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Make
Counsel

THE WHITE HOUSE

WASHINGTON

Martha's Vineyard

August 26, 1999

Hillary and I join all those gathered in expressing our deepest sympathy to the family and friends of Joseph Iletto and in praying for their strength and comfort.

This event is a powerful and moving response by the Asian Pacific American community to the violence that ended the life of Joseph Iletto. During the past year, Americans have been shaken by similar violent acts that struck at the heart of what it means to be an American and at the values that define us as a nation. Now is the time for us to take strong and decisive action to fight hate crimes, and I have pledged to work with Congress to pass the Hate Crimes Prevention Act. I know you stand with me in this effort.

It is also more important than ever that we strive to teach our young people to have tolerance and respect for one another and to understand that the more we appreciate one another's diversity, the more we reaffirm the fundamental values that we have in common. I thank each of you for raising your voice against hatred and intolerance and for reminding your fellow Americans that our diversity is not a cause for division but instead is one of our nation's greatest strengths.

Hillary and I are keeping the Iletto family and all those who have been touched by this tragedy in our thoughts and prayers. We hope you will be sustained by the knowledge that, even as we grieve together, we also are recommitting ourselves to do everything possible to prevent another such tragedy.

Bill Clinton

THE WHITE HOUSE

Office of the Vice President

For Immediate Release
Thursday, August 26, 1999

Contact:
(202) 456-7035

STATEMENT BY THE VICE PRESIDENT

Tipper and I offer our thoughts and prayers in remembrance of Joseph Ileto, to his family, to his friends, and to every American who shares our sense of outrage at this senseless killing. As we seek to understand the terrible nature of this crime – an act of violence motivated by hate – we must renew our commitment as a nation to end racial hatred and send a clear message to all who would commit these horrible crimes. We will not tolerate it.

Last year more than 8,000 hate crime incidents were reported in the United States – almost one an hour. That is unacceptable. America is too great a country to allow these crimes to go unpunished. We must pass strong legislation that will send a strong message to all who would attack others simply because they are different: Don't do it. It is wrong, it is illegal, and if you do commit these terrible crimes, we will find you, and punish you to the full force of our laws. Together we can practice, and teach a different way of life – one in which we celebrate our diversity and value tolerance.

We must never allow ourselves to forget Joseph Ileto or others who have lost their lives as a result of racial hatred. We must teach our children and let those lessons be reminders to us all of the strength our nation draws from the diversity of its people and the tolerance and understanding that must be part of our daily lives.

Today, we offer our condolences to the family of Joseph Ileto, and in mourning his passing, look forward to a time when hate crime no longer steal lives or leave a single family in pain.

Statement from First Lady Hillary Rodham Clinton
National Day of Mourning and Protest of the Los Angeles Hate Killing
August 26, 1999

I want to commend all of you gathered tonight to honor U.S. postal worker Joseph Ileto and the other victims of the shootings that took place in Los Angeles on August 10. People all over our country have expressed their outrage at these senseless tragedies – and our thoughts and prayers are with all the victims and their families.

As a nation, we simply cannot tolerate hate crimes and gun violence. Americans should never be the target of hatred because of who they are, or where they worship, or where they were born. And children should never have to worry about the gun violence that too often plagues our schools, our homes and our communities.

We must always remember that our differences – be they race or religion, gender or sexual orientation – will never be stronger than the common humanity that unites us all. It is my hope that the collective sadness and anger that we all feel as a result of these crimes will motivate us to address the scourge of gun violence and hate crimes in America. And when we do, it will be because citizens like you stood up, spoke out and led the way.

2ND STORY of Level 1 printed in FULL format.

The Associated Press State & Local Wire

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August 18, 1999, Wednesday, PM cycle

SECTION: State and Regional

LENGTH: 461 words

HEADLINE: Following attacks, Jewish communities across the U.S. focus on security

BYLINE: KATHERINE ROTH, Associated Press Writer

DATELINE: NEW YORK

BODY:

Following a spate of anti-Semitic attacks, thoughts in Jewish communities across the nation have turned to security.

"In a period of two months, crisscrossing the country, a new intensity and new level of anti-Semitism has greeted the Jewish community," said Abraham Foxman, national director of the Anti-Defamation League, who said he had spoken with dozens of community leaders concerned about security.

He cited recent shootings of Jews in Chicago and Los Angeles and arson attacks on synagogues in Sacramento and, last weekend, in Hauppauge, on Long Island.

"What I think is necessary is an awareness rather than making the community into bunkers, into armed fortresses," Foxman said. "It will take that delicate balance."

"We will explore fears and concerns and at the same time reassure the community that the American experience of religious liberty and tolerance will continue to be unlike any other place in the history of the Jewish community."

Barry Swartz, director of regions for United Jewish Communities, said the Jewish community across the country already had emergency procedures in place. What is needed is not to start from scratch, but to review existing security procedures, he added.

But he said there were hundreds of Jewish communities with populations of less than 1,000 people, which often are isolated with a synagogue or synagogues as the sole community institution and are most in need of security advice.

"Our concerns are for the 500 smaller Jewish communities that are not in large metropolitan areas ... for the dentist living in a small community in

Handwritten notes:
J. Ma
Mark
G. [unclear]

Advocates

The Associated Press State & Local Wire, August 18, 1999

Florida or Mississippi or Louisiana who may not have the expertise necessary to take whatever prudent measures are necessary," he said.

To help reach out to more isolated Jewish communities, a conference via computer was held Tuesday with thousands of Jewish leaders from across the country and with local and federal law enforcement officials.

The Anti-Defamation League and United Jewish Communities - combining the Council of Jewish Federations, United Jewish Appeal, and United Israel Appeal - were sponsoring a series of regional security seminars for synagogues, community centers and other institutions.

Swartz said funding was available for enhanced security through community endowment funds and Jewish agencies and federations.

He and Foxman added that Jewish communities would join together to support a hate crimes prevention act and stronger gun control legislation.

"I think these (bias) incidents are a wake up call to America and the community that there is a disease, there's a virus, that sometimes flares up. We're in a flare-up stage," Foxman said. "Part of a responsible community is, now that it's happened, to deal with it seriously."

