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DEPARTMENT OF CIVIL RIGHTS  
EXECUTIVE

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## **MDCR Statement Regarding MI-ABCs Legislation Amending Michigan Bias Crime Laws**

**Lansing** - Today, a representative of the Michigan Department of Civil Rights read an excerpt of the below statement at a House Judiciary hearing regarding the proposed legislation to amend Michigan's Bias Crimes Statute. The statement was read on behalf of Department Director Kelvin W. Scott in support of the legislation.

“What is this legislation all about?”

This legislation, giving Michigan a strong, clear, anti bias motivated crime statute is about Michigan standing together against those who wish to divide us.

This legislation is about giving law enforcement the tools they need to protect our communities. Michigan must recognize that a person who commits a hate crime often thinks, or at least pretends, that they are speaking for others – this legislation is about saying they do not speak for Michigan.

Michigan must recognize that a victim of a hate crime often feels like they are alone, isolated from a community that doesn't care – this legislation is about saying you are not alone, Michigan cares.

Michigan must recognize that a community that doesn't respond to a hate crime can be perceived as agreeing with the hateful message the crime was meant to send – this legislation is about stating that in Michigan communities there is no room for people who commit crimes of hate.

This legislation is not about punishing speech – it is about punishing criminal motive. This legislation makes it clear that no person can ever be prosecuted for what they believe, or what they say. If, and only if, they commit a crime like assault or property destruction, what they say can be evidence of their criminal motivation.

This legislation is not about protecting someone because he or she is gay – it is about recognizing that people who are gay are being victimized by hate crimes in ever increasing numbers. This legislation is about recognizing that the rising number of anti-gay hate crimes may in part be because our failure to denounce such criminal conduct is seen by some as our collective agreement that such crimes are somehow justifiable. This legislation is about drawing a proverbial line in the sand and saying that in Michigan we have no tolerance for those who commit crimes intended to divide Michigianians.

This legislation is not just about protecting individual victims – it is about protecting our Michigan communities and our Michigan businesses from the harm that results when bias motivated crimes are not properly responded to.

This legislation recognizes that even something as despicable as hanging a noose or burning a cross can be protected free speech, if it is done on one's own property – but that when it is done on someone else's property, and with the criminal intent to intimidate that person, it is a crime. Most importantly, this legislation recognizes that determining whether hanging a noose from a neighbor's tree in a particular situation is or is not a crime should depend on the prosecution's ability to prove criminal intent – and not upon whether hanging the noose caused property damage to the tree's bark.

This legislation does not limit our discussions about the important social issues of the day, nor our ability to express pride in who we are and what we believe – it seeks only to punish criminal conduct, and even then only when the criminal conduct is intended to disrupt and divide.

This law does not protect Muslims, or Christians, or Jews. It does not protect gays, or straights, or blacks, or whites. This legislation protects Michigan communities from those who commit crimes intended to divide us.

This legislation will not limit anyone's right to believe, to speak, or to preach. It will not prevent anyone from supporting or opposing other groups or lifestyles. It will only effect, and it should only be opposed by, those who wish to reserve a 'right' to commit crimes – who think their views justify criminal conduct directed at others simply because "the others" view things differently.

This legislation is not partisan – and it should not become partisan. It is pro law enforcement, pro community, pro business, pro liberty, pro free speech, pro religious freedom, and pro public safety. It is anti crime, and in particular anti bias motivated crime. It provides Michigan law enforcement with the tools they need, and it provides Michigan communities with the protections they deserve. It should be passed, and it should be passed unanimously."

*For more information on the Michigan Department of Civil Rights, visit <http://www.michigan.gov/mdcr>.*

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