Reverend Dr. Herbert D. Valentine,
Founding President
Former Moderator of the Presbyterian
Church (USA)

Reverend Dr. C. Welton Gaddy,
Executive Director



April 30, 1999

United States Senate
Washington, D.C. 20510

Dear Senator:

I am writing you on behalf of the more than 300,000 members of People For the American Way to urge you to support wholeheartedly the Hate Crimes Prevention Act of 1999 (S. 622), and to work diligently to enable its passage in this session of Congress. In a society where discrimination on the basis of race, religion, ethnicity, gender, sexual orientation and disability still exists, it is imperative that we have laws and policies designed to thwart violent discriminatory acts.

As you may know, the Hate Crimes Prevention Act of 1999 (HCPA) would expand the current federal civil rights hate crimes statute by removing needless obstacles to federal prosecution in crimes directed at individuals as a result of their race, color, religion or national origin, and by providing statutory authority for federal involvement in similar crimes committed on the basis of an individual's gender, sexual orientation or disability. This legislation would make it possible for federal authorities to get involved in cases of brutal attacks when local or state authorities are either unable or unwilling to take the necessary steps to bring the perpetrators to justice.

Some organizations--such as the Family Research Council--are trying to block enactment of this legislation by attempting to convince Congress that the HCPA "would criminalize pro-family beliefs." However, this deceptive stance misses the point, because the HCPA has nothing to do with interfering with anyone's beliefs. The HCPA merely strengthens our ability to deal with individuals who, inspired by hatred, commit brutal acts of violence. Please work to enact the HCPA in this session of Congress, and make it clear to the nation that our society will not tolerate violence motivated by hate.

Sincerely,

A handwritten signature in cursive script that reads "Carole Shields".

Carole Shields
President

NATIONAL PRESIDENT
George M. Ong
EXECUTIVE VICE PRESIDENT
Raymond Wong
SECRETARY
Jason Fong
TREASURER
Ida Eng
GENERAL COUNSEL
William Ng
VICE PRESIDENTS
CHAPTER DEVELOPMENT
Samuel Luk
COMMUNICATIONS
David Namkoong
ECONOMIC DEVELOPMENT
Josephine Chung
EDUCATION / CULTURE
Arielle Lui
FINANCE
Jean Wood Chang
MEMBERSHIP SERVICES
Michele Kee
PUBLIC AFFAIRS
Victor Hsi
EXECUTIVE DIRECTOR
Daphne Kwok
IMMEDIATE PAST PRESIDENT
Michael C. Lin Ph.D.
U.S. CHAPTERS
ARIZONA
Phoenix
CALIFORNIA
Central California
East Bay
Greater Los Angeles
Greater Sacramento
San Francisco Bay
San Mateo Peninsula
Silicon Valley
COLORADO
Boulder
Denver
CONNECTICUT
Fairfield County
New Haven
DELAWARE
DISTRICT OF COLUMBIA
Greater Washington, D.C.
FLORIDA
South Florida
GEORGIA
HAWAII
ILLINOIS
Chicago
KENTUCKY
Kentuckiana
MARYLAND
Northern Maryland
MICHIGAN
Detroit
MINNESOTA
MISSOURI
St. Louis
NEVADA
Las Vegas
NEW ENGLAND
NEW JERSEY
NEW YORK
Long Island
New York
Westchester
OHIO
Greater Cleveland
Columbus
PENNSYLVANIA
Lehigh Valley
Pittsburgh
TENNESSEE
East Tennessee
TEXAS
Dallas-Fort Worth
Houston
UTAH
Salt Lake City
VIRGINIA
Central Virginia
Eastern Virginia
Northern Virginia
Southwest Virginia
WASHINGTON
Greater Seattle
WISCONSIN
OVERSEAS CHAPTER
HONG KONG



ORGANIZATION OF CHINESE AMERICANS, INC.
EMBRACING THE HOPES AND ASPIRATIONS OF CHINESE AMERICANS IN THE UNITED STATES
1001 Connecticut Ave., N.W. • Suite 707 • Washington, D.C. 20036 • (202) 223-5500 • FAX (202) 296-0540
Website: www.ocaonline.org • E-mail: oca@ocaonline.org

協美
會華

April 29, 1999

Dear Senator:

On behalf of the Organization of Chinese Americans (OCA), one of the foremost national advocacy groups for Asian Pacific Americans, with 79 chapters throughout the United States and membership of over 10,000, I write to urge you to vigorously support S. 622, the Hate Crimes Prevention Act (HCPA).

This important piece of legislation would close gaps in current law and expand federal jurisdiction to investigate and prosecute hate crimes – including those in which the bias violence occurs because of the victim's sexual orientation, gender, or disability.

According to the FBI, over 8,000 hate crimes were reported in 1997. Existing state laws that address hate violence are inadequate. Including the District of Columbia, only twenty-one states include coverage of gender-based crimes, and twenty-two states include coverage for disability-based crimes.

State and local authorities investigate and prosecute the overwhelming majority of hate crime cases – and will continue to do so after the HCPA is enacted. The HCPA, however, would provide a necessary backstop to state and local enforcement by permitting federal authorities to provide assistance in these investigations – and by allowing federal prosecutions when necessary to achieve a just result.

As part of the civil rights community, OCA urges you to actively support enactment of the Hate Crime Prevention Act.

Sincerely,

Daphne Kwok
Executive Director

*OCA National Convention
July 29. - August 1, 1999 • Dallas, Texas*

April 30, 1999



Dear Senator:

On behalf of the 150,000 members of the American Association of University Women (AAUW), I urge you to support the Hate Crimes Prevention Act of 1999 (HCPA-S 622), sponsored by Senators Edward Kennedy (D-MA) and Arlen Specter (R-PA). AAUW believes that hate crimes against women are forms of sex-based discrimination, and that the federal government must have jurisdiction over gender-based hate crimes in certain cases in order to protect women.

Hate crimes are serious, well documented problems that remain inadequately recognized. The primary federal statute used to combat hate crimes--violence resulting in death or serious bodily injury--addresses only crimes based on a person's race, national origin, or religion (Section 245 of Title 18 U.S.C.). Federal jurisdiction does not cover cases involving sexual orientation, gender, or disability. Furthermore, current law leaves federal prosecutors powerless to intervene in bias-motivated crimes when they cannot establish the victim's involvement in a federally-protected activity. AAUW believes that while states continue to play the primary role in the prosecution of hate crime violence, the federal government must recognize gender-based hate crimes and have jurisdiction to address those cases in which local authorities are either unable or unwilling to investigate and prosecute.

AAUW supports HCPA because it would strengthen the federal response to hate crime violence. HCPA would amend federal criminal law to recognize gender-based hate crimes, and would expand federal jurisdiction to cover the most violent gender-based hate crimes. As with other hate crimes, not all crimes committed against women would be subject to federal prosecution. Generally accepted guidelines for identifying bias crimes directs courts to look at a range of factors, including severity of attack, absence of another apparent motive, patterns of behavior, language, and common sense.

Once again, I urge you to support HCPA and strengthen the federal response to hate crime violence. If you have any questions, or need more information, please contact Nancy Zirkin, Director of Government Relations, at 202/785-7720, or Lisa Levine, Government Relations Manager, at 202/785-7730.

Sincerely,



Sandy Bernard
President



**Lawyers' Committee for
Civil Rights Under Law**

1450 G Street, NW
Suite 400
Washington, DC 20005

Tel: 202/662-8600
Fax: 202/783-0857
Bulletin Board: 202/783-0854

Direct Dial:

Co-Chairs

Jack W. Lunden
Daniel F. Kolb

Secretary

Robert A. Murphy

Treasurer

William L. Robinson

Acting Counsel

Nicholas Christakos

Executive Director

Barbara R. Arnwine

April 28, 1999

Dear Senator:

On behalf of the Lawyers' Committee for Civil Rights Under Law, we write to express our strong support for the **Hate Crimes Prevention Act of 1999 (HCPA)**. The Committee was founded in 1963 by the leaders of the American bar, at the request of President Kennedy, in order to help defend the civil rights of minorities and the poor. Its Board of Trustees presently includes several past Presidents of the American Bar Association, past Attorneys General of the United States, law school deans and professors, and many of the nation's leading lawyers. Through the Committee and its affiliates, thousands of attorneys have represented hundreds of thousands of clients in civil rights cases across the country.

The Hate Crimes Prevention Act of 1999 (S. 622) was introduced last month and has attracted strong, bipartisan support. Your support for this legislation would help improve the response of the criminal justice system to bias-motivated crime.

A violent offense motivated by bigotry can cause a broad ripple of frustration among members of a targeted group, and a violent hate crime can quickly spread feelings of terror through an entire community. Apart from their psychological impact, such bias-motivated crimes continue the oppression of marginalized groups, leaving a victim and members of the victim's community feeling isolated, vulnerable and unprotected by the law.

The Hate Crimes Prevention Act of 1999 modifies the federal criminal civil rights statute on hate crimes by removing unnecessary obstacles to federal prosecution and by providing authority for federal involvement in crimes directed at individuals because of their race, color, religion, national origin, gender, disability, or sexual orientation.

The Hate Crimes Prevention Act of 1999 is needed because current federal law (18 U.S.C. § 245) leaves prosecutors powerless to intervene in bias-motivated crimes when they cannot establish the victim's involvement in a federally protected activity. Moreover, federal authorities cannot act in cases involving death or serious bodily injury based on gender, sexual orientation or disability-based bias when local law enforcement is unavailable.

The federal government has an essential leadership role to play in confronting criminal activity motivated by prejudice. In recent years, Congress has provided broad, bipartisan

LAWYERS' COMMITTEE FOR CIVIL RIGHTS UNDER LAW

support for several federal initiatives to address these crimes. The Hate Crime Statistics Act of 1990; the Hate Crime Sentencing Enhancement Act in 1994; the Violence Against Women Act in 1994; and, the Church Arson Prevention Act of 1996 are four such examples. Now is the time for Congress to strengthen the federal response to hate violence by passing the Hate Crimes Prevention Act of 1999.

We urge you to join the nationwide effort to address violent bigotry and support the Hate Crimes Prevention Act of 1999 which has been endorsed by over 100 organizations, including the Leadership Conference on Civil Rights, the National Sheriff's Association, the Police Executive Research Forum and the U.S. Conference of Mayors.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Barbara R. Arnwine', written in a cursive style.

Barbara R. Arnwine
Executive Director



April 30, 1999

Dear Senator,

As a national grassroots organization which has been the family voice for a fair America for more than 25 years, we write to encourage you to support S.622, the **Hate Crimes Prevention Act of 1999** (HCPA).

With the backing of more than 425 chapters and more than 75,000 households and families across the country, we appeal to your commitment to a safer America, where families can live without fear. PFLAG mothers, fathers, grandparents and siblings in every state are well aware that despite an overall reduction in violent crime in America, violent crimes against our loved ones are on the increase.