LANGUAGE: ENGLISH

LOAD-DATE: August 18, 1999

4TH STORY of Level 1 printed in FULL format.

Copyright 1999 Bergen Record Corp.
The Record (Bergen County, NJ)

August 18, 1999, WEDNESDAY; ALL EDITIONS

SECTION: NEWS; Pg. L1

LENGTH: 712 words

HEADLINE: GUARDING SYNAGOGUES AGAINST ATTACKS ;
JEWISHLEADERS, POLICE TAKE PRECAUTIONS

BYLINE: LISA GOODNIGHT, Staff Writer

BODY:

Area police are responding to a recent spate of antisemitic attacks by increasing their presence around temples and other Jewish institutions, and religious and civic leaders are uniting to discuss safety issues and denounce bigotry.

The latest meeting, scheduled for Thursday, was called by Bergen County Executive William "Pat" Schuber, who has invited dozens of Jewish leaders from Bergen County to discuss security concerns.

"It's to show that the people of Bergen County stand in solidarity against hate crimes and bias crimes. We don't want these things to happen here," Schuber said.

On Tuesday, the Jewish Community Relations Council in River Edge took part in a nationwide satellite conference with the FBI informing thousands of Jewish leaders from across the country of security tips in light of the recent shooting at a Jewish center in Los Angeles and the torching of a synagogue on Long Island.

"We're trying to take a proactive stance in making sure the community's concerns are addressed by having these meetings. We're trying to alleviate people's fears," said Joy Kurland, director of the Jewish Community Relations Council. "The Jewish holidays are coming up; we want to make sure our synagogues are secure."

That's the top concern of police, too.

"We're doing closer physical monitoring of the temples in light of the recent events," said Teaneck police Lt. Norman Levine. "We're paying closer attention to details."

Officials are also asking for the public's help.

"I call upon anyone in Teaneck or anyone in Bergen County to get

right on the phone and dial 911 immediately if they see something suspicious. The public has to be the eyes and the ears for the Police Department,"said Teaneck Mayor Paul Ostrow, who recently rode along with police to observe the increased security measures.

Ostrow said some synagogues in the township have asked police to review their security procedures since the recent incidents.

Teaneck isn't alone in its vigilance. Hackensack, Fair Lawn, and Bergen County police are among those in law enforcement keeping a close eye on temples and other buildings used by the Jewish community.

"We've stepped up our patrols in the areas of all our temples and for our day camps,"said Fair Lawn Police Chief Rodman Marshall."We are trying to display a rather high profile."

In Englewood, police are expected to meet with Jewish leaders in the coming weeks.

The Anti-Defamation League and United Jewish Communities, combining the Council of Jewish Federations, United Jewish Appeal, and United Israel Appeal, is also sponsoring a series of regional security seminars for synagogues, community centers, and other institutions.

Charles"Shai"Goldstein, regional director with the state's Anti-Defamation League, said he's not aware of any recent attacks against Jewish organizations in New Jersey since the incident in Los Angeles on Aug. 10, when a self-proclaimed white supremacist opened fired in a Jewish community center and later killed a postal worker.

"Buford O'Neal Furrow, the vicious bigot and murderer, wanted his antisemitic and racist shooting spree to be a wake-up call to kill the Jews. Our hope and prayer is that it will be a wake-up call to end bigotry and to utilize all appropriate law enforcement, educational, and legislative resources available to end violence and bigotry,"Goldstein said.

He offered his condolences to the victims and their families.

"This is a national issue and as such we need to review all our gun control laws. There must be a strong federal anti-hate-crime statute based on the New Jersey model."

New Jersey's bias crimes statute allows for longer prison terms for crimes motivated by racial, ethnic, religious, or sexual bias.

"I think the police are doing the best they can,"said Teaneck Rabbi Kenneth Berger."Somebody who is intent on committing a crime will find a way to do it."

But he cautioned against overreaction.

"You don't want to live in a fortress but you have to take precautions,"Berger said."There are synagogues in Europe where they

have an armed guard outside. We don't want to have to live like that in America."

LANGUAGE: English

LOAD-DATE: August 18, 1999

6TH STORY of Level 1 printed in FULL format.

Copyright 1999 Daily News, L.P.
Daily News (New York)

August 17, 1999, Tuesday

SECTION: Suburban; Pg. 6

LENGTH: 559 words

HEADLINE: TEMPLE FIRE CALLED BIAS CRIME 11G OFFERED FOR SUFFOLK CASE INFO

BYLINE: By ROBERT GEARTY DAILY NEWS STAFF WRITER

BODY:

A fire that caused extensive damage to an office in a Hauppauge synagogue has been declared a bias crime by Suffolk police, who announced yesterday that \$ 11,000 in reward money has been posted for information leading to a suspect.

Detective Sgt. Robert Reecks, commanding officer of the bias crime unit, said the blaze at Temple Beth Chai on Town Line Road early Sunday was not ignited by a firebomb, contrary to some published reports.

"It was not a firebomb, not a device," said Reecks at a press conference at Police Headquarters in Yaphank. "An accelerant was introduced into the office and set ablaze."

Reecks said the police lab would conduct tests to determine if the accelerant used was gasoline or some other flammable material.

The reward money for information leading to an arrest comes from several sources. Crime Stoppers posted \$ 1,000. The Suffolk Arson Task Force announced it was offering \$ 5,000, and rabbis from five Long Island temples also put up \$ 5,000.

Reecks said detectives spent yesterday recanvassing the neighborhood around the synagogue in a hunt for leads.

He said police had no suspects.

The sergeant also said police were not treating the crime as a copycat incident connected to last week's shooting at a Los Angeles Jewish community center by an anti-Semitic white supremacist.

Police in Suffolk and Nassau counties had stepped up patrols around Jewish institutions in the wake of the Los Angeles incident.

"While we can all pretty much say that it was a copycat, we're not treating it as a copycat," he said.

"We're not looking into what happened out West as a connection with this particular fire."

Daily News (New York) August 17, 1999, Tuesday

Reecks also said there were no anti-Semitic writings found at the scene, and there had been no calls claiming responsibility.

Police said the fire broke out in the basement of the synagogue shortly before 3 a.m. Sunday. The synagogue's burglar alarm went off, and 50 seconds later the fire alarm sounded.

