



## Hate Crimes Fact Sheet

The **African American Ministers in Action (AAMIA)** network has joined those urging Congress to expand current federal law to protect victims of hate crimes based on disability, sexual orientation, gender, or gender identity. As believers who are called to love our neighbors as ourselves, we do not support **VIOLENCE** against any human being.

### About the Matthew Shepard Hate Crimes Prevention Act of 2009

We support the Matthew Shepard Hate Crimes Prevention Act of 2009 (S. 909), and its addition to the FY10 Defense Authorization bill (S. 1391) as the Leahy/Collins/Kennedy/Snowe amendment – without weakening amendments, because it does in fact protect individuals against the incidence of **VIOLENCE** motivated by the actual or perceived race, color, religion, national origin, gender, sexual orientation, gender identity, or disability of the victim. The legislation also provides strong First Amendment protections ensuring that the religious liberty and free speech rights of pastors, such as ourselves, and others are protected.

The Leahy/Collins/Kennedy/Snowe amendment is crucial to protecting the rights of all Americans. This can be accomplished by strengthening law enforcement and closing loopholes in the current law, and is overwhelmingly supported by the civil rights community, law enforcement, and many religious organizations. As we work to secure the rights of women and minorities worldwide, we must also act to secure the rights of all Americans here at home.

### Incidence of hate crimes

Crimes against people based upon their disability, sexual orientation, gender, or gender identity are all too common. According to the most recent hate crimes statistics from the FBI (available at <http://www.fbi.gov/ucr/hc2007/index.html>), there were 9,535 victims (defined as persons, businesses, institutions, or society as a whole) of hate crimes in 2007. Of these, 1,512 were victims of hate crimes based on sexual orientation, and 84 were victims of hate crimes based on disability. Hate crimes legislation seeks to extend federal hate crimes protections to these and other (gender and gender identity) groups of people.

### Religious liberty

The Leahy/Collins/Kennedy/Snowe amendment protects free speech and religious liberty. The First Amendment of the Constitution will always protect preaching or other expressions of religious belief—even name-calling or expressions of hatred toward a group. This amendment punishes only **VIOLENT** actions that result in death or bodily injury.

There is strong language in the amendment that explicitly says that evidence of expression or associations that are **not specifically related** to a **VIOLENT hate crime** may not be used as evidence.



## Hate Crimes Myths of the Right

**MYTH:** Hate crimes legislation is a threat to religious liberty and will “criminalize Christianity” by restricting what pastors and other religious leaders are able to preach. Pastors will be arrested for preaching against homosexuality.

**FACT:** The Leahy/Collins/Kennedy/Snowe amendment protects freedom of speech and freedom of religion. It **only punishes VIOLENT** acts like assault and murder, not religious beliefs. The amendment makes clear that it cannot be used to prohibit any “constitutionally protected speech” or “expressive conduct.”

**MYTH:** Hate crimes legislation will lead to prosecution for “thought crimes.”

**FACT:** This amendment does not restrict anybody’s First Amendment rights. The amendment doesn’t create something called a “thought” crime for a particular group of people. The Leahy/Collins/Kennedy/Snowe amendment strengthens law enforcement’s ability to fight violent crime – not vigorous debate, not sermons against homosexuality, not hateful speech, not the spreading of misinformation that thrives on constitutionally protected right-wing television, radio, and blogosphere, not even the infamous “God hates fags” protesters.

**MYTH:** Hate crimes legislation gives “special rights” to some people.

**FACT:** Freedom from violence isn’t a “special right.” It’s a human right. No one should be assaulted or killed because of who he or she is.

The Leahy/Collins/Kennedy/Snowe amendment **punishes only VIOLENT** crimes and the hateful motivation directly related to such crimes. Distinctions like this are commonplace in our criminal justice system. For example, the intent of a suspected killer determines the difference between a first and second-degree murder charge.

### What Can You Do to Help End Violent Hate Crimes?

Contact your Representative and Senators and tell them that you want all Americans, regardless of their race, religion, national origin, age, disability, sexual orientation, gender, or gender identity, to enjoy freedom from violence. Urge them to support hate crimes legislation, such as the Leahy/Collins/Kennedy/Snowe amendment, so that no American is treated as a second-class citizen. Sign up for People For the American Way action alerts, and we will keep you updated on new developments concerning this issue.