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THE WHITE HOUSE CONFERENCE ON HATE CRIMES November 10, 1997
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Q. What did the President announce in the Saturday radio address?

A. The President announced that he will host the White House Conference on Hate Crimes on November 10, 1997 (at the White House). The Conference will bring together a diverse group of Americans in an effort to find solutions to this problem. The President also announced that the Attorney General, in preparation for the Conference, has already begun to conduct a thorough review of the laws concerning hate crimes and the ways in which the federal government can make a difference. Her report will help build a plan of action to fight hate crimes.

Q. Is this a part of the President's Race Initiative?

A. The Hate Crimes Conference is separate. The Conference, while encompassing issues related to race, also involves other non-race based groups, such as gays and lesbians, the disabled, women, etc. Thus, while the White House Conference on Hate Crimes will take place at a time while the President is stressing themes of unity, the Conference will address issues beyond race.

Q. What are the goals of the Conference?

A. While examining the tragic impact hate crimes have on our society, the Conference will work to emphasize positive actions individuals and communities can take to help prevent hate crimes and to promote unity and an appreciation for our great diversity as a nation. The White House Conference on Hate Crimes will:

- promote unity by educating the public about the threat hate crimes pose to the fundamental principals of fairness and equal justice upon which our nation was founded, and by fostering a greater appreciation for the rich diversity of America;
- demonstrate the Administration's commitment to preventing hate crimes and highlight the current and future actions we are taking to achieve this goal;
- serve as an opportunity to examine and document the best practices to combat hate crimes, devise strategies, and prepare a report to aid communities in the fight against hate crimes.

Topics will include a discussion of crimes motivated by intolerance related to race, religion, ethnicity, gender, sexual orientation/identity, disability; law enforcement efforts and best practices; community, educational and private initiatives; and help available for the victims.

Q. Who will be invited to participate?

A. Approximately 100 participants from all walks of life and from every region of the country, including:

- victims and their families
- community advocates
- public policy experts
- law enforcement professionals
- state and local government officials
- Members of Congress
- religious leaders
- Senior Administration officials from the White House and DOJ

FOR MORE INFORMATION: White House Office of Public Liaison -- Hate Crimes Conference Information number -- 202-456-5530

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HATE CRIMES — Q's and A's

Q: What is a hate crime?

A: As a general matter, a hate crime is a crime that is committed because of some characteristic of the victim, such as the victim's race, color, gender, religion, national origin, sexual orientation, disability, or familial status. However, it is important to understand that hate crimes are defined by federal and state criminal statutes, and these statutory definitions differ in their particulars from jurisdiction to jurisdiction. The principal federal hate crimes statute, for example, includes only those crimes committed because of the victim's race, color, religion or national origin; it does not include crimes committed because of the victim's gender, sexual orientation, or disability.

Q: Is the President supporting an expansion of the definition of a hate crime? Is he supporting changes to current federal law?

A: The President has called a conference on hate crimes for November 10, 1997. One of the issues that will be considered at the conference is whether the statutory definitions of federal hate crimes should be expanded.

Q: Is the Oklahoma City bombing case a hate crime? Is the McVeigh trial the reason why the President is speaking out now about hate crimes?

A: It would be inappropriate for us to say much at this point about the Oklahoma City bombing case, since Mr. McVeigh's trial is still in the penalty phase.

Q: Is the bombing of an abortion clinic a hate crime?

A: It depends on the circumstances. If the bombing is motivated by the perpetrator's gender-based bias, then the crime could violate a hate crimes statute if the statute defines hate crimes to include this type of conduct when it is motivated by gender bias. The principal federal hate crimes statute currently does not prohibit conduct motivated by gender-based bias.

Q: Why are hate crimes statistics unreliable? Why don't we know whether the number of hate crimes committed is going up or down?