Anti-gay hate is devastating to our families. As parents, friends and family members of lesbian, bisexual, gay and transgender people, we are painfully aware that our loved ones are often the targets of hate violence. Our children don't deserve that – no one does.

We are not asking you to legislate people's beliefs, but to take a leadership role in rejecting hate motivated violence forcefully and decisively. We are asking you to send a clear message that hate crimes are simply not "like any other kind of crime." Hate crimes are meant to send a message to a specific group of citizens letting them know that they are not welcome or safe in their community. This is a message that cannot be tolerated in any form.

The Hate Crimes Prevention Act is crucial because current federal law (18 U.S.C. Sec. 245) leaves prosecutors powerless to intervene in bias motivated crimes when they cannot establish the victim's involvement in a federally-protected activity. Moreover, federal authorities cannot act in cases involving death or serious bodily injury based on sexual orientation, gender, or disability-based bias when local law enforcement is unavailable or uncooperative.

Under S.622 the federal government's jurisdiction under the HCPA would be limited to only the most serious violent crimes directed at persons, not property crimes. Prosecutions under 18 U.S.C. Sec. 245 could only be brought if a crime is certified in writing by the Attorney General or her designee that an individual prosecution would be "in the public interest and necessary to secure substantial justice." As they do now, federal authorities would consult with state and local authorities before deciding whether assertion of federal jurisdiction is warranted.

This bill is so important to our families, whom we love and value. We will be happy to connect you with PFLAG families in your state for you to hear their stories and fears about hate violence. Thank you for your vote to protect our children.

Sincerely,


Paul Beeman
President, Board of Directors


Kirsten Kingdon
Executive Director



JAPANESE AMERICAN CITIZENS LEAGUE

1001 Connecticut Avenue, NW, Suite 704
Washington, DC 20036
Telephone: (202) 223-1240
Fax: (202) 296-8082

National Headquarters:
San Francisco, CA

April 29, 1999

Dear Senator:

On behalf of the Japanese American Citizens League, one of the nations oldest and largest Asian Pacific American civil rights organizations, I write to urge you to vigorously support S. 622, the Hate Crimes Prevention Act (HCPA).

This vital piece of legislation would close gaps in current law and expand federal jurisdiction to investigate and prosecute hate crimes – including those in which the bias violence occurs because of the victim's sexual orientation, gender, or disability.

Evidence suggests that the recent murder Mr. Naoki Kamijima of Crystal Lake, Illinois was motivated by the alleged killer's hatred of immigrants. It is important to expand federal jurisdiction for situations such as Mr. Kamijima's case, so that if federal resources are needed, they may be used to achieve justice.

According to the FBI, over 8,000 hate crimes were reported in 1997. Existing state laws that address hate violence are inadequate. Including the District of Columbia, only twenty-one states include coverage of gender-based crimes, and twenty-two states include coverage for disability-based crimes.

State and local authorities investigate and prosecute the overwhelming majority of hate crime cases – and will continue to do so after the HCPA is enacted. The HCPA, however, would provide a necessary backstop to state and local enforcement by permitting federal authorities to provide assistance in these investigations – and by allowing federal prosecutions when necessary to achieve a just result.

As part of the civil rights community, JACL urges you to actively support enactment of the Hate Crime Prevention Act.

Sincerely,

H. Robert Sakaniwa
Washington Representative

Equal Partners in Faith

Rev. Steven C. Baines, Projects Coordinator
2026 P Street NW, Washington, DC 20036
202-296-4672 (ext. 14) 202-296-4673 (fax)
EPFNatlOfc@aol.com <http://www.us.net/epf>

April 26, 1999

Dear Senator:

Equal Partners in Faith, a multi-faith, multi-racial national network of religious leaders and people of faith committed to equality and diversity, strongly urges you to support the Hate Crimes Prevention Act (S. 622) reintroduced in the 106th Congress. Much is needed to stop an alarming trend in increased hate and violence targeted at persons simply because of perceived gender, sexual orientation or disability. As committed people of faith, we believe the HCPA is a necessary starting point to eradicate the hatred and violence deteriorating our national tapestry.

Our country was established on the pursuits of freedom, equality and happiness. Yet tragically, equality and happiness were qualities not known to victims James Byrd, Mathew Shepard, Billy Jack Gaither, and most recently, numerous students in Littleton, Colorado, who were murdered because of prejudices and underlying hatred. Each of us, including elected officials, has a responsibility to safeguard the precious dreams of a hate-free nation where genuine equality and happiness can be realized.

According to the FBI, 50,000 hate crimes have been documented since 1991, but only 37 cases were prosecutable under current federal law. The proposed legislation would add perceived gender, sexual orientation and disability to existing language and eliminate overly-restrictive obstacles to the Justice Department's assistance in the prosecution of reported hate crimes.

Equal Partners in Faith would ask you to seriously consider the consequences of not supporting the HCPA. Do the unfounded fears of "federalism" or "special rights" outweigh a neighborhood playground in Chicago void of violence, a worry-free Wyoming countryside emptied of prejudice or an African American church in rural South Carolina filled with joyful hymns instead of devastating flames.

The HCPA cannot accomplish this alone. People of faith must work in sincere partnership with public leaders to ensure that our public policies and messages are mending the holes in our beautiful national tapestry. Will you, Senator, take the risk and make the effort to begin the much-needed mending of our social fabric? Your sponsorship of S.622 could be that starting point.

If you have already co-sponsored the HCPA, thank you very much. Equal Partners in Faith stands ready to join you and many others in the passage of this important legislation.

Sincerely,



Rev. Steven Baines

People of Faith Promoting Diversity and Equality

Unitarian Universalist Association of Congregations



2026 P Street, N.W., Washington, D.C. 20036

(202) 296-4672

fax (202) 296-4673

uuawo@aol.com

<http://www.uua.org>

Washington Office
for Faith in Action

Let Justice Be Done: Support the Hate Crimes Prevention Act of 1999

April 29, 1999

Dear Senator:

On behalf of the Unitarian Universalist Association of Congregations, I urge you to support and consider co-sponsoring the Hate Crimes Prevention Act (HCPA) of 1999, S. 611. It's time for Congress to stand united against the hate and violence that infects our nation.

The tragic murders of James Byrd, Matthew Shepard, and William Gaither weigh deeply on our hearts and souls. Their lives are a reminder that we have much work to do if we are to learn to love our neighbor as we love ourselves. Passing the HCPA would send a strong, clear message to all people that violence on the basis of sexual orientation, race, gender or disability is reprehensible and that perpetrators of this violence will be treated accordingly. Furthermore, it would publicly reinforce the government's commitment to protecting the right of all people to life, liberty, and the pursuit of happiness.

Under HCPA, it is not the victims who are "special"—it is the perpetrators. The victim does not receive any money or special treatment. The additional harm is caused by the perpetrator's bias, not the victim's status. To enhance the penalty for a crime involving bias reflects the fact that the harm done by an assault motivated by bias has more far-reaching effects than the harm from the assault itself.

The HCPA would add hate crimes based on gender, sexual orientation, and disability to the list of criminal acts which permit federal intervention. Currently, there is no federal criminal prohibition against violent crimes directed at members of these groups. Among the 50 states and District of Columbia, only 21 now include sexual orientation-based crimes in their hate crimes statutes, 20 include coverage of gender-based crimes, and 22 include coverage for disability-based crimes. It is important that the federal government have jurisdiction to address bias-motivated crimes that occur in states where the law is inadequate.

Also, under current law, federal hate crimes statutes apply only if the victim was engaged in a certain federally-protected activity, such as voting, serving on a jury, or attending public school. The HCPA would give federal law enforcement officials more flexibility and jurisdiction to investigate and prosecute such cases.

In addition to the Unitarian Universalist Association, the Hate Crimes Prevention Act of 1999 is supported by over 100 religious, civil rights and law enforcement groups, including the Leadership Conference for Civil Rights, the National Sheriff's Association, and the U.S Conference of Mayors. We are an extremely diverse array of groups united by a common purpose. I hope you will join with us in our struggle against hate and violence.

Sincerely,

A handwritten signature in black ink that reads "Rob Cavanaugh". The signature is fluid and cursive.

Rob Cavanaugh
Legislative Director



UNITED STATES STUDENT ASSOCIATION

April 26, 1999

Dear Senator,

On behalf of the United States Student Association, we fully support the passage of the **Hate Crimes Prevention Act of 1999 (S. 622)**. The United States Student Association is the nation's oldest and largest student organization, representing millions of students in all regions of the country.

Students across the nation recognize that safe and bigotry-free campuses are essential to ensure equal access to a quality education. If students do not feel safe in their dorms, in their classrooms, or walking around campus because of a violent incident targeting someone on the basis of gender, sexual orientation, or disability, than that directly infringes on a student's access to a quality education in a safe and hate-free environment.

The Hate Crimes Prevention Act of 1999 would extend equal protection under hate crimes statutes to those targeted because of their gender, sexual orientation, and disability and allow the federal government to support local efforts to investigate and prosecute hate crimes. This bill would remove restrictive burdens on investigators and prosecutors to prove that hate incidents occurred while the survivor was engaged in a "federally protected act," such as voting, serving on a jury, or going to school.

The dearth of accurate data involving hate crimes on campus underscores the need for federal hate crime legislation and initiatives. We have been saddened by recent cases including the killing of James Byrd, Matthew Shepard, and Earl Ray, but countless other incidents go unrecognized and unrecorded as hate crimes—even when strong evidence of prejudice and bias exists. The Hate Crimes Prevention Act of 1999 takes an important step in addressing the complex problem of hate crimes in this nation.

Your cosponsorship of S. 622 is crucial to show the wide support for this legislation in Congress. The Hate Crimes Prevention Act 1999 was reintroduced in the Senate in March by Senators Kennedy (D-MA), Specter (R-PA), Wyden (D-OR), Schumer (D-NY), and Smith (R-OR), and has already gathered over 30 signatures. The Senate Judiciary Committee will be holding hearings on S. 622 on Wednesday, April 28th at 10:30a.m.

The United States Student Association and over 100 civil rights organizations, law enforcement agencies, and local government associations have endorsed the Hate Crimes Prevention Act of 1999. On behalf of students concerned about the affect of hate and prejudice on our campuses and communities, we urge Congress to swiftly pass the Hate Crimes Prevention Act of 1999 (S. 622).

We thank you for your consideration of this bill, and look forward to working with you on this important endeavor.

Sincerely,

Anthony Samu
National President

Kendra Fox-Davis
National Vice-President

1413 K Street NW
9th Floor
Washington, DC
20005

Voice: 202.347.USSA
Fax: 202.393.5886

ussa@essential.org
www.essential.org/ussa

Est. 1947





Americans for Democratic Action, Inc.

