



Tuesday, May 12, 2009

The Honorable Mark S. Meadows, Committee Chair
Judiciary Committee
Michigan House of Representatives
Lansing, Michigan

Dear Representative Meadows and fellow Judiciary Committee Members,

This letter is in support of House Bill 4836, the Anti Bias Crime Statute (with sentencing provision HB 4835). The Mount Pleasant Area Diversity Group employs a community-based inclusive approach to foster and promote acceptance and appreciation of diversity. The group is committed to actively challenging the obstacles that inhibit the community's ability to respect, value and be sensitive to diversity. We are a tax-exempt organization under the Internal Revenue Code § 501(c)(3) and have provided educational services to the Mt. Pleasant community since 1994.

Our entire Board of Trustees stands firm with the many groups and community leaders who support this legislation already.

This legislation is not about protecting any special rights. Indeed, it is about correcting special wrongs committed against people because of their race, color, religion, gender, national origin, sexual orientation, gender identity, expression of gender and/or disability status. Thus we need effective tools for prosecutors and judges to address these special wrongs.

Please stand up and do the right thing and speak up for the all of the people and communities that bias-motivated crimes hurt and vote to pass this legislation.

Respectfully,

C. William Westerfield
Chair, Board of Trustees
Mt. Pleasant Area Diversity Group
(989)954-5575
chair@mpadg.org



May 12, 2009

Members of the House Judiciary Committee:

On behalf of the Anti-Defamation League (ADL), I write to express strong support for H.B. 4836, the Michigan Anti-Bias Crimes Act.

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. Since that time, ADL's model statute has served as a basis for many of the bias-crime laws that have been adopted by 45 states and the District of Columbia. Our work on bias crimes is not limited to lobbying for legislation, however. We also work closely with law enforcement to prevent bias-motivated crimes and to apprehend extremists and others who commit those crimes.

ADL supports the proposed Michigan Anti-Bias Crime Bill, H.B. 4836 for reasons including the following:

First, the bill expands the categories of protection to individuals who are targeted because of their perceived sexual orientation, gender identity, or disability. This change communicates that Michigan legislators acknowledge and condemn these types of bias-motivated crimes. Regrettably, reported hate crimes against individuals perceived as gay, lesbian, or disabled are on the rise in Michigan: according to the FBI 2007 Hate Crimes Statistics Act Report, Michigan law enforcement agencies reported 73 hate crimes committed against individuals perceived as gay or lesbian in 2007, an increase from 52 such crimes reported in 2006; similarly, Michigan agencies reported 4 hate crimes against disabled individuals in 2007, up from 2 in 2006.¹ National trends, as illustrated in the enclosed chart, also demonstrate an increase over time in hate crimes against gay, lesbian, and disabled individuals. H.B. 4836 might counteract this negative trend by expressing the community's resolve and by providing an additional deterrent.

Second, H.B. 4836 clarifies that mistake is not a defense for committing a bias-motivated crime. It is the biased motivation – not the offender's accuracy in choosing a victim who fits the offender's bias – that justifies a sentence enhancement. As ADL's experience with hate crimes has shown, hate crimes traumatize communities, and this is no less true if the offender mistakes the identity of the victim. For example, if an offender attempts to victimize an individual who he or she believes to be Mexican immigrant, but actually victimizes a natural-born citizen, the crime will inspire the same fear in the Mexican community as if the offender had actually victimized a Mexican. H.B. 4836 assures judges that a sentence enhancement is available even if an offender's perception of the victim is inaccurate.

¹ Because the FBI's Hate Crime Statistics Act report does not compile data about bias-crimes committed on the basis of the victim's perceived gender identity, ADL is not able to provide similar data about the occurrence of gender-identity hate crimes.

Every individual in Michigan deserves protection from bias-motivated criminal activity. While bigotry cannot be outlawed, H.B. 4836 would demonstrate a renewed commitment by Michigan's legislators to eradicate bias-motivated crime. ADL strongly urges the House Judiciary Committee to report H.B. 4836 with favorable recommendation.

Thank you for your consideration.