- A: Hate crimes statistics are unreliable because hate crimes are under-reported. There are several reasons why this happens. First, hate crimes reporting by state and local law enforcement agencies is voluntary under current federal law. Second, many of the most likely targets of hate crimes also are the least likely to report incidents to the police. For example, 60% of the victims of anti-gay incidents who reported their incidents to private tracking groups did not report the incidents to the police, in many cases because of a fear of mistreatment or unwanted exposure. Third, state and local jurisdictions often have disincentives to classify and compile statistics relating to hate crimes. Tracking hate crimes requires law enforcement agencies to do additional investigative work to determine the motivation behind crimes. In addition, many local political leaders believe that it would exacerbate racial tensions or harm their jurisdictions' reputations to acknowledge that crimes committed in their cities or towns were motivated by bias. The bottom line, however, is that the number of hate crimes actually reported to the FBI has gone up over the past several years — in 1995, the number was 7,947, reported by a total of 9,584 state and local jurisdictions.

HATE CRIMES -- BACKGROUND PAPER

Federal Hate Crimes Statutes

- There are four major federal hate crimes statutes:
 - 18 U.S.C. 245, the principal federal hate crimes statute, prohibits the use of force or threats of force based on race, color, religion or national origin to interfere with a person's exercise of any federally protected right enumerated in the statute, including enrolling in or attending public school or college, participating in any program or activity administered by a state or local government, working or applying for employment, serving as a juror in state court, traveling interstate, and using places of public accommodation.
 - Section 245 has significant limitations: (1) the statute does not prohibit conduct that is based on gender, sexual preference, or disability, and (2) it does not apply unless the victim is engaged in one of the enumerated federally protected rights at the time of the offense.
 - 42 U.S.C. 3631, enacted in 1968 as part of the Fair Housing Act, prohibits interference with certain federally protected housing rights based on race, color, religion, national origin, gender, disability, or familial status.
 - Section 3631 applies only to housing related matters.
 - The Hate Crimes Statistics Act directs the Attorney General to collect statistics on crimes based on race, color, religion, national origin, disability, and sexual orientation.
 - The Act contains no requirement that jurisdictions report hate crimes, nor does it provide funding as an incentive to encourage reporting by state and local jurisdictions. As a result, statistics collected pursuant to the Act are incomplete.
 - In addition, the Act does not require the collection of gender-based hate crimes.
 - The Sentencing Enhancement Act, passed as part of the 1994 crime bill, authorizes the imposition of enhanced sentences for federal crimes found to have been motivated by race, color, religion, national origin, sexual orientation, gender, or disability. The Act became effective in November 1995 and is just beginning to be used.

Hate Crimes Statistics

- Hate crimes statistics are maintained by the FBI, by some state and local law enforcement agencies, and by several private organizations. The number of hate crimes reported to law enforcement officials has increased over the past several years, but because of under-reporting and other factors it remains uncertain whether the total number of hate crimes committed in the United States is going up or down. In any event, the numbers are large.
- The FBI has released reports on hate crimes statistics, based on reporting from state and local law enforcement agencies, each year since 1991. In 1991, 2771 state and local agencies reported a total of 4755 bias motivated crimes to the FBI. In 1995, 9584 state and local agencies reported a total of 7947 such crimes to the FBI. The fact that many jurisdictions, including several large jurisdictions, tell the FBI that they have no hate crimes to report leads many to conclude that the FBI's statistics present an incomplete picture of the national situation.
- Several private groups track hate crimes. Some track all types of hate crimes, while others focus their efforts on tracking hate crimes against certain constituencies, such as gays and lesbians, Jews, Arab-Americans, Muslim-Americans, Asian-Americans, etc. Statistics kept by these groups tend to differ significantly from statistics kept by the FBI. First, some victims of hate crimes report their experiences to a group but not to the FBI. Second, several of the groups count incidents of verbal harassment as hate crimes even though such incidents do not constitute crimes in most states.
- All of the reporting systems are plagued by under-reporting, for which there are several reasons.
 - First, many of the most likely targets of hate crimes also are the least likely to report incidents to the police. For example, 60% of the victims of anti-gay incidents who reported their incidents to private groups did not report the incidents to the police, in many cases because of a fear of mistreatment or unwanted exposure. Similarly, many hate crimes victims in immigrant communities do not report incidents to the police because they fear reprisals or deportation.
 - Second, state and local jurisdictions often have disincentives to classify and compile statistics relating to hate crimes. Tracking hate crimes requires law enforcement agencies to do additional investigative work to determine the motivation behind crimes. In addition, many local political leaders believe that it would exacerbate racial tensions or harm their jurisdictions' reputations to acknowledge that crimes committed in their cities or towns were motivated by bias.