Investigators said the window to the office had been kicked in or broken. The office is located just below the sanctuary, which was not damaged.

The fire was quickly brought under control by the Hauppauge Fire Department.

Temple Beth Chai held services Saturday that ended around noon.

According to Rabbi Laurence Bazer, the synagogue was founded 27 years ago and has a congregation of 160 families. He said there never had been a bias incident at the synagogue before.

"What most of our congregation is feeling is the outrage, the sense of violation, the deep anger that our house . . . has been hurt," said Bazer.

The synagogue is located next to Calvary Lutheran Church. After services Sunday, members of the church walked ~~over to the~~ synagogue to offer their support.

There also was an outpouring of support for Temple Beth Chai from other members of the community who jammed a special service at the synagogue Sunday night.

"We are comforted by the fact that the community has rallied tremendously around us," said Barry Cohen, president of the congregation at Temple Beth Chai.

He also said the incident would not prevent the congregation from moving forward.

"The deed is done, the deed will not frighten us," Cohen said. "We will not allow them to stop us from doing the things we need to do to continue to be the center of Judaism in Hauppauge."

LOAD-DATE: August 17, 1999

Richard Socarides 08/25/99 05:35:08 PM

hate crimes

Record Type: Record

To: Edward W. Correia/WHO/EOP@EOP, Thomas L. Freedman/OPD/EOP@EOP, Mary L. Smith/OPD/EOP@EOP, Caroline R. Fredrickson/WHO/EOP@EOP

cc:

Subject: hate crimes

----- Forwarded by Richard Socarides/WHO/EOP on 08/25/99 05:34 PM -----


Maria Echaveste

08/25/99 05:27:21 PM

Record Type: Record

To: Mary E. Cahill/WHO/EOP@EOP, Richard Socarides/WHO/EOP@EOP, Loretta M. Ucelli/WHO/EOP@EOP

cc: James E. Kennedy/WHO/EOP@EOP, Barry J. Toiv/WHO/EOP@EOP

Subject: hate crimes

why don't we talk to me about this request--seems to me we could use this to push our hate crimes legislation--but also talk about one america, etc.--what do you think?

----- Forwarded by Maria Echaveste/WHO/EOP on 08/25/99 05:24 PM -----



"Arce, Rose " <Rose.Arce@turner.com>

08/25/99 03:34:08 PM

Record Type: Record

To: Maria Echaveste/WHO/EOP

cc: "Hinojosa, Maria " <Maria.Hinojosa@turner.com>

Subject: hate crimes

hi there happy one.

we're doing a hate crimes series. who is the best clinton administration person to talk to about hate crimes.. not just about the bill necessarily but also about why hate crimes seem to becoming more violent, etc. tu!!!

here are the three stories i'm looking at:

1- Why would a member of one minority group commit a bias-motivated attack against another minority? The National Council of La Raza, in its annual work on hate crimes, issued a unique appeal to its own community to ask itself why Latinos, so often the victims of hate crimes, seem to increasingly be the perpetrators. We speak to both a Latino victim and a perpetrator -- as well as those who study and prosecute hate crimes - to demonstrate the damage this kind of victimization does to a community and explore the complicated motives of minorities who are hate crimes perpetrators .

2-Hate crimes are becoming increasingly violent even as crime statistics are reflecting significant declines in overall hate-motivated violence and crime in general. While FBI hate crime statistics have been notoriously bad at tracking these crimes, organizations that fight bias say there is unavoidable evidence that the nature of these attacks are not just aberrations and that the face of Hate Crimes has become more violent and more broadbased. The ADL and Southern Poverty Law Center point to the Sacramento synagogue torching (potentially by the same perpetrator who killed a gay couple), the shooting at the L.A. day care center (where a Filipino also died), the sabbath shooting in Chicago (where black coach Ricky Birdsong died). The result is that a range of minority communities -- from Filipinos to Jews to Latinos and Gays and Blacks -- are coming together as they never have, startled by the surge, fighting to draw attention to these crimes

3 - Gays are 4 times more likely to be the victims of a violent bias-motivated crime than blacks, jews, latinos, etc., and the types of crimes have become increasingly more violent -- 14 murders in 1997 to 33 murders in 1998 even as the nation's overall murder rate declined dramatically. The recent incidents include not just the high profile cases, like Matthew Shepherd and Billy Jack Gaither -- but two women marched into the dessert near L.A. and shot to death execution style, a Rochester, New York man beaten to death before a dozen witnesses, a St. Louis college student (there are 56 assaults in St. Louis alone) killed when he was run over by a car after being taunted with anti-gay slurs.

Total Pages: _____

LRM ID: REJ166

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
Washington, D.C. 20503-0001

Friday, September 10, 1999

LEGISLATIVE REFERRAL MEMORANDUM *Make sure*

TO: Legislative Liaison Officer - See Distribution below

FROM: Richard E. Green (for) Assistant Director for Legislative Reference *RJ for RS*
OMB CONTACT: Ronald E. Jones
E-Mail: Ronald_E._Jones@omb.eop.gov
PHONE: (202)395-3386 FAX: (202)395-3109

SUBJECT: JUSTICE Testimony on Hate Crimes and the Internet

DEADLINE: 10:00 AM -- see comments below Monday, September 13, 1999

In accordance with OMB Circular A-19, OMB requests the views of your agency on the above subject before advising on its relationship to the program of the President. **Please advise us if this item will affect direct spending or receipts for purposes of the "Pay-As-You-Go" provisions of Title XIII of the Omnibus Budget Reconciliation Act of 1990.**

COMMENTS: Unless I hear otherwise by 10 AM Monday, 9/13, I will assume you have no objection to the proposed testimony.

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EDUCATION, OR NEW TECHNOLOGY SUCH AS FILTERING DEVICES. INTERNET SERVICE PROVIDERS, CIVIL RIGHTS ORGANIZATIONS, FEDERAL AND LOCAL INVESTIGATIVE AND PROSECUTIVE AUTHORITIES, AND STATE AND FEDERAL LEGISLATORS MUST ALL PLAY A ROLE IN COUNTERING THE HATE MONGERS ON THE INTERNET. IT IS ONLY BY WORKING TOGETHER THAT WE CAN SUCCESSFULLY COMBAT THOSE WHO WOULD USE THE INTERNET TO SPREAD THEIR MESSAGE OF HATE AND FEAR AND TO ENSURE A CYBERSPACE CONSISTENT WITH A WORLD VIEW OF RACIAL AND RELIGIOUS TOLERANCE.

