

## Testimony in Support of HB 4836 Bias-Motivated Crimes

Definition of hate crime according to Michigan Incident Crime Reporting: Hate crime is a criminal offense committed against a person or property which is motivated in whole or in part by the offender's bias against a race/national origin, religion, sexual-orientation, mental/physical disability or ethnicity.

Bias-motivated crimes act as an assault upon the personhood of an individual. Because they are solely motivated based on a characteristic a victim has, it has far reaching effects beyond that of the criminal offense.

This bill echoes a current ethnic intimidation bill, but this bill adds 5 new characteristics (most of which are already protected under federal law (MCL 740.147b). Thus, this bill is just a matter of Michigan staying up to date since not only people of different ethnicity are affected by hate crimes.

- (A) DISABILITY.
- (B) GENDER, GENDER IDENTITY, OR EXPRESSION OF GENDER.
- (C) NATIONAL ORIGIN OR ANCESTRY.
- (D) RACE, COLOR, OR ETHNICITY.
- (E) RELIGION.
- (F) SEXUAL ORIENTATION.
- (G) STATUS AS A VETERAN.

This bill takes care of the loopholes other bills have struggled to cover.

According to the Detroit Free Press

(<https://www.freep.com/story/news/local/michigan/2017/12/10/hate-crimes-michigan/886779001/0.>), Michigan has the fourth-highest number of hate crimes in the U.S. (The order being: 1. California, 2. New York, 3. Ohio, 4. Michigan, and 5. Massachusetts).

Furthermore, this bill is consistent with the First Amendment rights, according to the Anti-Defamation League (<https://www.adl.org/sites/default/files/documents/assets/pdf/combating-hate/Hate-Crimes-Law-The-ADL-Approach.pdf>). Quote taken from site: "The First Amendment does not protect violence – and it does not prevent the government from imposing criminal penalties for violent discriminatory conduct directed against victims on the basis of their personal characteristics. Hate crime laws do not punish speech. Americans are free to think and believe whatever they want. It is only when an individual commits a crime because of those biased beliefs and intentionally targets another for violence or vandalism that a hate crime statute can be triggered."