

Hate Crimes Legislation Passes House

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by Bob Roehr

The U.S. House of Representatives passed hate crimes legislation by a vote of 237 to 180 on May 3. The tally was largely along party lines, though the 212 Democratic votes were short of a majority in the 435-member chamber; Republican support was needed to achieve that.

The measure is officially known as the Local Law Enforcement Hate Crimes Prevention Act of 2007. It essentially adds sexual orientation and gender identity to the list of categories already covered as hate crimes and has broad support from national law enforcement, civic and civil-rights organizations.

It gives the Department of Justice limited authority to intervene when state and local officials do not seem to be adequately investigating hate crimes against gays. It also allows the Department to provide training, fund activities, and support local authorities in that area.

"I think it bears repeating that many law enforcement organizations ... support the need for federal hate crimes prevention legislation," said Speaker Nancy Pelosi, D-Calif., during debate on the floor. "Today, we have an opportunity to end discrimination and the violence that goes with it that equal a hate crime."

Rep. Mark Kirk, R-Ill., led a group of 25 Republicans who voted for the legislation, earning the thanks of Log Cabin Republicans Executive Director Patrick Sammon. Their presence allayed fears of some conservative Democrats that the issue might be used against them in the next campaign.

However, 14 Democrats voted against the bill and 6 did not vote at all. They generally came from a swath of the interior of the country ranging from North Carolina to Oklahoma, Texas to Indiana.

Conservatives like Tony Perkins of the Family Research Council have been braying that the legislation "criminalizes thoughts as well as actions; creating special categories of victims is unconstitutional." He neglects to mention that existing law already covers a laundry lists of protected categories, including religion.

James Dobson of Focus on the Family has charged that the real purpose of the legislation is "to muzzle people of faith who dare to express their moral and biblical concerns about homosexuality."

Their staunch opposition prompted the White House press office to call the bill "unnecessary and constitutionally questionable," and threaten a presidential veto. It is difficult to gauge how serious that threat is, as the president has vetoed only two pieces of legislation during his tenure; one concerning stem-cell research, the second on withdrawal from Iraq.

The Senate version of the legislation, with Matthew Shepard's name appended to it, has 44 co-sponsors and is likely to pass before summer recess.

However, there does not appear to be sufficient support in either chamber to override a veto, should that occur.

REACTIONS

Reactions to the House vote from within the LGBT community were positive.

Human Rights Campaign president Joe Solmonese called it “a historic day that moves all Americans closer to safety from the scourge of hate violence. Today, legislators sided with the 73 percent of the American people who support the expansion of hate crimes laws to include sexual orientation and gender identity.”

“I am encouraged that the House was able to overcome the lies and misinformation being spread by anti-gay organizations trying to derail this bill. As the parent of a young man killed simply for being gay, I refuse to be silent and let this bill be misconstrued by these organizations,” said Judy Shepard, mother of the late Matthew Shepard.

“No one can deny the reality of hate violence against LGBT people,” said Matt Foreman, executive director of the National Gay and Lesbian Task Force. “The importance of this [legislation] cannot be overstated, particularly in light of the venomous defamation campaign that has been waged against the bill by right-wing forces. At long last, justice for our people is within reach.”

Mara Keisling, executive director of the National Center for Transgender Equality called it “a clear statement that LGBT people are not too hated to be protected from hate crimes.”

National Stonewall Democrats executive director Jo Wyrick focused on the political future. “Once again, the majority of American oppose the position of the President, and that is why we are urging the Senate Leadership to quickly move on this important legislation. We need Senate Democrats to step up before President Bush can step down.”