

*This Week in Washington*



WITH CONGRESSMAN  
JO BONNER

### House Erodes Equal Protection Principle

Last week, the House passed the Local Law Enforcement Hate Crimes Prevention Act of 2009, H.R. 1913, by a vote of 249-175. This hate crimes bill would expand the standing federal hate crimes law to include gender identity and sexual orientation.

Hate crimes are currently defined as crimes motivated by feelings of bias because of the victim's race, color, religion, or national origin.

This legislation would also expand federal protection against hate crimes to acts committed under any circumstance, as opposed to acts committed only when an individual is engaged in certain federally-designated activities such as voting.

Under this bill, criminals who kill a homosexual, transvestite or transsexual or some other

person in one of the “protected” categories would be punished more harshly than criminals who kill those not belonging to a “protected” class, such as a police officer, child, or senior citizen.

However, in Alabama, where the death penalty is imposed to punish certain murders, this bill would in fact prevent a court from ordering the death penalty for a hate crime murder.

The foundation of our justice system ensures equal protection under the law, yet this piece of legislation, by establishing different penalties for the same crime, places a higher value on one life over another.

Lady Justice is blindfolded for a reason – justice is, or at least should be, handed down objectively, regardless who is brought before the court and regardless who the victim is.

However, this bill would ultimately remove Lady Justice’s blindfold and provide her prescription eyeglasses. Simply put, all violent crimes should be prosecuted vigorously, no matter the victim’s race, color, religion, or national origin.

The truth is every violent crime is devastating – regardless of what the motivation may be. Whether or not a murder is committed because of a victim’s membership in a particular group – it is no less horrific or appalling than the murder of someone not belonging to a particular group.

Following the House vote on the hate crimes bill, the majority leader issued a statement saying this legislation is necessary “Because hate crimes not only injure individual victims, but also terrorize entire segments of our population and tear at our Nation’s social fabric.”

I would argue that all violent crimes terrorize society and tear at our social fabric, and all victims should have equal worth in the eyes of the law, regardless of their race or status.

Over the past several weeks, I have received calls from a number of people throughout southwest Alabama concerned with the long-term effects this legislation may have.

Many are alarmed by the possibility that religious leaders or members of religious groups could be prosecuted for expressing their beliefs.

For example, a pastor theoretically could be charged with conspiracy to commit a hate crime if an individual heard that pastor's sermon and then acted "aggressively" against someone based on his or her sexual orientation.

Friends, this hate crimes bill is unnecessary. It federalizes crimes that are already fully and aggressively prosecuted in all 50 states.

FBI statistics show that the incidence of hate crimes has declined over the last 10 years. In 2007, of the approximately 17,000 homicides that occurred in the United States, only 9 – or one tenth of one percent – were classified as “hate crimes.”

For these reasons, I did not support H.R. 1913 because at the end of the day, no piece of legislation can remove hate. No matter how much we may disagree with a person's thoughts, we cannot criminalize them.

As I mentioned, this bill did pass the House, and it now awaits action in the Senate.

## Irresponsible Budget Passes House

The final budget conference report passed both houses of Congress last week.

Though the budget resolution is only a framework for future tax and spending decisions, this \$3.6 trillion proposal sets the course for even more breakneck spending, on top of the \$787 billion stimulus bill and the trillions of dollars in bailouts already spent this year.

The Gross Domestic Product (GDP), which measures total goods and services output, dropped by 6.1 percent in the first quarter of this year. With the economy shrinking at a record pace, now more than ever we should be making tough choices toward a balanced budget.

My staff and I work for you. If we can ever be of service, do not hesitate to call my office toll free at 1-800-288-8721.

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*For release the week of Monday, May 04, 2009. For more information please contact Mike Lewis at (202)225-4931.*