Sincerely,

Betsy Kellman

Betsy Kellman
Regional Director

Motivation for Hate Crimes: Number of Incidents and Number of Victims* (2002-2007)

	2007		2006		2005		2004		2003		2002	
	Incidents	Victims										
Racial Bias	3,870/50.8	4,956/52.0	4,000/51.8	5,020/52.0	3,919/54.7	4,895/55.6	4,402/57.5	5,119/53.7	3,844/51.3	4,754/52.2	3,642/48.8	4,590/49.7
Anti-Black	2,658/34.9	3,434/36.0	2,640/34.2	3,332/34.5	2,630/36.7	3,322/37.7	2,731/35.7	3,475/36.5	2,548/34.0	3,150/34.6	2,486/33.3	3,076/33.4
Anti-White	749/9.8	908/9.5	890/11.5	1,054/10.9	828/11.6	975/11.1	829/10.8	1,027/10.8	830/11.1	1,006/11.1	719/9.6	910/9.9
Anti-Asian/Pacific Islander	188/2.5	234/2.5	181/2.3	239/2.4	199/2.8	240/2.7	217/2.8	266/2.8	231/3.1	289/3.2	217/2.9	280/3.0
Religious	1,400/18.4	1,628/17.1	1,462/18.9	1,750/18.1	1,227/17.1	1,405/15.0	1,374/18.0	1,586/16.6	1,343/17.9	1,489/16.4	1,426/19.1	1,659/18.0
Anti-Semitic	969/12.7	1,127/11.8	967/12.5	1,144/11.9	848/11.8	977/11.1	954/12.5	1,076/11.3	927/12.4	1,025/11.3	931/12.5	1,084/11.8
Anti-Islamic	115/1.5	142/1.5	156/2.0	208/2.2	128/1.8	151/1.7	156/2.0	201/2.1	149/2.0	171/1.9	155/2.1	174/1.9
Ethnicity/National Origin	1,007/13.2	1,347/14.1	984/12.7	1,365/13.5	944/13.2	1,228/13.9	972/12.7	1,254/13.2	1,026/13.7	1,326/14.5	1,102/14.8	1,409/15.3
Anti-Hispanic	595/7.8	830/6.7	576/7.5	819/8.5	522/7.3	722/8.2	475/6.2	646/6.8	426/5.7	595/6.5	480/6.4	639/6.9
Sexual Orientation	1,265/16.6	1,512/15.9	1,195/15.5	1,472/15.3	1,017/14.2	1,213/13.8	1,197/15.6	1,482/15.6	1,239/16.5	1,479/16.3	1,244/16.7	1,513/16.4
Disability	79/1.0	84/0.88	79/1.0	95/1.0	53/0.74	54/0.61	57/0.74	73/0.77	33/0.44	43/0.47	45/0.59	50/0.54

Updated October, 2008

*The term *victim* may refer to a person, business, institution, or society as a whole.

Compiled by the Anti-Defamation League's Washington Office from information collected by the FBI

More information about ADL's resources on response to hate violence can be found at the League's Website: www.adl.org



STATE OF MICHIGAN
MICHIGAN WOMEN'S COMMISSION
LANSING

JENNIFER M. GRANHOLM
GOVERNOR

JUDY KARANDJEFF
EXECUTIVE DIRECTOR

May 12, 2009

Representative Mark Meadow
374 House Office Building
P.O. Box 30014
Lansing, MI 48909-7514

Dear Representative Meadows:

The Michigan Women's Commission is proud to support HB 4835 and HB 4836, which will substitute the current proscription on ethnic intimidation with a prohibition on bias-motivated crime and establish penalties for violating the new provisions. This legislation will expand the categories of groups for which a crime could be a bias-motivated crime.

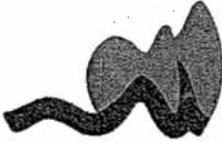
The category expansion under HB 4836 is of particular interest to the Michigan Women's Commission because disability, sexual orientation, gender identity, and expression of gender were not included under ethnic intimidation. Women who are within the disabled community and LGBTQI2-S will be recognized as victims of bias-motivated crimes, whereas under ethnic intimidation they are not. Women within the communities stated above will also have greater recourse when they are victims of a bias-motivated crime, whereas currently under ethnic intimidation they do not.

The Commission agrees with the replacement of ethnic intimidation with bias-motivated crime and with the expansion of target group characteristics. Please let us know what we can do to help. Thank you for having a hearing on this important legislation.

