

I hate crime

How many times do we have to hear the 'R' word used in polite company before we push back? I'm referring, of course, to the indiscriminate and altogether unacceptably wide-spread use of the epithet 'racist' to describe another person. I know I've ranted about this before, but I've just started reading more about the Jussie Smollett case in Chicago and am appalled by the apparent fabrication of his so-called 'hate-crime attack' by two men he called 'Trump supporters' AND his characterization of that attack as racist-based. 'Ye Gods' as Zaneeta Shinn (actress in the film the 'Music Man') might have said, though I think that expression of shock was a whole lot milder than most of us would use when confronted with the fairy tale nature of Mr. Smollett's story.

As long as I'm bemoaning the overuse of the word 'racist' I might as well take on this whole issue of 'hate crimes' and why we have them and when they became 'fashionable' to cite when certain violent crime is committed. Officially, a 'hate crime' is defined as a crime that is rooted in bias against a group of people because of their ethnicity, race, religion, nationality, gender identity and disability. To me that sounds like it about covers all of us, but let's move on.

According to Wikipedia, "The Civil Rights Act of 1968 enacted 18 U.S.C. § 245(b)(2), which permits federal prosecution of anyone who "willfully injures, intimidates or interferes with, or attempts to injure, intimidate or interfere with ... any person because of his race, color, religion or national origin" or because of the victim's attempt to engage in one of six types of federally protected activities, such as attending school, patronizing a public place/facility, applying for employment, acting as a juror in a state court or voting. Persons violating this law face a fine or imprisonment of up to one year, or both. If bodily injury results or if such acts of intimidation involve the use of firearms, explosives or fire, individuals can receive prison terms of up to 10 years."

A couple of laws followed the 1968 act, but on October 29, 2009, President Obama signed the *Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act* which expanded existing United States federal hate crime law to apply to crimes motivated by: a victim's actual or perceived gender, sexual orientation, gender identity, or disability. This law dropped the prerequisite that the victim must be engaging in a federally-protected activity.

In addition to the Federal laws on the books, as of today, 46 states have some sort of statute that criminalizes bias-motivated violence or intimidation (Arkansas, Georgia, South Carolina and Wyoming don't have any.). Most recently, on May 26, 2016, the State of Louisiana added police officers and firefighters to their state hate crime statute when Governor John Bel Edwards signed an amendment into law. This amendment was added, in part, as a response to the 'Black Lives Matter' movement, which seeks to end police brutality against Blacks. Some advocates of the amendment used the slogan, "Blue Lives Matter." Others have found some of the movement's rhetoric anti-police. The author of the amendment, Lance Harris, stated that some people "were employing a deliberate campaign to terrorize our officers."

In case you're wondering, the Hate Crimes Statistics Act of 1990 requires the Attorney General through the Justice Department to collect data on victims of these crimes. (An annual report is published by the Justice Dept. and is available at <https://www.justice.gov/hci/resource/hate-crime-statistics-1996-2016>). While I do not doubt that some crimes have bias as one aspect of perpetrators' motives for committing crimes, I question the need for such massive legislation when our criminal statutes and laws have enough teeth to punish criminals for their actions. If a person is murdered, for example, the perpetrator can get life imprisonment or death depending on the state in which the crime was committed. You can't execute the criminal twice simply because part of the motivation was based on ethnicity, race, religion, nationality, gender identity or disability bias, now can you? In some less serious cases I guess that crimes with proven 'hate' or bias can add a few years to a sentence, and that may be the whole point of such legislation, but I find it hard to justify the 'type' of intent being more powerful than the intent itself.

That's why I think that the hate crime statutes should either be abolished or strengthened to include anything a perpetrator could dislike enough to commit a crime. For example, how about people who indiscriminately use the word, 'racist' to describe people they don't like? Should they be punished? And what about those Neanderthals who knock 'MAGA' hats off the heads of college students? Or maybe Leftists who use character assassination and phony accusations against the President or his wife or their children and grandchildren would qualify? Is their hate not real?

See where I'm going with this? Violent crimes should always be punished and our legal system has an obligation to apply the laws fairly and to everyone without making exceptions based on race, gender, ethnicity or personal sexual habits. The bottom line for me is that I hate crime, but I hate designer crime even more.

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