1625 K Street, N.W. ♦ Suite 210 ♦ Washington, D.C. 20006
Phone: (202) 785-5980 ♦ Fax: (202) 785-5969
E-mail: adaction@ix.netcom.com ♦ Web Site: <http://adaction.org>
April 28, 1999

Dear Senator:

American for Democratic Action, Inc. (ADA) is our nation's oldest liberal multi-issue political organization, founded in 1947 by Eleanor Roosevelt, Joseph Rauh and others.

ADA recently announced strong support for the "Hate Crimes Prevention Act of 1999" (HCPA) S. 622. In our statement, we said, "In America, no person should ever be a target or victim of a crime because of race, religion, gender or sexual orientation."

The HCPA, is strongly supported by ADA, the Administration, and over 100 civil rights and law enforcement groups. HCPA is a constructive and measured response to a problem which continues to shred the fabric of our nation's humanity. Violence should have no place in our society.

The HCPA, recently introduced in Congress, would amend federal law to make it easier for federal law enforcement officials to investigate and prosecute cases for racial and religious violence, and would permit federal prosecution of violence motivated by prejudice against the victim's sexual orientation, gender, or disability.

The brutal killing of James Byrd, Jr, in Texas, Matthew Shepard in Wyoming, Billy Jack Gaither in Alabama, and the recent tragic murders of 12 students and one teacher at the Columbine High School in Littleton, Colorado, all serve to underscore the need for such legislation.

The HCPA would remove legal hurdles to prosecution and add certain types of violence motivated by prejudice against the victim's sexual orientation, gender or disability to the list of criminal acts which permit federal intervention. It would also make it easier for federal authorities to prosecute racial, religious and ethnic violence by modifying the current strict jurisdictional requirements under federal law for such prosecutions.

State and local authorities currently prosecute the overwhelming majority of hate crimes and they will continue to do so under this legislation. Strengthened federal jurisdiction is needed as a back up for state and local law enforcement and to allow the FBI to help local authorities investigate and prosecute these crimes.

Now is the time for Congress to act quickly by passing the Hate Crimes Prevention Act, the House and Senate can send a strong, by-partisan message that hate and violence have no place in our country.

Sincerely,

Amy Isaacs

National Director

National Council
of Jewish Women

NCJW

Jan Schneiderman
National President
Susan Katz
Executive Director

April 27, 1999

Dear Senator:

National Office

53 West 23rd Street
6th Floor
New York, NY 10010
Tel: (212) 645-4048
Fax: (212) 645-7466
Email: mail@ncjw.org
Website: www.ncjw.org

Washington Office

1707 L Street, NW
Suite 950
Washington, DC 20036
Tel: (202) 296-2588
Fax: (202) 331-7792
Email: ncjwac@aol.com

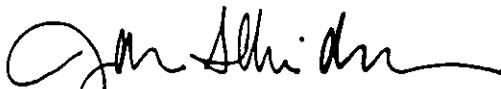
On behalf of the 90,000 members of the National Council of Jewish Women, I am writing to urge you to support the Hate Crimes Prevention Act of 1999 (HCPA), S. 622. This bi-partisan bill would strengthen existing hate crime laws by including bias crimes that occur because of a person's real or perceived sexual orientation, gender and disability and by removing overly restrictive jurisdictional obstacles to federal involvement.

Currently, state and local authorities investigate and prosecute the overwhelming majority of hate crime cases, and they will continue to do so under the HCPA. However, by providing authority for involvement, the HCPA would allow the federal government to work in partnership with state and local authorities if it is needed. Further, the HCPA would provide federal jurisdiction to address those bias-motivated crimes in states where the law is inadequate.

The National Council of Jewish Women is a volunteer organization, inspired by Jewish values, that works through a program of research, education, advocacy and community service to improve the quality of life for women, children and families and strives for individual rights and freedoms for all.

I urge you to support this critical civil rights legislation that will go a long way towards protecting those who are all too often the targets of bias crimes.

Sincerely,



Jan Schneiderman
National President



April 26, 1999

Dear Senator:

On behalf of the over 2,000 domestic violence shelters, programs and individual members we represent throughout the country, The National Coalition Against Domestic Violence applauds the Congressional commitment to addressing the serious problem of violence against women. We are contacting you because we hope that you will want to continue your support for this issue. **We are asking you to become a co-sponsor of the Hate Crimes Prevention Act of 1999 (HCPA – S. 622).**

The Hate Crimes Prevention Act is found in Title III of the Violence Against Women Act (S.51), introduced by Senator Biden (D-DE) on January 19, 1999. Subsequently, the HCPA was independently introduced by Senators Kennedy(D-MA), Wyden(D-OR), Schumer(D-NY), Specter(R-PA), and Smith(R-OR) in March. The bill presently has over 30 co-sponsors in the Senate and over 140 co-sponsors in the House (H.R. 1082). We hope you will add your name in support of this important piece of legislation.

Hate crimes are particularly insidious because they not only damage the lives of the victims, but they encourage an atmosphere of fear and intolerance across this country when they are not confronted. When one woman is attacked because of her gender, all women suffer as a result. Gender-based hate crimes are motivated and encouraged by discriminatory attitudes against the group being assaulted. They instill fear in all women, forcing them to change their behavior to avoid potential violence. In effect, gender-based hate crimes limit where they can live, work, and go to school. These crimes send a message to all women that they are at risk.

It is crucial that bias crime statutes include gender. Women, and in some cases men, are subjected to gender-based violent crimes that violate the individual's civil rights, like bias crimes committed because of a person's race, national origin, sexual orientation, religion or disability. Discrimination against women is an important factor in the perpetuation of domestic violence. Batterers may view women as inferior and believe they deserve to be beaten. We diminish ourselves as a nation when we allow hate crimes, including gender-based hate crimes, to continue unchecked. HCPA provides a much needed avenue of redress for women who suffer gender-based hate crimes.

In addition to the strong support of President Clinton, the Department of Justice, and bipartisan support in the House and Senate, the Hate Crimes Prevention Act enjoys the support of Attorneys General across the country of both parties and a large, diverse group of civil rights organizations, state and local government associations and law enforcement associations. **We hope that you will join in the fight to end hate crimes in this country by becoming a sponsor of this bill.**

To sign on to S. 622 call Angela Williams in Senator Kennedy's office at 224-4543 . If you have any questions or need more information on the bill, contact Juley Fulcher at 544-7358. Thank you for your support.

Sincerely,

Juley Fulcher

Public Policy Director



National Gay and Lesbian Task Force

April 28, 1999

Dear Senator:

On behalf of the National Gay and Lesbian Task Force, I am writing to urge you to support S. 622, the Hate Crimes Prevention Act of 1999 (HCPA). The bill was reintroduced into the Senate on March 26 and has 35 cosponsors already. The Judiciary Committee has scheduled hearings on hate crimes early next month. Your support is an essential step in moving this legislation forward.

The need for a tougher federal hate crimes law was underscored by the recent release of the National Coalition of Anti-Violence Programs' annual report on violence against gay, lesbian, bisexual and transgender (GLBT) people. The report documented 2,552 anti-GLBT incidents in 1998. The report revealed that murders of GLBT people increased 136%, and serious assaults rose 12%. Across almost all categories, the number of assaults against GLBT involving weapons rose dramatically.

Statistics compiled by the Federal Bureau of Investigation consistently reveal the pervasiveness of anti-GLBT violence. Hate crimes based on sexual orientation constituted 14% of the hate crimes committed in 1997, the third highest category following race and religion.

Studies have shown that victims of hate crimes suffer two or three times more symptoms of trauma than victims of other crimes. Research indicates that victims of hate crimes often link their vulnerability to their personal, cultural or spiritual identity. As a result, the victims suffer greater emotional trauma than other crime victims. Criminal activity based on bias terrorizes not only the victim, but also the entire community of which the victim is a part.

The HCPA will not stop all hate crimes. No law could achieve that goal. But, the HCPA will provide essential assistance to state and local authorities in their efforts to investigate, prosecute and convict the perpetrators of these bias crimes.

Most importantly, the HCPA will send a clear, national message to the country that all hate crimes, including hate crimes based on sexual orientation, are unacceptable and will be punished.

Again, please support S. 622. This piece of legislation is critical to ending bias-motivated violence. If you have any questions please call Rebecca Isaacs at (202) 332-6483 or Chai Feldblum at (202) 662-9595; or to cosponsor please call Angela Williams with the Senate Judiciary Committee minority staff at 224-7878.

Sincerely,

Rebecca Isaacs
Political Director

OFFICE FOR CHURCH IN SOCIETY • UNITED CHURCH OF CHRIST

110 MARYLAND AVENUE, N.E., SUITE 207 • WASHINGTON, D.C. 20002 • (202) 543-1517

April 27, 1999

Dear Senator:

On behalf of the United Church of Christ/Office for Church in Society I join with a host of faith groups, civil rights, health, education and legal advocacy organizations in urging you to support the Hate Crimes Prevention Act of 1999.

Although there is current legislation covering the prosecution of hate crimes, significant gaps still exist in protecting all Americans from hate-motivated crimes. The Hate Crimes Prevention Act of 1999 would strengthen existing hate crime law (18 U.S.C. Section 245) in two primary ways: first, it would extend the protection of hate crimes law to those who are victimized because of their gender, sexual orientation or disability; second, it would expand the ability of federal prosecutors to prosecute serious forms of hate-based violence by removing unnecessary judicial impediments. Although no legislation can, in and of itself, end all hate crimes, the Hate Crimes Prevention Act of 1999 strengthens existing law in ways that are crucial and necessary to the ongoing work of ending this form of violence.

While we believe that state and local governments should continue to have the primary responsibility for investigating and prosecuting hate crimes, the federal government must have jurisdiction to address those limited, but important, cases in which local authorities are either unable or unwilling to investigate and prosecute cases. The Hate Crimes Prevention Act of 1999 encourages a stronger partnership between federal, state and local law enforcement agencies:

Persons of conscience must summon all resources possible to respond to hate-motivated violence. The brutal, senseless murders of Billy Gaither in Sylacauga, Alabama, James Byrd in Jasper, Texas, and Matthew Shepherd in Laramie, Wyoming - horrifying expressions of racist and anti-gay hatred - have raised the issue of hate crimes to an even higher level of urgency. In 1995, the United Church of Christ General Synod, our denomination's largest representative body, passed a resolution addressing "Violence in Our Society and World," stating: "To indulge in violence is to deny the full humanity of the person violated and to treat that person as an object to be used and/or discarded. Ultimately, violence breaks faith with the belief that all human beings are created in the image and likeness of God [Genesis 1:26-27] and are thus worthy of respect."

Hate crimes are intended to send a message of fear and terror to entire communities. Accurate reporting, investigation and prosecution of hate crimes is essential to addressing and preventing this violence. The Hate Crimes Prevention Act of 1999 is only one part of the effort needed to end hate crimes, but it is an extremely important step. I urge you to support this legislation.