Sincerely,

A handwritten signature in black ink, appearing to read "Judy Karandjeff".

Judy Karandjeff
Executive Director



May 12, 2009

Representative Mark S. Meadows
Michigan House of Representative
Chair, House Judiciary Committee
S1088 House Office Building
PO Box 30014
Lansing, MI 48909-7514

Honorable Representative Meadows:

We write today in full support of the passage of HB 4836 – The Michigan Anti-Bias Crime Statute. The City of Grand Rapids Equal Opportunity Department (EOD) and the Community Relations Commission (CRC) have a long history of support for such legislation.

In 1998, EOD, CRC, and the Michigan Alliance Against Hate Crimes established a regional alliance to address hate and bias issues in greater Grand Rapids. On September 15, 1999, the alliance put their community response system for hate crimes and bias incidents into practice when an African American male was dragged behind a car and beaten. Kent County Prosecutor William Foresyth charged the perpetrator with not only assault with the intent to commit great bodily harm less than murder, but also with violations of the Michigan Ethnic Intimidation Act (Act). Our alliance and coalition of community groups followed the arrest of the suspect, provided support to the victim, and witnessed and watched the trial that ensued to ensure that justice was served.

Kent County and the City of Grand Rapids are fortunate to have a Prosecuting Attorney who is willing to charge individuals under the current Act. However, the Act is limited and ineffective in addressing hate crimes. The Act provides that if an individual is found guilty of a violation, and they are convicted, the sentence for ethnic intimidation is served concurrently with other sentences. There are no provisions for additional penalties for violation of the Act. Thus, the lack of additional or enhanced sentencing creates a disincentive for prosecutors to pursue charges of ethnic intimidation and creates the illusion that such crimes and incidents may not be occurring.

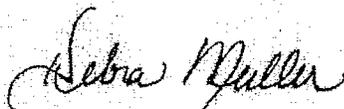
Changes to the Ethnic Intimidation Act – now called the Michigan Anti Bias Crime Statute, include sentencing enhancements for individuals found in violation of the statute as well as protections for the free speech rights of all persons. Additionally, the Michigan Anti Bias Crime Statute incorporates groups that are often the targets of bias crimes such as crimes motivated by disability, gender, sexual orientation and veteran status.

The positive changes proposed by this legislation will provide Michigan citizens with protection against acts that affect victims, and spread the poison of hate throughout communities. The Michigan Anti Bias Crime Statute has broad support in civil rights and law enforcement communities and would provide the tools to fight and prosecute criminals who seek to demoralize and divide our community for no purpose other than hate, bias, intimidation and violence.

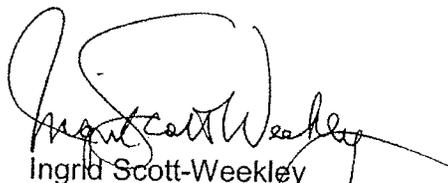
Please share our correspondence and support of this bill with the members of your committee as you discuss these vital changes.

Thank you.

Sincerely,



Debra K. Muller
Community Relations Commission Chair
City of Grand Rapids
300 Monroe NW, Suite 840
Grand Rapids, MI 49503
(616) 456-3027



Ingrid Scott-Weekley
Equal Opportunity Director
City of Grand Rapids
300 Monroe NW, Suite 840
Grand Rapids, MI 49503
(616) 456-3027



JENNIFER M.
GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF CIVIL RIGHTS
ADVISORY COUNCIL ON ASIAN PACIFIC AMERICAN
AFFAIRS

H. SOOK WILKINSON,
PH.D.
CHAIR

May 11, 2009

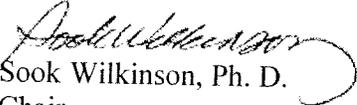
Daniel Levy
Chief Legal Officer
Michigan Department of Civil Rights
3054 W. Grand Blvd., Suite 3-600
Detroit, MI 48202

Dear Mr. Levy:

The Advisory Council on Asian Pacific American Affairs supports the passage of the Anti-Bias Crime bill, HB 4836.

The Advisory Council supports the bill and the inclusion of people with disabilities, and those who are victims because of a different gender preference, to come within the coverage of the Hate Crime Enhancement Act.

