

➤ Hearing Records ... HR

**** 09hr_sb0344_JRC-CP_pt01**

**WISCONSIN STATE
LEGISLATURE ...
PUBLIC HEARING
COMMITTEE RECORDS**

2009-10

(session year)

Joint

(Assembly, Senate or Joint)

**Review Committee on
Criminal Penalties**

(JRC-CP)

(FORM UPDATED: 07/02/2010)

COMMITTEE NOTICES ...

➤ Committee Reports ... CR

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➤ Executive Sessions ... ES

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➤ Public Hearings ... PH

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➤ Record of Comm. Proceedings ... RCP

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**INFORMATION COLLECTED BY
COMMITTEE FOR AND AGAINST
PROPOSAL ...**

➤ Appointments ... Appt

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Name:

➤ Clearinghouse Rules ... CRule

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➤ Hearing Records ... HR (bills and resolutions)

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➤ Miscellaneous ... Misc

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Companion
to SB 344?

December 9, 2009

Members of the House Committee on Criminal Justice
328 Northwest, State Capitol
Madison, WI 53708

Members of the House Committee on Criminal Justice:

On behalf of the Anti-Defamation League (ADL), we write to express strong support for 2009 Assembly Bill 481. This bill would amend Wisconsin's bias crime law to provide penalty enhancements for crimes motivated by the victim's gender.

ADL is a national civil rights and human relations agency that has long been at the forefront of national, state and local efforts to deter and counteract bias-motivated criminal activity. In 1981, ADL drafted a model penalty-enhancement statute for bias-motivated crimes. That model served as a basis for many of the bias-crime laws that have been adopted by 45 states and the District of Columbia. ADL also trains law enforcement to prevent bias-motivated crimes and to apprehend extremists and others who commit those crimes.

Regrettably, gender-bias motivated crimes do occur. For example, in 2002, when Darell David Rice brutally murdered two women who were camping in Shenandoah National Park, he told prosecutors that he had intentionally selected the victims because he believed that women are more vulnerable and because he enjoys intimidating and assaulting women. Another horrific example of gender-motivated bias crime occurred in 2006, when Charles Roberts infiltrated an Amish schoolhouse in Pennsylvania, separated the boys from the girls, and shot a number of the girls in the back of the head. Local law enforcement reported that Roberts "wanted to exact revenge against female victims." It is because of crimes like these that twenty-seven states and the United States currently include gender as a protected status in their hate crime statutes.

Wisconsin should join the United States and the twenty-seven states that label gender-motivated crimes as bias crimes. Doing so would communicate a new resolve to deter the victimization of girls, boys, women, or men who are attacked because of gender. A.B. 481's recognition of gender-motivated crimes as bias crimes would provide additional comfort to the victims of these crimes and would better equip local law enforcement to address gender-motivated crimes.



Critics of A.B. 481 argue that this bill will render every rape and domestic violence case a "hate crime." We respectfully disagree. Hate crimes occur because of the perpetrator's bias or animus against the victim on the basis of actual or perceived status – the victim's race, religion, national origin, gender, or sexual orientation is the *reason* for the crime. Not all crimes against women meet this definition -- rape and domestic violence often have different, more personal motivations. Importantly, the twenty-seven states that include gender in their hate crime statutes have not been overwhelmed by rape and domestic violence hate crime charges. Moreover, this concern was not an impediment to the recent passage of the federal Hate Crime Prevention Act, signed by President Obama into law in October 2009, which also includes gender as a protected category under federal law.

Every individual in Wisconsin deserves protection from bias-motivated criminal activity. While bigotry cannot – and should not -- be outlawed, A.B. 481 would demonstrate a renewed commitment by Wisconsin's legislators to eradicate bias-motivated crime. ADL strongly urges the House Committee on Criminal Justice to vote in favor of this important bill.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Lonnie Nasatir".

Lonnie Nasatir
Regional Director
Greater Chicago/Upper Midwest Region
Anti-Defamation League

A handwritten signature in black ink, appearing to read "Clare Pinkert".

Clare Pinkert
Midwest Area Civil Rights Counsel
Anti-Defamation League