Sincerely,



Rev. Dr. Wallace Ryan Kuroiwa
Executive Director

THAT THEY MAY ALL BE ONE

700 PROSPECT AVENUE • CLEVELAND, OH 44115 • (216) 736-2174

WALLACE H. RYAN KUROIWA EXECUTIVE DIRECTOR DOLLIE B. BURWELL CHAIRPERSON





HADASSAH
WASHINGTON
ACTION OFFICE

5100 WISCONSIN AVE., N.W.
SUITE 250
WASHINGTON, DC
20016-4119

TELEPHONE
202-363-4600
FAX
202-363-4651

EMAIL
HADASSAH_DC@
COMPUSERVE.COM

April 23, 1999

Dear Senator:

On behalf of our over 300,000 members nationwide, I am writing to express Hadassah's support for S. 622, the "Hate Crimes Prevention Act of 1999."

As Jews and as women, the members of Hadassah cannot help but have special understanding of the dangers of bigotry. Hate crimes are an extreme manifestation of bigotry and, historically, Jews and women alike have been targets. Hadassah believes that hate crimes threaten the viability of our community, and that the federal government has an obligation to protect all of its citizens from such violence.

The Hate Crimes Prevention Act of 1999 expands the federal criminal civil rights statute on hate crimes by removing unnecessary obstacles to federal prosecution and by providing authority for federal involvement in crimes directed at individuals because of their race, color, religion, national origin, gender, disability or sexual orientation.

The Hate Crimes Prevention Act is needed because federal law leaves prosecutors powerless to intervene in bias-motivated crimes when they cannot establish the victim's involvement in a federally protected activity. Moreover, federal authorities cannot act in cases involving death or serious bodily injury based on sexual orientation, gender or disability-based bias when local law enforcement is unavailable.

There is currently no general federal criminal prohibition against violent crimes against individuals because of their sexual orientation, gender or disability. The federal government must have jurisdiction to address those bias-motivated crimes in states in which the law is inadequate. Now is the time for the Congress, working in a bi-partisan fashion, to strengthen the federal response to hate violence by passing the Hate Crimes Prevention Act of 1999.

Sincerely,

A handwritten signature in cursive script that reads "Marlene E. Post".

Marlene E. Post
National President

MEP:ts



nccj

The National Conference
for Community and Justice

475 Park Avenue South
New York, NY 10016-6901
Tel 212.545.1300
Fax 212.545.8053
natiooffice@nccj.org
www.nccj.org

**NCCJ'S STATEMENT
ON
THE FEDERAL HATE CRIMES PREVENTION ACT
S.622 AND H.R. 1082**

As a human relations organization, the National Conference for Community and Justice (NCCJ) is deeply committed to supporting the federal Hate Crimes Prevention Act (S.622 and H.R. 1082). This bill is of great concern to NCCJ because the ill nature behind each and every hate crime not only undermines our mission of fighting bias, bigotry and racism, but also hinders our objectives of providing fuller opportunities for each person in America. We encourage each of our congressional leaders to protect every individual in our country by voting for this bill.

NCCJ believes this bill is a critical step in eliminating hate crimes from our society because it is long past the time when assailants need to be fully prosecuted for choosing their victims based on any real or perceived characteristic including gender, sexual orientation, and disability.

Since our founding in 1927 as the National Conference of Christians and Jews, we have been transforming communities to provide fuller opportunities that are more inclusive and just. We have had considerable success in passing city and statewide hate crimes legislation, forming coalitions, and participating in events that combat hate crimes within many of our 65 regions across America. In addition, NCCJ has partnered with the Hate Crimes Coalition in advocating for stronger and more effective federal legal measures, and continues to educate our leaders and interested individuals about hate crimes.

Sanford Cloud, Jr.
President and CEO

National Officers

President and CEO
Sanford Cloud, Jr.

Chair, National Board of Directors
David A. Duffy

National Vice Chairs

John L. Mason
Alan A. May, Esq.
Peter Strauss
Judith Thompson

Treasurer

John H. Conley

Secretary

Joyce E. Tucker, Esq.

National Board of Directors

Allen L. Bildner
Matthew C. Blank
Linda Chavez-Thompson
Dr. Mujeeb R. Cheema
Dr. Maryann Bishop Coffey
Charles W. Curland
Alan R. Dvait
Shirley T. Frye
Bishop Thomas L. Hoyt, Jr.
Clifford K. Ishigaki
Dr. Allan Bledsoe James
Iao Katagin
Cheryl D. Kendrick
Richard W. Linford
Ted P. Pappas
Mujahid Ramadan
Faith Smith
Leslie Reicin Steyn, Esq.
William B. Summers, Jr.

Honorary Chairs

Karl Benzhoefner, Esq.
1995-1998

John Luongo
1992-1995

Ira A. Lipman
1988-1992

Nicholas V. Petrou*
1985-1988

Irving Mitchell Feit*
1976-1985

*deceased

We Open Minds

The National Conference for Community and Justice, founded in 1927 as The National Conference of Christians and Jews, is a human relations organization dedicated to fighting bias, bigotry and racism in America. NCCJ promotes understanding and respect among all races, religions and cultures through advocacy, conflict resolution and education.

JCPA

JEWISH COUNCIL
FOR PUBLIC AFFAIRS

1640 Rhode Island Ave., NW • Washington, D.C. 20036.3278 • 202.293.1649 • Fax 202.293.2154 • www.jewishpublicaffairs.org

April 30, 1999

Dear Senator:

On behalf of the Jewish Council for Public Affairs (JCPA), we are writing in support of H.R. 1082/S. 622, the Hate Crimes Prevention Act (HCPA). The JCPA is the American Jewish community's network of 13 national and 122 local public affairs and community relations organizations. Our member agencies work with government representatives, the media, and a wide array of religious, ethnic, and civic organizations to address a broad range of public policy concerns.

The HCPA would amend 18 U.S.C. 245 in two significant ways. It would remove overly-restrictive obstacles to federal involvement in hate crimes by permitting prosecutions without having to prove that the victim was attacked because he/she was engaged in a federally-protected activity. The HCPA will also provide new authority for federal officials to assist local prosecutions, and where appropriate, investigate and prosecute cases in which the bias violence occurs because of the victim's actual or perceived sexual orientation, gender, or disability.

The HCPA will enhance the federal government's ability to work in cooperation with state enforcement agencies. Even with passage of HCPA, states will retain primary responsibility for prosecuting hate crimes. Since 1991, the FBI has documented over 50,000 hate crimes. During that period, however, the Justice Department brought only 37 cases under 18 U.S.C. 245.

Hate crimes have proliferated in the United States in recent years, as exemplified by the tragic murders in Wyoming, Texas, and Alabama. All Americans have an intensified responsibility to advocate for effective responses to violent bigotry. We urge you to sign on as a co-sponsor of HCPA if you have not done so already, and to lend your support to this vital legislation.

Sincerely,


Steven Schwarz
Chair


Lawrence Rubin
Executive Vice Chairman

Chair
Steven Schwarz, *At-Large*

Vice Chairs
Susan Abramson, *Portland, OR*
Lee Adelman, *Albany, NY*
Michael Bohman, *San Jose, CA*
Andrea Cohen, *Portland, OR*
Dr. Leonard Cole, *Stevenson County/North Hudson, MD*
Lyn From, *Atlanta, GA*
David Lachon, *WDC*
Paul R. Markoff, *Philadelphia, PA*
Elaine Wiseman, *American Jewish Committee*

Treasurer
Zosand Abrams, *Louisville, KY*

Secretary
Mark Schuman, *San Francisco, CA*

Pres. Chairs
Albert E. Arant, *Washington, DC*
Jordan C. Kane, *Cleveland, OH*
Lewis D. Cole, *Louisville, KY*
Saron Goldstein, *Washington, DC*
Jacobson H. Levin, *Washington, DC*
Lynn Lyle, *National Council of Jewish Women*
Theodore B. Mann, *Philadelphia, PA*
Achan M. Newman, *St. Louis, MO*
Michael A. Pelecan, *Fort Worth, TX*
Jordan E. Shouzer, *Portland, OR*
Wayne J. Wiseman, *Chicago, IL*
Samuel Yonowitz, *Cleveland, OH*

Executive Vice Chairmen
Lawrence Rubin

Associate Executive Vice Chairman
Martin J. Koff

Assistant Executive Vice Chair
Karen Saxon

Executive Vice Chair Emeritus
Albert D. Chernin

Board of Directors
(in addition to the officers)
National Agency Representatives
American Jewish Committee
Herbert Moses
Ronald G. Weyner
American Jewish Congress
Morris S. Lane
Barry A. Winograd
Anti-Defamation League/B'nai B'rith
Howard Berkowitz
Hugh Schwartzberg
Hendelshah
Ezra Cole
Joseph Paloverz
Jewish Labor Committee
Lynn Lyle
Lorraine Matuszewska
Jewish War Veterans of the U.S.A.
Mark Rosenblum
Robert Zimmern
National Council of Jewish Women
Joan Bolow
Moll Rich
Union of American Hebrew Congregations
Lorraine Fan
Judge David Davidson
Union of Orthodox Jewish Congregations of America
David Lachon
Richard Stone
United Synagogue of Conservative Judaism/
Women's League for Conservative Judaism
J. B. Mezer
Evelyn Seelig
Women's American ORT
Susan Abramson
Marti Morrison

Community Representatives
Marie Abrams, *Louisville, KY*
Dr. Frank Berman, *Richmond, VA*
Suzanne F. Cohen, *Baltimore, MD*
Theodore M. Eisenberg, *Mahwah, NJ*
David Fass, *Mahwah, NJ*
Shelia Field, *Massachusetts & Dakota*
Frederick H. Frank, *Pittsburgh, PA*
Nancy Guberman, *Sarasota, FL*
Murray Guss, *Southern NJ*
Robbin Cahin, *San Antonio, TX*
Warren Hoffmann, *Richmond, VA*
Alfred Jastrow, *Louisville, KY*
Dr. Isaac Kirschen, *Madison County, NJ*
Michelle Kohn, *West Palm Beach, FL*
Charles Kravitz, *Chicago, IL*
Kirk Lachon, *Philadelphia, PA*
Donald E. Lefson, *Alamo, TX*
J. David Levy, *St. Louis, MO*
Gustave Lewis, *Boston, MA*
Shari Lubin, *Hartford, CT*
Jerome Malch, *Bergen County, NJ*
Maxine Richman, *Shore Island, IL*
Stanley S. Rubin, *Central NJ*
James Samuels, *Chesapeake, VA*
Elaine Senter, *Washington, DC*
Steven Schwerman, *Detroit, MI*
Arthur Suss, *Los Angeles, CA*
Dr. Stephen Swann, *Springfield, IL*
Kathleen A. Swader, *Boston, MA*
Andrea Weinstein, *Dallas, TX*