PROSECUTIONS ALSO DEMANDS THAT FEDERAL INVESTIGATORS AND PROSECUTORS ASSUME AN ACTIVE ROLE IN BRINGING HATE CRIMINALS TO JUSTICE FOR SEVERAL REASONS. FIRST, OFTENTIMES, AS WITH THE CAL STATE LOS ANGELES CASE, THE SENDER TRANSMITS HATE MAIL ACROSS STATE LINES TO VICTIMS THROUGHOUT THE COUNTRY. SECOND, INVESTIGATORS MUST HAVE EXPERTISE IN COMPUTER CRIMES AND SUFFICIENT RESOURCES IN ORDER TO TRACK THE SENDER OF THE ELECTRONIC TRANSMISSIONS AND RECAPTURE ANY SIMILAR MESSAGES SENT FROM THE SENDER'S COMPUTER -- THE FBI, FOR EXAMPLE, HAS THE EXPERTISE IN ITS COMPUTER CRIMES UNITS. FINALLY, AS WITH BOTH THE UC IRVINE AND CAL STATE CASES, IN ORDER TO OBTAIN LOCATOR INFORMATION ABOUT THE SENDER AND POTENTIAL VICTIMS, ONE MUST HAVE THE CAPABILITY TO SUBPOENA INTERNET SERVICE PROVIDERS - QUITE OFTEN THOSE PROVIDERS RESIDE OUTSIDE THE STATE IN WHICH THE TRANSMISSION ORIGINATED. ACCORDINGLY, THE FEDERAL GOVERNMENT MUST PLAY A ROLE IN INVESTIGATING AND PROSECUTING CYBERSPACE HATE CRIMES.

OF COURSE, BECAUSE MUCH OF THE ELECTRONICALLY TRANSMITTED HATE, WHILE DESPICABLE, MAY BE PROTECTED BY THE FIRST AMENDMENT, CRIMINAL PROSECUTION CANNOT ALWAYS PROVIDE THE ANSWER. FOR THAT REASON, IT IS ESSENTIAL THAT OTHER METHODS TO COMBAT THE SPREAD OF HATE ON THE INTERNET BE DEVISED AND IMPLEMENTED WHETHER THROUGH

OTHER AUDITORY CUES. THE MESSAGE SIMPLY BLIPS ONTO THE VICTIM'S SCREEN. AS A RESULT, THE VICTIM CANNOT GAUGE, EXCEPT FROM THE MESSAGE ITSELF, THE DEGREE TO WHICH THE SENDER IS INTENT ON CARRYING OUT THE THREAT, WHETHER THE SENDER HAS THE CAPACITY TO IMPLEMENT THE THREAT OR ANY OTHER INFORMATION ABOUT THE PERSON WHO SENDS THE HATE TRANSMISSION. THIS KNOWLEDGE "VACUUM" MAKES ANY THREAT RECEIVED OVER THE INTERNET PARTICULARLY DISTURBING TO THE VICTIM.

FINALLY, BECAUSE AN ELECTRONICALLY TRANSMITTED MESSAGE ARRIVES DIRECTLY ON THE VICTIM'S COMPUTER SCREEN, USUALLY WITH A RING OR OTHER AUDIO CUE, THE MESSAGE IS MUCH MORE INVASIVE THAN TRADITIONAL MAIL. REGULAR MAIL IS DELIVERED IN A MAIL BOX. ELECTRONIC MAIL FLASHES ONTO A COMPUTER SCREEN AT THE VICTIM'S WORK STATION, HER HOME, HER BEDROOM, HER CHILDREN'S ROOM... WHEREVER THE VICTIM'S TERMINAL HAPPENS TO BE.

THERE IS THUS NO QUESTION THAT THIS NEW MODE OF TRANSMITTING THOUGHTS, KNOWLEDGE, AND IDEAS, WHILE HAVING GREAT POTENTIAL AND TREMENDOUS ADVANTAGES OVER TRADITIONAL METHODS OF COMMUNICATION, ALSO PRESENTS A NEW AND SERIOUS CHALLENGE TO LAW ENFORCEMENT AUTHORITIES WITH REGARD TO THOSE THAT WOULD ABUSE THE TECHNOLOGY.

THE INHERENT NATURE OF INTERNET HATE CRIME INVESTIGATIONS AND

COMPUTER TERMINAL FOR A FEW MINUTES. UNLIKE THE TRADITIONAL MEANS OF SENDING THREATENING COMMUNICATIONS VIA THE TELEPHONE OR THROUGH THE U.S. MAIL, THE INTERNET OFFERS A MEDIUM OF COMMUNICATION WHERE A SKILLED USER CAN SPEW OUT HATE-LACED THREATS TO COUNTLESS VICTIMS THROUGHOUT THE COUNTRY WITH LITTLE EFFORT.

MOREOVER, HATE MONGERS CAN CREATE HATE THREATS AT THEIR TERMINAL AND SEND OUT THOSE THREATS WHILE HIDING BEHIND COMPUTER SCREENS. IN SHORT, THE INTERNET HAS CREATED A WHOLE NEW CLASS OF CRIMINALS - PERSONS WHO DO NOT HAVE THE FORTITUDE TO THREATEN PERSONS FACE TO FACE OR EVEN OVER THE TELEPHONE CAN HIDE BEHIND THE ANONYMITY OF CYBERSPACE AND SEND OUT THEIR HATE-LACED THREATS.