Sincerely,


Sook Wilkinson, Ph. D.
Chair



May 11, 2009

Representative Mark Meadows
Chair
House Judiciary Committee

Dear Representative Meadows:

The most basic of human rights is the expectation of safety – safety to live, work and be part of a community. This human right is not reality for many in our state who become victims of crime because of their race, religion, disability or sexual orientation.

The Michigan House again will be considering the Michigan Anti Bias Crime-HB 4836. This legislation addresses bias motivated crime, enhancing the current Michigan hate crime law, while making it easier for law enforcement officers and prosecutors to enforce the law.

The bill would change current law in a number of important ways. It adds disability and sexual orientation to the list of groups whose long experience with bias would qualify for hate crime. It places the focus on motive, so that someone who targets a particular group for a crime can be charged whether it turns out that the victim was actually a member of the targeted group or not. It applies to victims selected for associating with a targeted group – for instance, whites working with African Americans for civil rights if attacked by the Klan. Civil penalties would remain independent of criminal charges so a victim can sue regardless of what police and prosecutors decide. It covers crimes against both private and public property and recognizes hateful symbols (like a noose) as

altering property even if no physical property damage results and allows appropriate charges.

For those who believe this legislation is not necessary, it is important to look at the facts. Michigan has the third highest number of reported hate crimes in the country according to the Federal Bureau of Investigations and is the most segregated state in the country according to the U. S. Census Bureau. These startling statistics illuminate the need for stronger enforcement of the law.

Bias motivated crime also has extensive economic repercussions. Diversity and inclusion are more important than ever to succeed in today's new economy. Our state is experiencing a critical transition, moving from a factory based economy to a knowledge based economy. We must retain and attract young, educated people from all walks of life from around the world to become prosperous once again. Assurance that they will be protected from hate crimes regardless of their national origin, religion, race, disability or sexual orientation will help those individuals.

The purpose of the Michigan Anti Bias Crime Statute is to unite Michigan communities against those who seek to divide. Support for it does not endorse a particular lifestyle choice, any more than support for anti-bias legislation involving religion constitutes support for any one denomination or belief. It allows people the right to feel safe and not be concerned they will be harmed because of their race, religion, disability or sexual orientation. It is a step toward building inclusive and economically successful communities.

The Michigan Roundtable supports the adoption of HB 4836.

Sincerely,

A handwritten signature in cursive script that reads "Thomas Costello".

Thomas Costello
President and CEO

Letters supporting last session's

identically worded

HB 6341



1232 Turner Street
Lansing, MI 48906
517.485.4283
517.485.4303 fax
www.iloveoldtown.org

OTCA Board Members

Aaron Matthews, President
Clark Hill PLL

Summer Schriener, Vice President
Grace

Cecilia Garcia, Secretary
Mama Bear's Café

Brandon Sanders, Treasurer
Lana Wagner & Co.

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Development Corporation

Lauren Ciesa
Ciesa Design

Ross Yednock
Community Economic Development
Association of Michigan

Jennifer Estill
Redhead Design Studio

Amanda Hightree
Sierra Club Mackinac Chapter

Lynne Brown
Media Graphics, Inc.

Representative Paul Condino
Michigan House of Representatives
Judiciary Committee Chair
N0799 House Office Building
Lansing Mi, 48909

November 11, 2008

Representative Condino:

I am writing in reference to and support of HB-6341. The Old Town community is a community welcoming of all types of people, regardless of their age, race, gender or orientation. We have a great mix of people with all types of backgrounds and are known to be a welcoming area.

Earlier this year, Old Town fell victim to homophobic graffiti. The message "kill gays" and "kg" was spray painted with bright orange paint on twelve Old Town buildings, eleven of which were owned by straight business/property owners. This brought negative media to Old Town, a district that has struggled to fight a perception of high crime. Businesses and property owners were forced to take the time and effort to quickly remove and paint over the negative message. Two Old Town volunteers quickly stepped up to help remove the paint from both naked and painted brick walls, doors, signs and other areas. These volunteers were not gay, but saw this as an attack on the entire Old Town community and wanted to quickly do what they could to improve the situation. As I previously mentioned, the vast majority of the affected business/property owners were not gay, but were tremendously negatively impacted by this crime.