Ex Officio
Paul Berger, *Washington, DC*
Sharon Bluman, *Seattle, WA*
David Cohen, *St. Louis, MO*
Donna Dreyfus, *Los Angeles, CA*
Doris C. Eyalson, *WCSJ*
Joan Frank, *NYC*
Barry Cohen, *Atlanta County, NJ*
Morris Cohen, *Hartford, CT*
Suzanne Engman, *Des Moines, IA*
Sally Feder Guss, *Southern NJ*
Lawrence Gold, *Atlanta, GA*
Marlene Gertz, *AJCPW*
Kathie Gray, *Cleveland, OH*
Neil Grossbaum, *ILAS*
Helen Hoffmann, *Palm Beach County, FL*
Barbara Kaplan, *Palm Beach County, FL*
Joseph Lachon, *Philadelphia, PA*
Ezra Mann, *Massachusetts & Dakota*
Rabbi Israel Miller, *New York, NY*
Howard Sachs, *WCSJ*
M. Mahon Sherron, *Philadelphia, PA*
Barbara Siegel, *CCJ Directors Assn.*
Michael Simon, *Portland, OR*
Rabbi Elly Sussman, *Detroit, MI*
Norman Talbot, *Rhode Island*
Barry E. Ungar, *Philadelphia, PA*
Judge Jerry Weyner, *Hartford, CT*
Rabbi Joel Zimmern, *Baltimore, MD*

1120 CONNECTICUT AVENUE, N. W., SUITE 930
WASHINGTON, D.C. 20036
PHONE: (202) 466-7820
FAX: (202) 466-7826
TTY: (202) 466-2670
WEBSITE: www.policeforum.org



POLICE EXECUTIVE
RESEARCH FORUM

CHUCK WEXLER
EXECUTIVE DIRECTOR

April 29, 1999

Dear Senator:

This letter is to express the Police Executive Research Forum's (PERF's) support for S.622, The Hate Crimes Prevention Act of 1999. As law enforcement officials who serve more than 40 percent of the nation's population, we see the devastating effects hate crime can have on victims and the public. Hate crimes tear at the very fabric of our communities.

In the past, PERF has opposed efforts to expand the federal government's authority over local jurisdictions and crimes. However, given the unusual nature of hate crimes and the substantial gaps in state laws, PERF believes that there is a significant federal role in combating hate crimes. PERF acknowledges that sometimes local authorities have difficulty prosecuting hate crimes. Moreover, they may be committed by perpetrators who are associated with groups that operate across state lines.

By amending Section 245 of Title 18 U.S.C., prosecutors would no longer have to prove that hate crime victims were engaging in a federally protected activity. This would remove a procedural roadblock for prosecutors who seek to convict perpetrators of hate crimes when local authorities are unable to do so. As in the past, PERF supports the collection of statistics and the investigation of violent incidents based on the victims' sexual orientation, gender or disability.

The Hate Crime Prevention Act will help local, state and federal officials bring those who commit destructive hate crimes to justice. If you have any question, please contact me or PERF's director of legislation Martha Plotkin at 202.466.7820.

Sincerely,

A handwritten signature in cursive script that reads "Chuck Wexler".

Chuck Wexler
Executive Director



**The American Jewish
Committee**

OFFICE OF GOVERNMENT AND INTERNATIONAL AFFAIRS

1156 FIFTEENTH STREET, N.W., WASHINGTON, D.C. 20005 Telephone (202) 785-4200 Fax (202) 785-4115 Email OGIA@AJC.ORG

April 30, 1999

Dear Senator:

I write on behalf of the American Jewish Committee, a national human relations organization with over 90,000 members and supporters, to urge your support for the Hate Crimes Prevention Act of 1999 (S.611/H.R.1082).

Current federal hate crime laws, enacted more than thirty years ago, have provided an important basis for federal prosecution when hate crimes are perpetrated based on race, color, religion or national origin. But it is time to remove some impediments in existing law to federal prosecution of those crimes and to expand, as well, the protection of federal law to Americans who are singled out for violent crime on the basis of sexual orientation, gender or disability.

The Hate Crimes Prevention Act would close a significant gap in current federal law by permitting federal prosecution of violence committed on the basis of sexual orientation, gender, or disability. The Act would also remove jurisdictional impediments that make it unnecessarily difficult to investigate and prosecute hate crimes under existing federal law.

The Act, while adding to federal authority, properly leaves with the state and local law enforcement officials the primary responsibility for protecting citizens against crimes of violence. The legislation is intended only to provide a safety net of federal jurisdiction where there is a gap in state law or the state is unwilling or unable to prosecute under state law.

We strongly urge you to join more than 200 bipartisan cosponsors by supporting the Hate Crimes Prevention Act. Thank you for your consideration of this most important matter.

Sincerely,

Richard T. Foltin

Legislative Director and Counsel

April 22, 1999

Dear Senator:

On behalf of three million Filipino Americans, we write to express our support for S. 622, the **Hate Crimes Prevention Act of 1999** (HCPA).

The recent murder of Billy Jack Gaither in Alabama and the horrific 1998 deaths of James Byrd in Texas and Matthew Shepard in Wyoming serve as a painful reminder how beastly attacks against innocent citizens driven by nothing but irrational hatred threaten the very soul of America. Not only do these crimes have devastating effects on the victims, their families and friends, but hate crimes are also acts of violence against the American ideal: that we can make one nation out of many different people.

While we recognize that bigotry cannot be legislated out of existence, a forceful, moral response to hate violence is required of us all. We strongly believe that the federal government must play a leadership role in confronting criminal acts motivated by prejudice. In that regard, we urge you to support the Hate Crimes Prevention Act of 1999.

The Hate Crimes Prevention Act of 1999 expands the federal criminal civil rights statute on hate crimes by removing unnecessary obstacles to federal prosecution and by providing authority for federal involvement in crimes directed at individuals because of their race, color, religion, national origin, gender, disability, or sexual orientation.

The Hate Crimes Prevention Act is needed because current federal law (18 U.S.C. Sec. 245) leaves prosecutors powerless to intervene in bias-motivated crimes when they cannot establish the victim's involvement in a federal-protected activity. Moreover, federal authorities cannot act in cases involving death or serious bodily injury based on sexual orientation, gender, or disability-based bias when local law enforcement is unavailable.

The federal government's jurisdiction under the HCPA would be limited to only the most serious violent crimes directed at persons, not property crimes. Prosecutions under 18 U.S.C. Sec. 245 can only be brought if a

crime is certified in writing by the Attorney General or her designee that an individual prosecution would be "in the public interest and necessary to secure substantial justice." As they do now, federal authorities would consult with state and local authorities before deciding whether assertion of federal jurisdiction is warranted.

In spite of our nation's substantial advances toward equality over the past forty years, irrational antagonism and inequalities of all kinds stubbornly persist. Congress, working in bipartisan fashion, has on several occasions tackled the problem of bigotry that spills over into violence. The Hate Crimes Statistics Act of 1990; the Violence Against Women Act in 1994; and, the Church Arson Prevention Act of 1996 are three such examples. Now is the time for the Congress, working in similar bipartisan fashion, to strengthen the federal response to hate violence by passing the Hate Crimes Preventions Act of 1999.

Thank you for your consideration of our views.

Sincerely,


Jon Melegrito
Executive Director



**Center for Women
Policy Studies**

April 30, 1999

Dear Senator:

The Center for Women Policy Studies urges you to support the Hate Crimes Prevention Act of 1999 (S.622/H.R.1082), introduced by Senators Kennedy, Schumer, Smith, Specter, and Wyden, which updates existing federal hate crimes law by adding hate crimes that are motivated by the victim's gender, sexual orientation or disability.

The Center strongly supports S.622 as an *important tool to protect battered and sexually assaulted women when state or local authorities are unable or unwilling to respond adequately*. Only 20 states have bias-motivated criminal hate crimes statutes that cover crimes based on gender. The Center believes that states must take a leadership role in ending bias-motivated hate crimes against women by expanding their criminal statutes and prosecuting these cases. The federal law ensures that all women have a *full set* of legal remedies, and federal resources to assist with investigation and prosecution, particularly when the violence is of the most heinous nature.

In 1991, the Center published a groundbreaking report, Violence Against Women as Bias Motivated Hate Crime: Defining the Issues, which demonstrates that violence against women can meet the requirements of widely accepted definitions of hate crimes. I will be pleased to share this report with you, if you wish.

As with all hate crimes, the prosecutor will face the challenge to establish gender-bias motivation through evidence such as use of hate language, nature and severity of the attack, lack of provocation, absence of other motives, and a previous history of similar incidents of violence and intimidation of the victim or other women.

What does make many of these sexist hate crimes different from hate crimes based on religion, race, ethnicity, or sexual orientation is the intimacy of the relationship between the perpetrator and the victim. Hate crimes are commonly understood as crimes perpetrated against an unknown victim who represents a hated "minority" group; violence against women is frequently perpetrated by acquaintances and partners. However, the law and its enforcement must focus on the crime itself and its motivation rather than perpetuate misconceptions about the nature of violence against women. *Neither the intimacy of the relationship between the victim and the attacker, nor the prevalence of violence against women perpetuated by men should deter us from looking honestly at why the violence occurs.*

Board of Directors

Felicia B. Lynch,

Chair

Irene S. Lee,

Secretary/Treasurer

Leslie R. Wolfe,

President

Alison Amoroso

Florence Bonner

Wilma Espinoza

Jean V. Hardisty

Aileen Hernandez

Lynn Walker Huntley

Nancy Yamaguchi

Leslie Bernard,

in memoriam

Founders

Jane Roberts Chapman

Margaret Gates

National Advisory Council

Adrienne Bailey

Donald V. Calvert Baker

Barbara Davis Blum

Barbara Bode

Mary Lou Breslin

Anne L. Bryant

Charlotte Bunce

Lilia Preciado Burciaga

Leon Butler

Elia Chavez Candelaria

Larrian K. Chamberlain

Marjorie Bell Chamaers

Lily Lee Chen

Johnnetta Cole

David Crippens

Livian Lowery Derryck

Betty Dooley

Pablo Eisenberg

Hon. Ronnie Eldridge

Frances T. Farenthold

Arvonne Fraser

Rayna Green

Marcia Greenberger

Joanne Hayes

bell hooks

Florence Howe

Harold Howe II

June Inuzuka

Hon. Marlene Johnson

Elaine Kim

Marjorie Fine Knowles

Judith Lichtman

Juanita Tamayo Lott

Ruth Mandel

Cindy Marano

Westina Matthews

Lourdes Miranda

Char Mollison

Irene Natividad

Hiko Matsunaga Nishi

Hon. Holmes Norton

Ersa Poston

Jewel Prestage

Beryl Radin

Hon. Cardenas Ramirez

Stephanie Robinson

Audrey Rowe

Hon. Terry Tinson Saario

Hon. Donna Sarrala

Linda Tarr-Wheilan

Nadine Taub

Irene Tinker

Sheila Tobias

Liz Walker

Carolyn Warner

Sarah Weddington

Denie Weil

Janet Whitta

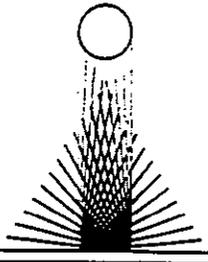
Judith Winston

We believe that members of Congress support protecting women's human rights and are dedicated to ending violence against women and all people. We urge you to support S.622 as a critical part of a comprehensive national strategy for accomplishing these goals.