IN ADDITION, I HAVE LEARNED THROUGH MY PROSECUTION OF INTERNET HATE CRIMES THAT CERTAIN INHERENT CHARACTERISTICS OF E-MAIL MAKE HATE THREATS COMMUNICATED OVER THE INTERNET PARTICULARLY FRIGHTENING TO TARGETED VICTIMS. UNLIKE TRADITIONAL MAIL, ELECTRONIC MAIL IS TRANSMITTED INSTANTANEOUSLY - THE RECEIVER THUS KNOWS THAT THE SENDER IS THINKING THE COMMUNICATED MESSAGE OF HARM AT THE SAME TIME THE TRANSMISSION IS RECEIVED. MOREOVER, UNLIKE COMMUNICATIONS OVER THE TELEPHONE, THE ELECTRONIC MESSAGE IS NOT ACCOMPANIED BY NON VERBAL INFLECTIONS, TONES OF VOICE, OR ANY

WELL.

AS A RESULT OF THE FEDERAL INVESTIGATIONS, MY INVESTIGATIVE TEAM WAS ABLE TO SUCCESSFULLY PROSECUTE THE SENDERS OF THREATENING E-MAIL IN BOTH THE UC IRVINE AND THE CAL STATE LOS ANGELES CASES. HOWEVER, THE CLIMATE OF FEAR AND FOREBODING CAUSED BY THESE ELECTRONIC THREATS TRANSMITTED OVER THE INTERNET VIVIDLY ILLUSTRATES THE NEED FOR INCREASED VIGILANCE BY ALL IN ORDER TO SUCCESSFULLY COMBAT THIS NEW METHOD OF VIOLATING THE CIVIL RIGHTS OF AMERICANS.

DESPITE SOME VIEWS TO THE CONTRARY, THERE IS NOTHING UNIQUE ABOUT THE INTERNET THAT INSULATES THE SENDER OF SUCH HATE THREATS FROM THE CRIMINAL LAWS OF OUR COUNTRY. A SENDER SIMPLY CANNOT TARGET A GROUP OF INDIVIDUALS BECAUSE OF THEIR RACE, NATIONAL ORIGIN OR RELIGIOUS BELIEFS AND SEND THEM THREATS VIA THE INTERNET. SUCH THREATS ARE NOT PROTECTED BY THE FIRST AMENDMENT, SIMPLY BECAUSE THEY ARE TRANSMITTED IN CYBERSPACE.

BECAUSE THE INTERNET PRESENTS AN EFFECTIVE AND EFFICIENT WAY FOR PERSONS TO COMMUNICATE TO NUMEROUS INDIVIDUALS, THE ABILITY OF INDIVIDUALS AND HATE GROUPS TO TERRORIZE VICTIMS HAS MULTIPLIED EXPONENTIALLY. A PERSON OR HATE GROUP WHO WANTS TO TARGET AND THREATEN SCORES OF INDIVIDUALS CAN DO SO SIMPLY BY SITTING AT A

ON THEIR COMPUTERS AT CAL STATE LOS ANGELES TO READ THEIR E-MAILS. THEY READ A MEAN-SPIRITED DEROGATORY THREAT AGAINST LATINOS. USING THE MOST DEMEANING RACIAL SLURS, THE SENDER TOLD THE FACULTY MEMBERS THAT HE HATED THEIR RACE, THAT HE WANTED THEM TO DIE, THAT THE ONLY REASON THAT THE PROFESSORS WERE HIRED WAS BECAUSE OF AFFIRMATIVE ACTION, THAT THEIR RACE WAS STUPID, GREEDY, AND UGLY AND THAT THE SENDER WAS GOING TO PERSONALLY COME DOWN AND KILL EACH OF THEM. AS WITH THE UC IRVINE CASE, MANY OF THE LATINO FACULTY MEMBERS WERE TERRIFIED BY THE MESSAGE OF HATE, WONDERING WHO COULD HATE THEM THAT MUCH (A FORMER UNBALANCED STUDENT PERHAPS?) . THE PROFESSORS TALKED ABOUT HOW THE MESSAGE LEFT THEM FEARFUL ABOUT BEING ALONE ON CAMPUS AND CAUSED THEM TO BE CONTINUALLY LOOKING OVER THEIR SHOULDERS IN ANXIETY.

AS THE FEDERAL INVESTIGATION CONTINUED, THE INVESTIGATIVE TEAM LEARNED THAT THE FORTY- TWO LATINO PROFESSORS WERE NOT THE ONLY VICTIMS TARGETED BY THIS MESSENGER OF HATE. THE SENDER HAD SEARCHED THE INTERNET FOR OTHER VICTIMS AND SENT SIMILAR DEATH THREATS TO TWENTY- FIVE LATINO STUDENTS AT M.I.T., AND TO LATINO EMPLOYEES AT NASA, XEROX, INDIANA UNIVERSITY, THE TEXAS HISPANIC JOURNAL, AND THE IRS. SIMILAR CONCERNS OF ANXIETY AND FEAR WERE COMMUNICATED TO THE FBI FROM THE VICTIMS AT THOSE INSTITUTIONS AS

OTHERS CHANGED THEIR ACADEMIC SCHEDULES SO THAT THEY WOULD NOT BE ON CAMPUS ALONE AT NIGHT, STILL OTHERS STARTED CARRYING MACE AND CHANGED THEIR COMMUTING HABITS. VICTIMS TALKED ABOUT HOW THE THREAT SENT A CHILL UP THEIR SPINES, HOW IT CAUSED THEM TO FEEL UNSAFE ON CAMPUS, AND HOW THEY WERE CONSTANTLY LOOKING OVER THEIR SHOULDER. THEY WONDERED WHO "ASIAN HATER" WAS AND WHETHER HE WOULD ACTUALLY COME AFTER THEM. FEAR WAS CAST OVER THE CAMPUS BY THAT SINGULAR THREAT OF HATE, NOT ONLY FOR THE SIXTY TWO STUDENTS WHO WERE THE DIRECT RECIPIENTS OF THE THREAT, BUT ALSO FOR THE ENTIRE ASIAN COMMUNITY ON CAMPUS AND THE CAMPUS AS A WHOLE.

GOOD MORNING MEMBERS OF THE COMMITTEE. I AM MICHAEL GENNACO, A FEDERAL PROSECUTOR FROM THE UNITED STATES ATTORNEY'S OFFICE FOR THE CENTRAL DISTRICT OF CALIFORNIA. IT WAS MY PRIVILEGE TO REPRESENT THE UNITED STATES IN THE PROSECUTION AGAINST "ASIAN HATER". THE FIRST EVER PROSECUTION OF A HATE CRIME TRANSMITTED OVER THE INTERNET. THROUGH THAT EXPERIENCE, I LEARNED HOW THE INTERNET CAN BE USED EFFICIENTLY AND EFFECTIVELY TO SPREAD RACIALLY MOTIVATED TERROR TO SCORES OF UNSUSPECTING INDIVIDUALS.