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THE WHITE HOUSE

Office of the Press Secretary

Embargoed For Release
Until 10:06 A.M. EDT
Saturday, June 7, 1997

RADIO ADDRESS BY THE PRESIDENT
TO THE NATION ON HATE CRIMES

THE PRESIDENT: Good morning. This morning I want to talk about one of America's greatest challenges and greatest opportunities – conquering the forces of hatred and division that still exist in our society so that we can move forward into the 21st century as one America.

We are clearly the world's most diverse democracy, bound together across all of our differences by a belief in the basic dignity of every human being's life and liberty and the right of every American who lives by our laws and lives up to his or her responsibilities to share in the full promise of the greatest nation on Earth.

Especially as we move into a new century with its global economic and its global society, our rich diversity is a powerful strength, if we respect it. We are clearly stronger as a nation when we use the full talents of all of our people, regardless of race or religious faith, national origin or sexual orientation, gender or disability. Much of America's story is really the stories of wave after wave of citizens struggling over our full history for full equality of opportunity and dignified treatment.

We stand today in sharp contrast to the racial, ethnic, tribal and religious conflicts which continue to claim so many lives all around the world. But we have still not purged ourselves of all bigotry and intolerance. We still have our ugly words and awful violence, our burned churches and bombed buildings.

In a predominantly white suburb of Atlanta, Georgia last month, an African American couple was greeted with racial epithets as they moved into their new home. Just a week later, their home was sprayed with gunfire in the middle of the night. In a recent incident right here in Washington, D.C., three men accosted a gay man in a park, forced him at gunpoint to go under a bridge and beat him viciously while using anti-gay epithets. Last fall in Los Angeles, a Jewish student's dormitory room was bombed with a quarter stick of dynamite and a swastika was drawn near the door.

Such hate crimes, committed solely because the victims have a different skin color or a different faith or are gays or lesbians, leave deep scars not only on the victims, but on our larger community. They weaken the sense that we are one people with common values and a common future. They tear us apart when we should be

moving closer together. They are acts of violence against America itself. And even a small number of Americans who harbor and act upon hatred and intolerance can do enormous damage to our efforts to bind together our increasingly diverse society into one nation realizing its full promise.

As part of our preparation for the new century, it is time for us to mount an all-out assault on hate crimes, to punish them swiftly and severely, and to do more to prevent them from happening in the first place. We must begin with a deeper understanding of the problem itself.

That is why I'm convening a special White House conference on hate crimes this November 10th. We'll bring to the White House victims of hate crimes and their families to understand why the impact of these acts runs so much deeper than the crimes themselves. We'll bring together law enforcement experts and leading officials from Congress and the Justice Department to take a serious look at the existing laws against hate crime and consider ways to improve enforcement and to strengthen them. We'll bring together community and religious leaders to talk about solutions that are already making a real difference in communities all across our nation.

In preparation for the conference, Attorney General Reno has begun a thorough review of the laws concerning hate crimes and the ways in which the federal government can make a difference to help us to build a more vigorous plan of action. But, of course, the fight against hatred and intolerance must be waged not just through our laws, but in our hearts as well.

A newborn child today does not know how to hate or stereotype another human being; that behavior must be learned. And intolerance does not generally begin with criminal acts. Instead, it begins with quiet acts of indignity: the bigoted remark, the African American who is followed around the grocery store by a suspicious clerk, the gay or lesbian who is denied a job, the Hispanic or Asian who is targeted because of unfair stereotypes. To truly move forward as one community, it is just not enough to prevent acts of violence to our bodies, we must prevent acts of violence to our spirits.

By convening the very first White House Conference on Hate Crimes this November, America can confront the dark forces of division that still exist. We can shine the bright light of justice, humanity and harmony on them. We'll take a serious look at the laws and remedies that can make a difference in preventing hate crimes. We'll have the frank and open dialogue we need to build one America across all difference and diversity. And, together, we will move closer to the day when acts of hatred are no longer a stain on our community or our conscience; closer to the day when we can redeem for ourselves and show to the world the 220-year-old promise of our founders, that we are "One nation under God, indivisible, with liberty and justice for all."

Thanks for listening.