Sincerely,

A handwritten signature in black ink, appearing to read "Leslie R. Wolfe". The signature is written in a cursive style with a large, prominent initial "L".

Leslie R. Wolfe
President



NOW LEGAL DEFENSE
AND EDUCATION FUND

119 CONSTITUTION AVENUE, N.E., WASHINGTON, D.C., 20002 (202) 544-4470 FAX (202) 546-8605

April 30, 1999

Dear Senator:

Now Legal Defense and Education Fund, the country's oldest national legal advocacy organization committed to protecting and advancing women's rights, encourages you to sponsor and support S. 622, the **Hate Crimes Prevention Act of 1999 (HCPA)**.

The Hate Crimes Prevention Act is needed because under current federal law (18 U.S.C. § 245) federal prosecutors are powerless to investigate or prosecute bias cases involving death or serious bodily injury that are motivated by gender, sexual orientation, or disability bias. HCPA expands 18 U.S.C. § 245 by permitting federal involvement in these cases when local authorities ask for or require assistance.

Gender bias crimes must be included in this criminal statute to combat the pervasive violence against women in our society. Sadly, this violence is so widespread we have become dulled to its tragic consequences. It alters decisions -- small and large -- that a woman makes in her life, whether to accept a job in an isolated area, whether to walk in a parking lot at night or even what to wear for fear of drawing unwanted attention or physical assault. Gender bias crimes and the fear of these crimes restrict women's freedom of movement, reduce employment opportunities, and increase health expenditures, all of which impact women and our society at large.

Bias crimes against women take many forms: sexual assault, domestic violence, patterns of harassment, murder and mutilation. These are not individual crimes or personal, private matters -- rather they are a form of brutal systemic discrimination that can no longer be tolerated. State studies confirm that women who report these crimes are subjected to victim blaming and trivialization, and that stereotyped views undermine their credibility in domestic violence and sexual assault cases. All too frequently, these crimes are not taken seriously. Examples abound: Batterers are repeatedly convicted of abuse but not imprisoned. Serial batterers move from one victim to the next, raping, beating, and threatening the lives of their victims. Domestic violence victims are killed after their orders of protection fail to provide them refuge.

A strong federal law will save lives. The precedent-setting Violence Against Women Act of 1994 authorized federal prosecution of interstate domestic violence or interstate violations of protection orders. With HCPA, federal prosecutors can also help the survivors of other gender bias crimes. Under the HCPA, federal officials will be able to assess which violent crimes against women were motivated by gender bias by using the same guidelines they currently

employ to identify bias crimes based on race or religion. Factors to be considered include: a history of misogynistic behavior, a pattern of assaulting women, sexual violence, bias language, epithets, extreme brutality, mutilation and seemingly motiveless cruelty that characterizes bias crimes.

The federal government's jurisdiction under the HCPA would be limited to only the most serious violent crimes directed at persons. Prosecutions under 18 U.S.C. Section 245 can only be brought if a crime is certified in writing by the Attorney General or her designee that an individual prosecution would be "in the public interest and necessary to secure substantial justice." As they do now, federal authorities would consult with state and local authorities before deciding whether assertion of federal jurisdiction is warranted.

While this legislation has its detractors, the Hate Crimes bill is controversial only when people mis-understand its basic and indeed simple premise. The confusion often comes when individuals perceive civil rights and protection as privilege and advantage. Yes, HCPA expands the definition of racial and religious hate crimes to extend beyond just those victims who are participating in a federal activity (school, voting, etc.). Yes, it includes new categories of hate crimes based on **disability, sexual orientation and gender**. But **every rape or every crime against individuals in these protected classes won't automatically be a hate crime**. The new law requires "other" evidence besides serious bodily injury. It will not preempt state's rights or state jurisdiction over criminal matters. HCPA will only kick in as a **backstop** to local law enforcement or where state's **lack adequate laws, penalties and procedures**. The federal government, i.e. the FBI, will be **allowed to assist** state law enforcement officials where there are inadequate or incomplete state laws and will be involved **in consultation and consensus** with state District Attorneys and others.

The HCPA advances and extends the commitment made by Congress through the 1994 Violence Against Women Act to end all forms of violence against women. It marks a substantial step toward eradicating the bias-fueled violence that still limits the freedom of women and girls in our country. We strongly believe that the federal government must play a leadership role in confronting criminal acts motivated by gender bias. In that regard, we urge you to support the Hate Crimes Prevention Act of 1999 (S. 622).

Sincerely,



Pat Reuss
Senior Policy Analyst



April 27, 1999

Dear Senator:

On behalf of the National Asian Pacific American Legal Consortium (Consortium), I write to express support for S. 622, the **Hate Crimes Prevention Act of 1999** (HCPA). The Legal Consortium is a nonprofit, non partisan civil rights organization dedicated to advancing and preserving the civil and legal rights of the nation's Asian Pacific Americans.

The Asian Pacific American community continues to face hate crimes that are committed in homes, places of work and even on the street. In September of 1998, Rishi Maharaj, a twenty year old of Indo-Caribbean descent, was beaten by three men wielding baseball bats and yelling racial epithets in Queens, New York. In addition, the recent murder of Billy Jack Gaither in Alabama and the horrific 1998 deaths of James Byrd in Texas and Matthew Shepard in Wyoming serve as a painful reminder of how senseless attacks against innocent citizens threaten the very soul of America. Not only do such crimes have devastating effects on the victims, their families and friends, but they are also acts of violence against the American ideal: that we can make one nation out of many different people.

While we recognize that bigotry cannot be legislated out of existence, a forceful, moral response to hate violence is required of us all. We strongly believe that the federal government must play a leadership role in confronting criminal acts motivated by prejudice. In that regard, we urge you to support the Hate Crimes Prevention Act of 1999.

The Hate Crimes Prevention Act of 1999 expands the federal criminal civil rights statute on hate crimes by removing unnecessary obstacles to federal prosecution and by providing authority for federal involvement in crimes directed at individuals because of their race, color, religion, national origin, gender, disability, or sexual orientation.

The Hate Crimes Prevention Act is needed because current federal law (18 U.S.C. Sec. 245) leaves prosecutors powerless to intervene in bias-motivated crimes when they cannot establish the victim's involvement in a federal-protected activity. Moreover, federal authorities cannot act in cases involving death or serious bodily injury based on sexual orientation, gender, or disability-based bias when local law enforcement is unavailable.

100 Connecticut Ave NW
Suite 1200
Washington DC 20036

TELEPHONE
202-296-2300

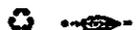
FAX
202-296-2318

WEBSITE
www.napalc.org

OFFICES
Los Angeles
National Asian Pacific American
Legal Consortium Center

New York
National Asian American Legal
Consortium & Education Fund

San Francisco
National Law Caucus

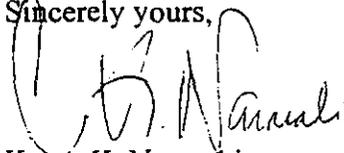


The federal government's jurisdiction under the HCPA would be limited to only the most serious violent crimes directed at persons, not property crimes. Prosecutions under 18 U.S.C. Sec. 245 can only be brought if a crime is certified in writing by the Attorney General or her designee that an individual prosecution would be "in the public interest and necessary to secure substantial justice." As they do now, federal authorities would consult with state and local authorities before deciding whether assertion of federal jurisdiction is warranted.

In spite of our nation's substantial advances toward equality over the past forty years, irrational antagonism and inequalities of all kinds stubbornly persist. Congress, working in bipartisan fashion, has on several occasions tackled the problem of bigotry that spills over into violence. The Hate Crimes Statistics Act of 1990; the Violence Against Women Act in 1994; and, the Church Arson Prevention Act of 1996 are three such examples. Now is the time for the Congress, working in similar bipartisan fashion, to strengthen the federal response to hate violence by passing the Hate Crimes Preventions Act of 1999.

Thank you for your consideration of this matter.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "K. K. Narasaki".

Karen K. Narasaki
Executive Director



April 27, 1999

Dear Senator:

On behalf of the YWCA of the U.S.A., we write to express our support for S. 622, the Hate Crimes Prevention Act of 1999 (HCPA). The YWCA of the U.S.A. is a national women's organization that serves 2 million women and their families.

The recent murder of Billy Jack Gaither in Alabama and the horrific 1998 deaths of James Byrd in Texas and Matthew Shepard in Wyoming serve as a painful reminder how beastly attacks against innocent citizens driven by nothing but irrational hatred threaten the very soul of America. Not only do these crimes have devastating effects on the victims, their families and friends, but hate crimes are also acts of violence against the American ideal: that we can make one nation out of many different people.

While we recognize that bigotry cannot be legislated out of existence, a forceful, moral response to hate violence is required of us all. We strongly believe that the federal government must play a leadership role in confronting criminal acts motivated by prejudice. In that regard, we urge you to support the Hate Crimes Prevention Act of 1999.

The Hate Crimes Prevention Act of 1999 expands the federal criminal civil rights statute on hate crimes by removing unnecessary obstacles to federal prosecution and by providing authority for federal involvement in crimes directed at individuals because of their race, color, religion, national origin, gender, disability, or sexual orientation.

The Hate Crimes Prevention Act is needed because current federal law (18 U.S.C. Sec. 245) leaves prosecutors powerless to intervene in bias-motivated crimes when they cannot establish the victim's involvement in a federal-protected activity. Moreover, federal authorities cannot act in cases involving death or serious bodily injury based on sexual orientation, gender, or disability-based bias when local law enforcement is unavailable.

Empire State Building
350 Fifth Avenue
Suite 301
New York, NY 10118
212-273-7800
Fax: 212-465-2281

National Board

Alexine Clement Jackson
President

Allison Accurso
Vice President

Claire LaMar Carey
Vice President

Tina Maree Herrera
Vice President

Kelly Koski
Vice President, Ex-Officio

Nibal G. Petro
Secretary

Peggy B. Harris
Treasurer

Christine Doherty
Assistant Treasurer

Prema Mathai-Davis, Ed. D.
Chief Executive Officer

The federal government's jurisdiction under the HCPA would be limited to only the most serious violent crimes directed at persons, not property crimes. Prosecutions under 18 U.S.C. Section 245 can only be brought if a crime is certified in writing by the Attorney General or her designee that an individual prosecution would be "in the public interest and necessary to secure substantial justice." As they do now, federal authorities would consult with state and local authorities before deciding whether assertion of federal jurisdiction is warranted.