I SOON LEARNED THAT THE UC IRVINE HATE CRIME WAS ONLY A PRECURSOR OF OTHER INTERNET HATE CRIMES. FOR EXAMPLE, ON THE MORNING OF MARCH 5, 1998, FORTY-TWO LATINO FACULTY MEMBERS TURNED

HATE ON THE INTERNET

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Los Angeles, CA 90012
(213) 894-5872

IN SEPTEMBER 1996, SIXTY- TWO ASIAN AMERICAN STUDENTS AT THE UNIVERSITY OF CALIFORNIA AT IRVINE BEGAN PREPARING FOR ANOTHER ACADEMIC YEAR. IT WAS ORIENTATION WEEK, A TIME OF RENEWAL, A RETURN TO CAMPUS, A WELCOMING FOR BOTH NEW AND RETURNING STUDENTS . . . BUT THE UNFORTUNATE GREETING THAT SIXTY- TWO ASIAN AMERICAN STUDENTS RECEIVED ARRIVED OVER THE INTERNET TO THEIR E-MAIL ACCOUNTS, FROM A PERSON WHO CALLED HIMSELF "ASIAN HATER". "ASIAN HATER" E-MAILED ALL SIXTY- TWO STUDENTS STATING THAT HE HATED ASIANS, THAT HE BLAMED THEM FOR ALL OF THE ILLS ON CAMPUS, AND FOR KEEPING THE REPUTATION OF UC IRVINE DOWN. IN THE E-MAIL, "ASIAN HATER" DEMEANED AND DEROGATED ASIAN AMERICANS AND TOLD EACH OF THE VICTIMS THAT IF THEY DID NOT LEAVE CAMPUS THAT HE WOULD MAKE IT HIS PERSONAL CAREER TO HUNT DOWN AND KILL EACH OF THEM.

AFTER THE STUDENTS RECEIVED THE ELECTRONIC MESSAGE, A CLOUD OF TERROR HUNG OVER THE UCI CAMPUS FOR WEEKS. SOME OF THE VICTIMS LEFT SCHOOL FOR HOME, OTHERS CONSIDERED TRANSFERRING TO OTHER SCHOOLS,

Total Pages: _____

LRM ID: REJ165

**EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
Washington, D.C. 20503-0001**

Tuesday, September 7, 1999

LEGISLATIVE REFERRAL MEMORANDUM

TO: Legislative Liaison Officer - See Distribution below

FROM: *Richard E. Green*
Richard E. Green (for) Assistant Director for Legislative Reference

OMB CONTACT: Ronald E. Jones
E-Mail: Ronald_E._Jones@omb.eop.gov
PHONE: (202)395-3386 FAX: (202)395-3109

SUBJECT: JUSTICE Report on HR1082 Hate Crimes Prevention Act

DEADLINE: Noon Friday, September 10, 1999

In accordance with OMB Circular A-19, OMB requests the views of your agency on the above subject before advising on its relationship to the program of the President. **Please advise us if this item will affect direct spending or receipts for purposes of the "Pay-As-You-Go" provisions of Title XIII of the Omnibus Budget Reconciliation Act of 1990.**

COMMENTS: The attached letter responds to questions asked at the House Judiciary Committee's August 4th hearing on HR 1082.

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☐ Concur
☐ No Objection
☐ No Comment
☐ See proposed edits on pages _____
☐ Other: _____
☐ FAX RETURN of _____ pages, attached to this response sheet



Office of the Deputy Attorney General

Washington, D.C. 20530

The Honorable Henry J. Hyde
Chairman
Committee on the Judiciary
U.S. House of Representatives
Washington DC 20515

Dear Mr. Chairman:

It was a pleasure to see you and testify before you at the House Judiciary Committee's Hearing on Hate Crimes on August 4th. This is in response to the question asked by Congresswoman Shelia Jackson Lee at the end of my testimony. She asked for a response that would explain why H.R. 1082, the Hate Crimes Prevention Act of 1999 ("HCPA"), would not cover an incident where a man gets intoxicated at a bar, comes home and beats his wife.

To bring a federal action under the HCPA, there must be proof of bodily injury, a nexus to interstate commerce, and a gender-based motivation for the offense. This example would not satisfy the last two of these three elements.

First, there is not a sufficient interstate commerce nexus to trigger federal jurisdiction. The HCPA would cover only those incidents where the defendant or the victim traveled in interstate commerce, used an instrumentality of interstate commerce, engaged in an activity that affects interstate commerce, or the offense itself affected interstate commerce. Buying and consuming several drinks in a bar before the offense would not qualify under any of these criteria. In the context of church arson prosecutions, for example, the Department looks for evidence that the perpetrator traveled across state lines or that the church itself affects interstate commerce in some way, as through its membership or purchases.

Second, nothing in this example indicates that the attacker was motivated by bias against the victim because of her gender. While attacks of an extreme level of egregious violence or brutality may prompt an investigation into whether there are other indications of gender bias, a beating in and of itself is not an explicit expression of a general bias towards the victim's gender. In addition, we would not bring a case without examining any evidence of other motives for the attack. Such evidence can

rule out the possibility that the incident is a bias crime. The Department recognizes the concerns regarding federal jurisdiction over gender based crimes and would use its discretion wisely to prosecute only those cases that present the strongest evidence of gender-based bias.

I hope that this information is helpful. Do not hesitate to contact me if I can be of further assistance.

Sincerely,

Eric H. Holder, Jr.
Deputy Assistant Attorney General

cc: The Honorable John Conyers, Jr.
Ranking Minority Member

*Similar letter sent to
Rep. Jackson. Lee*



Office of the Deputy Attorney General

Washington, D.C. 20530

The Honorable Sheila Jackson Lee
U.S. House of Representatives
Washington DC 20515

Dear Congresswoman Jackson Lee,

It was a pleasure to see you and to testify before you at the House Judiciary Committee's Hearing on Hate Crimes on August 4th. I am writing to answer the question that you posed to me at the end of the hearing. You asked for a response that would explain why H.R. 1082, the Hate Crimes Prevention Act of 1999 ("HCPA"), would not cover an incident where a man gets intoxicated at a bar, comes home and beats his wife.