Old Town takes this issue to heart. We have had issues with gang graffiti in the past. That gang graffiti, however, did not spell out a specific message of hate directed at one group of people. Though this spring's graffiti was directed at one particular group of people, the homophobic and violent message negatively impacted the entire community. All businesses suffered because of the attack directed at the gay community. That the waitresses in the restaurants were not gay, made no impact on the fact that the homophobic graffiti kept customers away. Put simply, the anti-gay graffiti had even more financial impact on the straight Old Town business owners and employees than it did on the gay business owners and employees.

Following the graffiti incident, the entire Old Town community was astounded that the punishment was no different than if the graffiti stated "I love Old Town" or "Go State." Because of the above reasons, I highly encourage you to pass HB-6341.

Please do not hesitate to contact me at 517.485.4283 with any questions.

Sincerely,

Jamie Schriener-Hooper



Mission Statement:
To facilitate the socioeconomic development
of Lansing's Old Town area through the promotion of
historic preservation, business recruitment and community outreach.

ACCESS

Arab Community Center for Economic and Social Services

المركز العربي للخدمات الاقتصادية والاجتماعية

Dear Members of the House Judiciary Committee:

I am writing on behalf of ACCESS and our organization's support of HB6341. As a non-profit human service organization, we are committed to the basic principles of civil rights and social justice. ACCESS is in full support of the Michigan Anti-Bias Crime Act, HB6341, and encourages the House members of the Judiciary committee to pass this bill.

Thank You,



Hassan Jaber
Executive Director

www.accesscommunity.org

Main Office
2651 Saulino Court
Dearborn, MI 48120
(313) 842-7010
Fax: (313) 842-5150

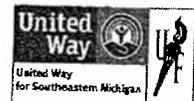
**One-Stop Employment
& Human Services Center**
6451 Schaefer Road
Dearborn, MI 48126
(313) 945-8380
Fax 1: (313) 624-9418
Fax 2: (313) 624-9417
Fax 3: (313) 846-4713

National Outreach Office
2601 Saulino Court
Dearborn, MI 48120
(313) 843-2844
Fax: (313) 843-0097

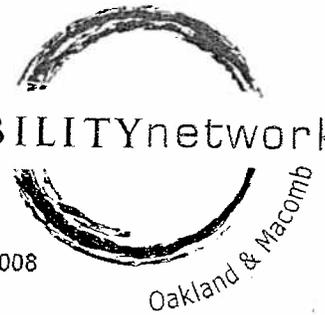
**Community Health
& Research Center**
6450 Maple Street
Dearborn, MI 48126
(313) 216-2200
Fax: (313) 584-3622

Hamtramck Center
8625 Joseph Campau
Hamtramck, MI 48212
(313) 871-2612
Fax: (313) 871-2641

**Arab American
National Museum**
13624 Michigan Avenue
Dearborn, MI 48126
(313) 582-2266
Fax: (313) 582-1086



DISABILITYnetwork



Ms. Jazmine Steele
3054 W. Grand Boulevard, Suite 3-600
Detroit, MI 48082

September 2nd, 2008

I am the Access Advocacy Specialist of Disability Network Oakland & Macomb. As an advocate for people with disabilities (both voluntarily and professionally for the past 18 years) I can not think of anything more critical than protecting citizens who live with disabilities from being victimized. I have heard hundreds of stories of hate crimes toward people with disabilities occurring over the years. It continues simply because there really is no 'stop gap' in place to prevent it other than educational efforts to spread awareness. It's not enough!

Here at Disability Network Oakland & Macomb, we offer 'Information & referral, Independent Living Skills, Peer Support, Student Centered Transition, Nursing Home Transition, Empowerment Training and Advocacy based on the rights given to people with disabilities by laws like the ADA, The Rehabilitation Act, Fair Housing etc. But when someone comes to us with a story of how they or their entire family is being targeted because of a disability, there is little more we can offer other than to ask the family to report it to the police. Please give us this ammunition too!

We support the proposed Hate Crime legislation HB 6341. We know that hate crimes occur every day toward people who are unable to defend themselves. We know that people with disabilities are often the target of hate crimes simply because they can appear vulnerable and are viewed as easy prey.

I and the staff @ Disability Network Oakland & Macomb agree with this proposed legislation.