In spite of our nation's substantial advances toward equality over the past forty years, irrational antagonism and inequalities of all kinds stubbornly persist. Congress, working in bipartisan fashion, has on several occasions tackled the problem of bigotry that spills over into violence. The Hate Crimes Statistics Act of 1990; the Violence Against Women Act in 1994; and, the Church Arson Prevention Act of 1996 are three such examples. Now is the time for the Congress, working in similar bipartisan fashion, to strengthen the federal response to hate violence by passing the Hate Crimes Prevention Act of 1999.

Thank you for your consideration of our views.

Sincerely,



Prema Mathai-Davis
Chief Executive Officer



Alexine Clement Jackson
National President

THE WHITE HOUSE
WASHINGTON

April 5, 1999

HATE CRIMES ANNOUNCEMENT

DATE: April 6, 1999
LOCATION: Roosevelt Room
BRIEFING TIME: 10:00AM - 10:30AM
EVENT TIME: 10:30AM - 11:00AM
FROM: Bruce Reed, Mary Beth Cahill

I. PURPOSE

To urge Congress to pass quickly pending federal hate crimes legislation, and to demonstrate the broad base support for this legislation. Also, to announce other hate crimes initiatives targeted toward children, such as a public-private program that will develop a program for middle school children.

II. BACKGROUND

Today you will applaud public and private efforts to teach children about tolerance and urge Congress to quickly pass the pending federal hate crimes legislation. This legislation strengthens the existing federal hate crimes law by (1) extending the situations where prosecutions can be brought for violent crimes motivated by bias based on race, color, religion, or national origin; and (2) expanding the federal hate crimes statute to protect against hate crimes based on sexual orientation, gender, or disability. You will also announce a new public-private partnership which will focus attention on issues of hate, tolerance, and diversity in middle-grade schools. Finally, you will call on the Departments of Justice and Education to include hate crimes in its annual report card on school safety and to report on hate crimes and bias on college campuses.

Urging Passage of Expanded Federal Hate Crimes Law. You will urge Congress to pass the Hate Crimes Prevention Act of 1999, which expands a principal federal hate crimes statute. The current statute prohibits acts of violence that are based on a person's race, color, religion, or national origin and that are intended to interfere with certain specified federally protected activities. The proposed legislation would make illegal acts of violence, even if they did not interfere with federally protected activities. Further, the legislation would authorize the Department of Justice to prosecute individuals who commit violent crimes against others because of the victim's sexual orientation, gender, or disability. Current federal law does not cover these cases at all.

Announcing Public-Private Partnership to Create a Middle-School Program about Tolerance. You will announce a public-private partnership that will develop a program for middle-school students to teach tolerance in the classroom and in their daily lives. The members of the partnership are AT&T, Court TV, the National Middle School Association, the Anti-Defamation League, and Cable in the Classroom, with assistance from the Departments of Justice and Education. This effort is supported by the NAACP, the Leadership Conference for Civil Rights, the National Council of La Raza, the National Asian Pacific American Legal Consortium, the National Association of Protection and Advocacy Systems, the National Education Association, and the National School Boards Association, and the Partnership expects support from other organizations that deal with these issues. Recognizing that tolerance cannot be taught in a single day and that raising awareness of diversity should be integrated into students' daily lives, this public-private partnership -- entitled "Dealing with Our Differences" -- will provide an opportunity for middle-school students to learn about the harmful impact of intolerance, and will highlight positive ways that young adolescents are dealing with diversity issues. The Partnership will develop in-school lessons and activities supported with cable TV programming; videos and websites; a nationally-televised forum on diversity and tolerance at the end of October; and post-show lessons and activities.

Creating New Studies About Hate Crimes in Schools and Colleges. In order to better understand the problem of hate crimes and intolerance among young people, you will call on the Departments of Justice and Education to include in their annual report card on school safety a section on hate crimes among young people, both at and away from school. In addition, you will direct the Department of Education, with appropriate assistance from the Department of Justice, to collect data on hate crimes and bias on college campuses for periodic publication.

III. PARTICIPANTS

Briefing Participants:

Bruce Reed
Elena Kagan
Mary Beth Cahill
Janet Murguia
Eddie Correia
Richard Socarides
Paul Glastris

Event Participants:

Attorney General Drew Ketterer (ME), Vice Chair, National Association of Attorneys
General and Chair, Civil Rights Committee
Rt. Rev. Jane Holmes Dixon, Suffragan Bishop of the Episcopal Diocese of Washington

On-Stage (No Speaking Role):
Secretary Richard Riley
Acting Assistant Attorney General Bill Lan Lee

IV. PRESS PLAN

Pool Press.

V. SEQUENCE OF EVENTS

-You will enter the Roosevelt Room, accompanied by Secretary Richard Riley, Acting Deputy Attorney General Bill Lann Lee, Attorney General Drew Ketterer, and Bishop Jane Holmes Dixon.

-Attorney General Ketterer will make brief remarks and introduce Bishop Jane Holmes Dixon.

-Bishop Jane Holmes Dixon will make brief remarks and introduce you.

-You will make remarks and depart.

VI. REMARKS

To be provided by speechwriting.

**HATE CRIMES EVENT
ROOSEVELT ROOM
APRIL 6, 1999**

ORGANIZATION REPRESENTATIVES

American Ass. Of University Women	Nancy Zirkin
American Jewish Committee	Richard Foltin
American Muslim Foundation	Abdurahman Alamoudi
Anti-Defamation League	Abraham Foxman
Anti-Defamation League	Howard Berkowitz
Arab American Institute	Jim Zogby
Armenian National Committee of America	Aram Hamparian
Black Leadership Forum	Yvonne Scruggs Leftwich
Center for Democratic Renewal	Reverend Cordy Tindell Vivian
Civil Rights Committee	Drew Ketterer
Department of Interior	Kevin Gover
Department of Interior	Michael Anderson
Disability Rights Edu. & Defense Fund	Pat Wright
Georgetown Univ. Law Center	Chai Feldlum
Human Rights Campaign	Cynthia Stachelberg
Human Rights Campaign	Tracey St. Pierre
Japanese American Citizens League	Robert Sakaniwa
LCCR	Dorothy Height
LCCR	Wade Henderson
MALDEF	Marisa Demeo
MTV	Stephen Kory Friedman
NAACP Washington Bureau	Hilary Shelton
National Asian Pacific American Legal Consortium	Karen Narasaki
National Ass. Of Black County Officials	Maria Lopes
National Ass. Of Protection & Advocacy Systems	Curt Decker
National Conference for Community & Justice	Brian Foss
National Council of Jewish Women	Jody Rabhan
National Council of La Raza	Carmen Joge
National Ethnic Coalition of Organizations	William Fugazy
National Gay/Lesbian Task Force	Kerry Lobel
National Gay/Lesbian Task Force	Rebeca Isaacs
National Italian American Foundation	Illir Zherka
National Org. of Black Law Enforcement Executives	Chester White
National Sheriffs Association	Phil McKelvey
National Troopers	Johnny Hughes
National Urban League	Hugh Price
National Women's Law Center	Marcia Greenberger
NOW Legal Defense	Patricia B. Reuss

Police Executive Research Forum
Presbyterian Church (USA)
Suffragan Bishop of Washington
United Cerebral Palsy Ass.
U.S. Conference of Mayors

Chuck Wexler
Rev. Elenora Giddings Ivory
Jane Holmes Dixon
Anthony Young
Julia Headley

MEMBERS OF THE PUBLIC/PRIVATE PARTNERSHIP

AT&T Broadband and Internet Services
Court TV
Court TV
Court TV
National Middle School Association
Cable in the Classroom

Michael G. Smith (Director)
Henry Schleiff (CEO)
Richard Bearhs (COO)
Irving MacPherson (Sr. VP)
Marion Payne (President)
Margaret Hookey (Director)

**PRESIDENT CLINTON URGES PASSAGE OF FEDERAL
HATE CRIMES BILL, ANNOUNCES PARTNERSHIP
TO TEACH TOLERANCE IN MIDDLE SCHOOLS, AND
SIGNS DIRECTIVE TO INCREASE HATE CRIMES REPORTING**
April 6, 1999

Today President Clinton applauded public and private efforts to teach children about tolerance and urged Congress to quickly pass the pending federal hate crimes legislation. This legislation strengthens the existing federal hate crimes law by (1) extending the situations where prosecutions can be brought for violent crimes motivated by bias based on race, color, religion, or national origin; and (2) expanding the federal hate crimes statute to protect against hate crimes based on sexual orientation, gender, or disability. The President also announced a new public-private partnership which will focus attention on issues of hate, tolerance, and diversity in middle-grade schools. Finally, the President called on the Departments of Justice and Education to include hate crimes in its annual report card on school safety and to report on hate crimes and bias on college campuses.

Urging Passage of Expanded Federal Hate Crimes Law. The President urged Congress to pass the bipartisan Hate Crimes Prevention Act of 1999, which expands a principal federal hate crimes statute. The current statute prohibits acts of violence that are based on a person's race, color, religion, or national origin and that are intended to interfere with certain specified federally protected activities. The proposed legislation would extend the situations where prosecutions could be brought by making these acts of violence illegal even if they did not interfere with federally protected activities. In addition, the legislation would authorize the Department of Justice to prosecute individuals who commit violent crimes against others because of the victim's sexual orientation, gender, or disability. Current federal law does not cover these cases.

Announcing Public-Private Partnership to Create a Middle-School Program about Tolerance. The President announced a public-private partnership that will develop a program for middle-school students to teach tolerance in the classroom and in their daily lives. The members of the partnership are AT&T, Court TV, the National Middle School Association, the Anti-Defamation League, and Cable in the Classroom, with assistance from the Departments of Justice and Education. This effort is supported by the NAACP, the Leadership Conference for Civil Rights, the National Council of La Raza, the National Asian Pacific American Legal Consortium, the National Association of Protection and Advocacy Systems, the National Education Association, and the National School Boards Association, and the Partnership expects support from other organizations that deal with these issues. Recognizing that tolerance cannot be taught in a single day and that raising awareness of diversity should be integrated into students' daily lives, this public-private partnership -- entitled "Dealing with Our Differences" -- will provide an opportunity for middle-school students to learn about the harmful impact of intolerance, and will highlight positive ways that young adolescents are dealing with diversity issues. The Partnership will develop in-school lessons and activities supported with cable TV programming; videos and websites; a nationally-televised forum on diversity and tolerance at the end of October; and post-show lessons and activities.