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any evidence of other motives for the attack. Such evidence can rule out the possibility that the incident is a bias crime. The Department recognizes the concerns regarding federal jurisdiction over gender based crimes and would use its discretion wisely to prosecute only those cases that present the strongest evidence of gender-based bias.

I hope that this information is helpful. I appreciate your vigorous and consistent support on this issue. Do not hesitate to contact me if I can be of further assistance.

Sincerely,

Eric H. Holder, Jr.
Deputy Assistant Attorney General

Booklets to help fight against hate

Copies being sent to nearly 1 million officials, schools

By Patrick O'Driscoll
USA TODAY

Every hour, someone commits a hate crime in the USA, says a manual out today. It is intended to help Americans confront prejudice in their communities.

"Ten Ways to Fight Hate," one of two new guides being sent to nearly 1 million policymakers, also reports that an average of 18 Americans a day — eight blacks, three whites, three gays, three Jews and one Latino — become victims of hate crime. The booklet says a cross burning, the classic symbol of Ku Klux Klan violence, occurs each week in America.

The profile of hatred is based on the Southern Poverty Law Center's analysis of the FBI's hate-crime statistics for 1997, the latest available. The approximately 8,000 hate incidents the FBI registered that year ranged from harassment, assaults and murders to vandalism and property crimes.

The law center, which created the guides, tracks more than 500 hate groups and advocates against violence related to race, ethnicity, religion, sexual orientation, disability or other characteristics.

With public horror fresh from Wednesday night's bloody shooting spree in a Baptist church in Fort Worth, the first copies of the booklets will be distributed today at a national race-relations symposium in Washington, D.C.

Copies will be sent to every mayor, police chief and school principal in the nation. Every governor, state attorney general and member of Congress also will receive one. The law center also will post both booklets on its Web site (www.splcenter.org).

Both publications — the second is "Responding to Hate at School," a guide for educators — advise citizens how to fight the kinds of hate-motivated violence that have shocked the nation with disturbing frequency, from last month's shootings in a Jewish community center in Los Angeles to the dragging death of a black man in June 1988 in Jasper, Texas, a murder case now in trial.

The educators' guide includes concrete steps for dealing with prejudice and hatred in school. "Ten Ways to Fight Hate" includes examples of how local communities have dealt with hate incidents.

The advice offered in the booklets isn't radically new or different: Take action. Unite with others. Support the victims. Create alternatives to hatred. Speak out against hate. Lobby political leaders to take a stand. Teach tolerance to children.

"Fighting hate is actually a form of



By Michael Conroy, AP

Remembering a victims of hate: Sarah Perry, left, and Melanie Payne stop at a memorial to Won-Joon Yoon in Bloomington, Ind. He was killed by a white supremacist on a shooting spree over the July Fourth weekend.

civil defense," says Jim Carrier, a journalist who researched and wrote "Ten Ways" for the law center. "Sitting home with your virtue does no good."

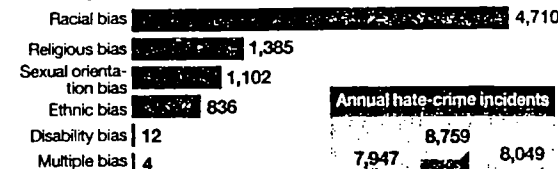
The people of East Peoria, Ill., learned that lesson this summer after Benjamin Smith killed two people and wounded nine others, all members of racial or ethnic minorities, in a string of shootings over the Fourth of July weekend. The path of Smith's rampage, which ended in suicide, did

not pass through East Peoria, but after it ended, word spread that Smith was a follower of an extremist group whose leader had long promoted its racist cause from his home in the community.

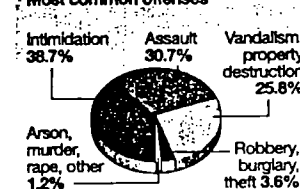
The past approach in the city of 21,980 people — 99% of them white — was neglect, admits city attorney Dennis Triggs. "We decided to ignore him, to not give him publicity," Triggs says of Matt Hale, head of the World

Who is the target of hate crimes

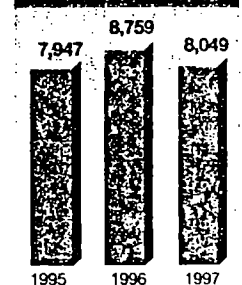
More than half of U.S. hate-crime incidents in 1997 were race-related, the latest FBI statistics show. Motivations behind the 8,049 hate-crime incidents the FBI registered that year:



Most common offenses



Annual hate-crime incidents



Source: Federal Bureau of Investigation

By Quan Tan, USA TODAY

Church of the Creator. "He was disgusting, but we didn't think that he was likely to have any success."

In the wake of the shootings, Triggs phoned the Southern Poverty Law Center for help. Officials sent an unfinished version of "Ten Ways" and put him on the phone with Carrier.

Soon, Mayor Charles Dobbelaire delivered a withering denunciation of Hale at a community rally. A prayer vigil was staged outside Hale's house.

Furthermore, the mayor decided

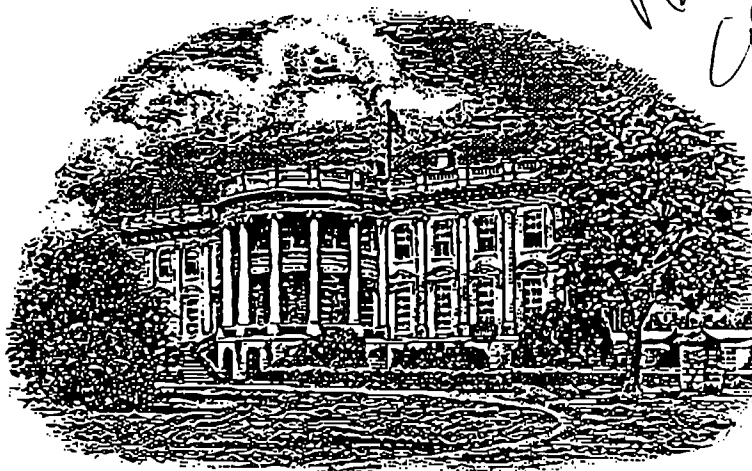
"we would be vocal, aggressive and outspoken — with one caveat," Triggs says. "We didn't want to simply make some statement, sympathize with the victims and their families, and that's the end of it."

