

STRENGTHENING HATE CRIME LAWS IN PENNSYLVANIA
SENATE REPUBLICAN POLICY COMMITTEE
OCTOBER 15, 2020
WEST CHESTER, PENNSYVALNIA

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My name is Jack Stollsteimer, and I am the District Attorney of Delaware County. I want to first thank the Committee for holding this discussion on such an important topic. I am so pleased to speak with you this afternoon, and to be joined by my colleague Deb Ryan and by the great advocates who will be speaking after Deb and I conclude.

The problem that Senator Killion and others are trying to address with hate crime legislation is very real. It is not theoretical. It is real, and the problem is getting worse.

Consider that according to a 2019 report by the FBI, hate crimes committed against individuals rose to a 16-year high in 2018. To be sure, hate crimes against property were down, but these crimes against individuals account for 61 percent of the hate crimes reported to the FBI.¹

As Brian Levin, the director of the Center for the Study of Hate and Extremism at California State University San Bernardino has said, “we’re seeing a leaner and meaner type of hate crime going on.... Homicides were up and crimes against persons were up and that’s an important thing to look at.”² Indeed, the FBI recorded 24 murders classified as hate crimes in 2018, up 40 percent from 2017.³

According to FBI data, the majority of the reported hate crimes were motivated by race, ethnicity, or ancestry bias (59.6 percent). Additional biases included religion (18.7 percent), sexual orientation (16.7 percent), gender identity (2.2 percent), disability (2.1 percent), and gender (0.7 percent).⁴

And according to the Human Rights Campaign, there have already been more than 30 transgender or gender non-conforming people fatally shot or killed by other violent means, the majority of which were Black and Latinx transgender women.⁵

This is such a terrible and disturbing trend. People should never have to fear for their safety because they are perceived as different.

¹ <https://www.nytimes.com/2019/11/12/us/hate-crimes-fbi-report.html>.

² <https://www.npr.org/2019/11/12/778542614/fbi-reports-dip-in-hate-crimes-but-rise-in-violence>.

³ <https://www.12news.com/article/news/nation-world/hate-crimes-nationwide-down-slightly-in-2018-fbi-finds/75-8336277d-3ea1-43bf-83eb-d4b00bd2f78a>.

⁴ <https://ucr.fbi.gov/hate-crime/2018/topic-pages/victims>.

⁵ <https://www.hrc.org/resources/violence-against-the-trans-and-gender-non-conforming-community-in-2020>.

Enacting legislation like Senator Killion's to expand the scope of our present hate crime law, as well as changes proposed in other pieces of legislation, would bring us in line with the laws of other states. In a 2017 50 state survey, the NAACP reports that more than 30 states have such laws for each of these two important categories.⁶

But this is about more than just statistics. This is about fairness, dignity, and recognizing that the vulnerable among us need added protections.

Before I was elected district attorney, I had the honor of serving at the Pennsylvania State Treasury as Deputy State Treasurer for Consumer Programs. One of the things I am the most proud of was my work with Joe Torsella to help establish the Pennsylvania ABLE savings program for people with disabilities, providing them and their family and friends a tax-free way to save for disability-related expenses, while maintaining government benefits.

Working with advocates for people with disabilities, I came to understand that the values at the core of the ABLE program were the recognition that our fellow citizens who live with disabilities deserve every opportunity to reach their full human potential, and that it is our job in government to help them. Similarly, providing protections to those with disabilities when they are physically attacked simply because they are disabled would also recognize government's role in assisting these vulnerable individuals.

And the same can be said of those who are LGBTQ. The statistics from the FBI bear out the unfortunate fact that people are sometimes attacked simply because of their sexual orientation and because they appear "different." That is not something we as civilized people can countenance, and by holding this hearing, you are recognizing this fact.

As Pennsylvanians, we all feel the hurt and pain when a hate crime is committed. And when people are attacked because of their sexual orientation, the entire LGBTQ community suffers. And when a person with cerebral palsy is assaulted in Chester County, those with disabilities in Delaware County are hurt and suffer, too.

⁶ <https://www.naacp.org/wp-content/uploads/2017/09/Hate-Crimes-laws-by-state.pdf>.

As Deb has said, protecting the most vulnerable victims has been a constant focus of Senator Baker's Judiciary Committee. And I know that we are just a couple of votes away from enacting a bill to allow experts to testify about victim behavior in cases of domestic violence and human trafficking, legislation sponsored by Senator Langerholc and championed by Chairman Baker. Senator Killion's legislation and other bills that restore the key elements of our ethnic intimidation statute similarly focus on our most vulnerable. Such bills would better give us the extra tools we need to hold those who commit hate crimes accountable.

Thank you for your attention, and I look forward to working with you.