Thursday April 6, 2017

Dear Honorable Members of Assembly Committee on Criminal Justice and Public Safety,

YWCA Madison strongly opposes Assembly Bill 48, which expands Wisconsin’s current hate crime statute for the first time to include a chosen profession as opposed to exclusively protecting unchangeable personal characteristics. We ask you to either vote against this bill or not move it forward to the full Assembly.

In 1987, the Wisconsin State Legislature created Wis. Stat. § 939.645, our state’s hate crime legislation, to protect and respect individuals who were victims of crimes because of biases against their race, religion, disability, sexual orientation, national origin or ancestry. Today, 20 years later, individuals are still being targeted based on these and other immutable characteristics, and the intention behind the law is just as important.

Enhancing the criminal penalties for hate crimes sends a powerful message: Crimes based on biases are particularly egregious and will not be tolerated in our society. This message is an important one, telling people of color and religious minorities who increasingly find themselves targets of hate that the state values you and will protect you. Hate crimes are particularly egregious because they are not just bias crimes against a targeted individual but a crime against everyone possessing these characteristics. These crimes have a chilling impact on entire communities, leaving hundreds of thousands of people with the targeted characteristic living in fear. The Wisconsin State Legislature must show its commitment to protecting these communities.

Attacks on law enforcement officers are not acceptable and have no place in our democracy. But a chosen profession, no matter how noble or essential to society, will never be the same as an immutable characteristic and does not demand an extra level of legal protection. A police officer can take her uniform off at the end of the day. A police officer can walk away from her job. But individuals do not chose their immutable characteristics and can never walk away from their race, national origin, sexual orientation, or deeply held religious beliefs. Every moment of every day, individuals possess their personal characteristic—from birth to death, you are always your named race, national origin, sexual orientation. This is not the same as a chosen profession.

Hate crimes are on the rise both nationally and statewide. Hate Crimes based on religion, race, national origin, and sexual orientation increased by more than 65% in 2015, according to the United States Department of Justice Statistics on Hate Crimes. These crimes are happening across the nation, in every state including Wisconsin, according to the Southern Poverty Law Center. Now, more than ever, we need our Wisconsin State leaders to stand against this unacceptable rise in hate crimes and speak out against bias crimes based on race, religion, and other immutable characteristics.

We urge you to defeat AB 48 and to honor those who are targets of hate crimes because of their personal and immutable characteristics. If you have any questions, please do not hesitate to contact me or Carousel Bayrd, our Policy and Partnership Coordinator, at (608) 395-2196.

Sincerely,

Vanessa McDowell  
Interim CEO