The result: A 15-member human relations commission is now in place, and the city is moving through the ranks of all staff, board and commission members with diversity sensitivity training.

"Talk to us one to five years from now," Triggs adds.

*Hate
Crimes*

The White House

*Hatch
Counsel*Office of the Counsel to the President
Facsimile Transmission

Date: _____

To: Mania Scharneck, Tom FreedmanFacsimile Number: 619 07, 67431 Total Pages: 5

From: Eddie Correia

Phone: (202) 456-2024

Fax: (202) 456-5055

Note: Hatch's language on hate crimes.

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Proposed Hate Crime Inclusions for CJS

☐ Support for Criminal Investigations and Prosecutions by State and Local Law Enforcement Officials.—

(1) Assistance other than financial assistance.--

(A) In general.--At the request of a law enforcement official of a State or a political subdivision of a State, the Attorney General, acting through the Director of the Federal Bureau of Investigation, shall provide technical, forensic, prosecutorial, or any other form of assistance in the criminal investigation or prosecution of any crime that--

(i) constitutes a crime of violence (as defined in section 16 of title 18, United States Code);

(ii) constitutes a felony under the laws of the State; and

(iii) is motivated by prejudice based on the victim's race, ethnicity, or religion or is a violation of the State's hate crime law.

(B) Priority.--In providing assistance under subparagraph (A), the Attorney General shall give priority to crimes committed by offenders who have committed crimes in more than 1 State.

(2) Grants.--

(A) In general.--There is established a grant program within the Department of Justice to assist State and local officials in the investigation and prosecution of hate crimes, as defined above.

(B) Eligibility.--A State or political subdivision of a State applying for assistance under this paragraph shall--

(i) describe the purposes for which the grant is needed; and

(ii) certify that the State or political subdivision lacks the resources necessary to investigate or prosecute the hate crime.

(C) Deadline.--An application for a grant under this paragraph shall be approved or disapproved by the Attorney General not later than 24 hours after the application is submitted.

(D) Grant amount.--A grant under this paragraph shall not exceed \$100,000 for any single case.

(2) Technical amendment.--The analysis for chapter 13 of title 18, United States Code, is amended by adding at the end the following:

"249. Interstate travel to commit hate crime."

() Studies.--

(1) Collection of data.--

(A) Definition of hate crime.--In this paragraph, the term "hate crime" means--

- (i) a crime described in subsection (b)(1) of the first section of the Hate Crime Statistics Act (28 U.S.C. 534 note); and
- (ii) a crime that manifests evidence of prejudice based on gender or age.

(B) Collection from cross-section of states.--Not later than 120 days after the date of enactment of this Act, the Comptroller General of the United States, in consultation with the National Governors' Association, shall select 10 jurisdictions with laws classifying certain types of crimes as hate crimes and 10 jurisdictions without such laws from which to collect data described in subparagraph (C) over a 12-month period.

(C) Data to be collected.--The data to be collected are--

- (i) the number of hate crimes that are reported and investigated;
- (ii) the percentage of hate crimes that are prosecuted and the percentage that result in conviction;
- (iii) the length of the sentences imposed for crimes classified as hate crimes within a jurisdiction, compared with the length of sentences imposed for similar crimes committed in jurisdictions with no hate crime laws; and
- (iv) references to and descriptions of the laws under which the offenders were punished.

(D) Costs.--Participating jurisdictions shall be reimbursed for the reasonable and necessary costs of compiling data under this paragraph.

(2) Study of trends.--

(A) In general.--Not later than 18 months after the date of enactment of this Act, the Comptroller General

(E) Report.—Not later than December 31, 2001, the Attorney General, in consultation with the National Governors' Association, shall submit to Congress a report describing the applications made for grants under this paragraph, the award of such grants, and the effectiveness of the grant funds awarded.

(F) Authorization of appropriations.—There is authorized to be appropriated to carry out this paragraph \$5,000,000 for each of fiscal years 2000 and 2001.

(C) Interstate Travel To Commit Hate Crime.--

(1) In general.—Chapter 13 of title 18, United States Code, is amended by adding at the end the following:

“Sec. 249. Interstate travel to commit hate crime

“(a) In General.—A person, whether or not acting under color of law, who—

“(1) travels across a State line or enters or leaves Indian country in order, by force or threat of force, to willfully injure, intimidate, or interfere with, or by force or threat of force to attempt to injure, intimidate, or interfere with, any person because of the person's race, color, religion, or national origin; and

“(2) by force or threat of force, willfully injures, intimidates, or interferes with, or by force or threat of force attempts to willfully injure, intimidate, or interfere with any person because of the person's race, color, religion, or national origin,

shall be subject to a penalty under subsection (b).

“(b) Penalties.—A person described in subsection (a) who is subject to a penalty under this subsection—

“(1) shall be fined under this title, imprisoned not more than 1 year, or both;

“(2) if bodily injury results or if the violation includes the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire, shall be fined under this title, imprisoned not more than 10 years, or both; or

“(3) if death results or if the violation includes kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill—

“(A) shall be fined under this title, imprisoned for any term of years or for life, or both; or

“(B) may be sentenced to death.”.

of the United States and the General Accounting Office shall complete a study that analyzes the data collected under paragraph (1) and under the Hate Crime Statistics Act of 1990 to determine the extent of hate crime activity throughout the country and the success of State and local officials in combating that activity.

(B) Identification of trends.--In the study conducted under subparagraph (A), the Comptroller General of the United States and the General Accounting Office shall identify any trends in the commission of hate crimes specifically by--

- (i) geographic region;
- (ii) type of crime committed; and
- (iii) the number of hate crimes that are prosecuted and the number for which convictions are obtained.