Sincerely,

Dorothea A. Bawks
Access Advocacy Specialist
Disability Network Oakland & Macomb
16645 15 Mile Road
Clinton Township, MI 48035
586 268 4160
www.dnom.org
NAMI Metro Board Trustee

16645 15 Mile Road | T 586-268-4160
Clinton Township, MI 48035 | F 586-285-9942

B'NAI B'RITH  INTERNATIONAL

Great Lakes Region

September 2, 2008

The Honorable Paul Condino, Chairman
The Honorable Andy Coulouris, Majority Vice-Chair
The Honorable Tonya Schuitmaker, Minority Vice-Chair
House Judiciary Committee
P.O. Box 30014
Lansing, MI 48909-7514

Dear Honorable Members of the Michigan House Judiciary Committee:

The Great Lakes Region of B'nai B'rith International (BBI) strongly supports a revision of the Michigan Anti-Bias Crime Statute as proposed in House Bill 6341.

The Great Lakes Region is Michigan's presence of B'nai B'rith International (BBI), the global voice of the Jewish community. BBI -- the most widely known Jewish humanitarian, human rights, and advocacy organization -- has a long and distinguished history of promoting tolerance and encouraging diversity. Our actions and advocacy promote these issues in world bodies, including the United Nations, the Organization for Security and Cooperation in Europe, and the Organization of American States. In the United States, tolerance and diversity are key goals of our congressional agenda and educational and community programs.

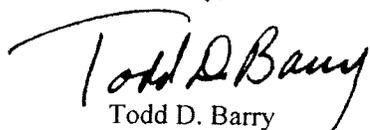
It is important that our legal system provides the option of enhancing penalties for bias-motivated crimes. Effective hate crimes legislation is an important tool in protecting the rights of all people to be free from bias-motivated crime and it promotes an inclusive and civil society critical to the social and economic well-being of all of Michigan's citizens.

Not only do accessible hate crimes laws have a deterrent effect, it makes it clear that such crimes impose a special dimension of harm on its direct victim as well as the community the perpetrator(s) target. Additionally, events in Michigan have demonstrated a compelling need for improving our current law. The FBI reports that Michigan has the third-highest number of reported hate crimes in the country, and it is widely recognized that hate-crimes are often significantly underreported.

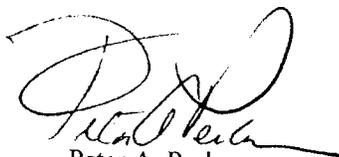
The addition of sexual orientation, gender identity and expression of gender are, unfortunately, necessary and overdue additions to the law given the targeting of these groups. The addition of disability fills a gap in the legislative protection extended to the disabled.

B'nai B'rith is committed to assisting and supporting passage of this legislation as well as helping educate the community on its desirability and necessity. We look forward to working with you to this end.

Sincerely,



Todd D. Barry
Community Relations Chair



Peter A. Perlman
Regional President



Donald H. Cohen
Regional Director

6735 Telegraph Road, Suite 304, Bloomfield Hills, Michigan 48301

Phone: 248-646-3100 866-509-4033 Fax: 248-646-0020 www.bnaibrith.org

american citizens for justice, inc. | asian american center for justice
P O Box 851163, Westland, Michigan 48185
248-347-1663

November 14, 2008

Daniel Levy
Chief Legal Officer
Michigan Department of Civil Rights
3054 W. Grand Blvd., Suite 3-600
Detroit, MI 48202

Re: MI-ABCs Bills

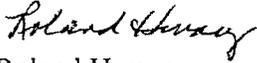
American Citizens for Justice fully supports passage of the Michigan Anti Bias Crime Statute bills, HB 6340 and 6341.

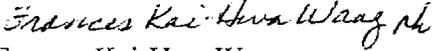
ACJ believes everyone's civil rights are best protected by providing those rights to all people who are subjected to discrimination and intolerance.

American Citizens for Justice is a 501(C)(3) civil rights organization that focuses on civil rights for the Asian American community. ACJ began with the Vincent Chin baseball bat beating death case in 1983, and continues to be involved in civil rights advocacy, court watching, and education.

Let us know when and how ACJ can be of support for passage of MI ABCs.

Sincerely,


Roland Hwang
President


Frances Kai-Hwa Wang
Executive Director