Directing the Education and Justice Departments to Collect Data About Hate Crimes in Schools and Colleges. In order to better understand the problem of hate crimes and intolerance among young people, the President called on the Departments of Justice and Education to include in their annual report card on school safety a new section on hate crimes among young people, both at and away from school. In addition, the President directed the Department of Education, with appropriate assistance from the Department of Justice, to collect data on hate crime and bias on college campuses for periodic publication.

*Race-hate crimes***Schedule Proposal**

2-24-99

ACCEPT REJECT PENDING

TO: Stephanie Streett

FROM: Mary Beth Cahill
Minyon Moore
Bruce Reed
Charles Ruff
Larry Stein

REQUEST: For the President to host a White House event with the bi-partisan Senate and House co-sponsors of the Hate Crimes Prevention Act, on the occasion of its re-introduction in Congress. The event to include participation from and to highlight the increasingly broad and bi-partisan support the legislation has in the law enforcement and civil rights communities. MTV is prepared to release a poll on the day of the event relating to youth and hate crimes.

PURPOSE: To amplify the President's unity and reconciliation themes and to demonstrate the Administration's commitment to the legislation.

BACKGROUND: The President announced his sponsorship and the introduction of this legislation at the White House Conference on Hate Crimes on November 10, 1997. The legislation would strengthen the ability of the Justice Department to prosecute hate crimes based on race and religion by removing needless jurisdictional requirements and give the Department the power to prosecute hate crimes committed because of the victim's sexual orientation, gender, or disability. A recent CNN/Gallup/USA Today poll found that 70% of respondents favor hate crimes laws and that 83% and 75%, respectively, favor coverage for women and gays.

PREVIOUS PARTICIPATION: As indicated above.

DATE AND TIME: March

BRIEFING TIME: 10 minutes.

DURATION: 50 minutes.

LOCATION: East Room or 450 OEOB.

PARTICIPANTS: The Attorney General
Senators Specter, Kennedy, Schumer and others
Congressman Conyers and others
Hate crime survivor or family member of victim
(possibly Judy Shepard)
Representatives of law enforcement community
Civil rights organizations

OUTLINE OF EVENTS: Remarks by participants.

REMARKS REQUIRED: Yes.

MEDIA COVERAGE: Open press.

FIRST LADY'S ATTENDANCE: No.

VICE PRESIDENT'S ATTENDANCE: Optional.

SECOND LADY'S ATTENDANCE: No.

RECOMMENDED BY: As indicated above.

CONTACT: Richard Socarides 6-1611.

ORIGIN OF PROPOSAL: Office of Public Liaison.

HATE CRIMES QUESTIONS AND ANSWERS
April 6, 1999

Q: What is a hate crime?

A: As a general matter, a hate crime is a crime that is motivated by bias based on the victim's race, color, religion, gender, national origin, sexual orientation, or disability. However, it is important to understand that hate crimes are defined by various federal and state criminal statutes, and these statutory definitions differ in their particulars from jurisdiction to jurisdiction. The principal federal hate crimes statute, for example, is currently limited to acts of violence committed because of the victim's race, color, religion or national origin; it does not include crimes committed because of the victim's gender, sexual orientation, or disability.

Q: What did the President announce today?

A: Today President Clinton applauded public and private efforts to teach children about tolerance and urged Congress to quickly pass the pending federal hate crimes legislation. This legislation strengthens the existing federal hate crimes law by (1) extending the situations where prosecutions can be brought for violent crimes motivated by bias based on race, color, religion, or national origin; and (2) expanding the federal hate crimes statute to protect against hate crimes based on sexual orientation, gender, or disability. The President also announced a new public-private partnership which will focus attention on issues of hate, tolerance, and diversity in middle-grade schools. Finally, the President called on the Departments of Justice and Education to include hate crimes in its annual report card on school safety and to report on hate crimes and bias on college campuses.

Q: What did the President announce with respect to a new public-private partnership?

A: The President announced a public-private partnership that will develop a program for middle-school students to teach tolerance in the classroom and in their daily lives. The members of the partnership are AT&T, Court TV, the National Middle School Association, the Anti-Defamation League, and Cable in the Classroom, with assistance from the Departments of Justice and Education. This effort is supported by the NAACP, the Leadership Conference for Civil Rights, the National Council of La Raza, the National Asian Pacific American Legal Consortium, the National Association of Protection and Advocacy Systems, the National Education Association, and the National School Boards Association, and the Partnership expects support from other organizations that deal with these issues. Recognizing that tolerance cannot be taught in a single day and that raising awareness of diversity should be integrated into students' daily lives, this public-private partnership -- entitled "Dealing with Our Differences" -- will provide an opportunity for middle-school students to learn about the harmful impact of intolerance,

and will highlight positive ways that young adolescents are dealing with diversity issues. The Partnership will develop in-school lessons and activities supported with cable TV programming; videos and websites; a nationally-televised forum on diversity and tolerance at the end of October; and post-show lessons and activities. This partnership builds on previous Administration efforts such as issuing the following publications: "Preventing Youth Hate Crime: A Manual for Schools and Communities;" "Healing the Hate: A National Bias Crime Prevention Curriculum for Middle Schools;" and "Protecting Students from Harassment and Hate Crime."

Q: Will this new program teach middle-school students that homosexuality is an acceptable lifestyle?

A: This program is about tolerance. Whatever their views about homosexuality, all people of good will should agree that no one in America should be subject to physical attack based on their sexual orientation. People have a right to be safe and a responsibility to be tolerant.

Q: What specific changes to current federal law is the President supporting?

A: The President supports pending federal legislation to expand the principal federal hate crimes statute. The current statute prohibits any acts of violence that are based on a person's race, color, religion, or national origin and that are intended to interfere with certain specified federally protected activities. The proposed legislation would make illegal these acts of violence even if they were not intended to interfere with federally protected activities. Further, the proposed legislation would prohibit any acts of violence based on sexual orientation, gender, or disability, as long as there is a connection with interstate commerce.

Q: How many hate crimes are there each year? Are hate crimes increasing?

A: In 1997, there were 8049 reported incidents of hate crimes. But these statistics almost certainly under-report hate crimes to a significant extent, and the rise in the number of reported incidents may be due to improvements in reporting, rather than to increases in crime. There are two reasons for thinking that current statistics under-report hate crime. First and most important, submission of hate crimes data to the FBI is voluntary, and many law enforcement agencies do not submit data at all or submit incomplete data. In addition, many victims of hate crimes fail to report the incidents because of fear, humiliation, or language difficulties. For example, 60% of the victims of anti-gay incidents who reported their incidents to private tracking groups did not report the incidents to the police, in many cases because of a fear of mistreatment or unwanted exposure.

Q: What other activities has the Administration undertaken with respect to hate crimes?

A: At the White House Conference on Hate Crimes in November 1997, the President announced several initiatives to ensure effective law enforcement, including the creation of working groups in every U.S. Attorney's district in the country to improve coordination among local, state, and federal prosecutors; the addition of new FBI agents and prosecutors to work on enforcement of hate crimes laws; and the development of model curriculum for training law enforcement officers to deal with hate crimes. Since the conference, the Administration has committed significant resources to assisting enforcement of hate crimes and has issued publications such as "Preventing Youth Hate Crime: A Manual for Schools and Communities" and "Protecting Students from Harassment and Hate Crime." In his FY2000 budget, the President has requested approximately \$34 million for hate crimes enforcement.

Q: Why is this hate crimes legislation needed?

A: The legislation is needed for two compelling reasons. First, the problem of hate crimes based on sexual orientation, disability, and gender are serious, and are currently not covered under federal law. Second, the Department of Justice has been hindered in its efforts to prosecute racial hate crimes because of the need to show that the victim was attacked because he or she was engaging in a federally protected activity such as enrolling in or attending any public school or college. This amendment will ensure that all persons in the United States are protected under federal law from any hate crimes causing serious bodily injury.

Q: Why is federal hate crimes legislation necessary at all? Shouldn't this really be a matter for local prosecutors?

A: The federal government has an important supporting role to play in prosecuting hate crimes. As a matter of longstanding practice, federal officials defer to state prosecutors to make the initial determination whether to bring a hate crimes case. But the problem of hate crimes is serious enough to warrant providing the federal government with authority to act if federal jurisdiction is necessary to achieve justice in a particular case. And the proposed legislation will ensure that the federal government has this necessary authority.

Q: Won't the addition of gender to the federal hate crimes legislation federalize all rapes?

A: No. The bill does not make every rape a federal crime. In addition to the violent act, there must be evidence of bias toward the victim because of the victim's gender and a sufficient connection with interstate commerce. The Act generally would not be used when state laws provide severe penalties, as in cases of rape. The more frequent use

would be in cases of violent attacks against women where there is clear evidence of gender bias but state laws do not provide sufficient penalties or where state officials conclude it is difficult to bring a successful state prosecution. In addition, federal jurisdiction would also allow federal authorities to assist states in bringing their own cases.

Race-hate crimes

Schedule Proposal

2-24-99

ACCEPT REJECT PENDING

TO: Stephanie Streett

FROM:

REQUEST: For the President to host a White House event with the bi-partisan Senate and House co-sponsors of the Hate Crimes Prevention Act, on the occasion of its re-introduction in Congress. The event to include participation from and to highlight the increasingly broad and bi-partisan support the legislation has in the law enforcement and civil rights communities. MTV is prepared to release a poll on the day of the event relating to youth and hate crimes.

PURPOSE: To amplify the President's unity and reconciliation themes and to demonstrate the Administration's commitment to the legislation.

BACKGROUND: The President announced his sponsorship and the introduction of this legislation at the White House Conference on Hate Crimes on November 10, 19997. The legislation would strengthen the ability of the Justice Department to prosecute hate crimes based on race and religion by removing needless jurisdictional requirements and give the Department the power to prosecute hate crimes committed because of the victim's sexual orientation, gender, or disability. A recent CNN/Gallup/USA Today poll found that 70% of respondents favor hate crimes laws and that 83% and 75%, respectively, favor coverage for women and gays.

PREVIOUS PARTICIPATION: As indicated above.

DATE AND TIME: March

BRIEFING TIME: 10 minutes.

DURATION: 50 minutes.

LOCATION: East Room or 450 OEOB.

PARTICIPANTS: The Attorney General
Senators Specter, Kennedy, Schumer and others
Congressman Conyers and others
Hate crime survivor or family member of victim
(possibly Judy Shepard)
Representatives of law enforcement community
Civil rights organizations

OUTLINE OF EVENTS: Remarks by participants.

REMARKS REQUIRED: Yes.

MEDIA COVERAGE: Open press.

FIRST LADY'S ATTENDANCE: No.

VICE PRESIDENT'S ATTENDANCE: Optional.

SECOND LADY'S ATTENDANCE: No.

RECOMMENDED BY: As indicated above.

CONTACT: Richard Socarides 6-1611.

ORIGIN OF PROPOSAL: Office of Public Liaison.