

TESTIMONY BEFORE HOUSE JUDICIARY COMMITTEE
REGARDING HOUSE BILL 1353

WEDNESDAY, APRIL 22, 1992

KEVIN E. VAUGHAN
EXECUTIVE DIRECTOR
PHILADELPHIA COMMISSION ON HUMAN RELATIONS

STAFF DIRECTOR
MAYOR'S COMMISSION ON SEXUAL MINORITIES

LENGTH OF REMARKS: 5 - 10 MINUTES

CHAIRMAN CALTAGIRONE AND MEMBERS OF THE HOUSE JUDICIARY COMMITTEE,
THANK YOU FOR ALLOWING ME TO ADDRESS YOU TODAY REGARDING HOUSE BILL
1353.

RECENTLY, THE U.S. JUSTICE DEPARTMENT RELEASED THE PRELIMINARY
ESTIMATES OF ITS NATIONAL CRIME SURVEY. THE PRELIMINARY ESTIMATES
INDICATED THAT DESPITE AN OVERALL DECLINE IN CRIMINAL ACTIVITY IN
1991, VIOLENT CRIMES, INCLUDING ASSAULTS, INCREASED BY EIGHT
PERCENT OVER 1990 FIGURES. SOME OF THOSE ASSAULTS WERE HATE CRIMES,
AND SOME OF THESE HATE CRIMES WERE MOTIVATED BY DISLIKE OF A
PERSONS SEXUAL ORIENTATION OR GENDER.

IT IS AN UNFORTUNATE FACT OF HISTORY THAT IN TIMES OF ECONOMIC
DECLINE, HATE CRIMES AND HATE RELATED ACTIVITIES INCREASE.
PENNSYLVANIA, THE REGION AND THE NATION ARE IN THE MIDST OF A
PROLONGED RECESSION. EVERY GOVERNMENT AGENCY OR INDEPENDENT
ORGANIZATION WHICH KEEPS RECORDS OF HATE MOTIVATED VIOLENCE HAS

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REPORTED INCREASES OVER THE PAST FEW YEARS. A STUDY OF HATE CRIMES BETWEEN 1988 AND 1990 CONDUCTED BY STATE ATTORNEY GENERAL ERNIE D. PREATE., JR. REPORTED THAT HATE CRIMES INCREASED BY OVER 25 PERCENT IN EACH OF THE TWO YEARS STUDIED. DURING THE WEEK OF APRIL 6, NEW JERSEY'S ATTORNEY GENERAL ROBERT J. DELTUFO ANNOUNCED SIMILARLY DISMAL INCREASES FOR HIS STATE.

THESE STATISTICS, HORRENDOUS AS THEY ARE, DO NOT INCLUDE HATE CRIMES COMMITTED AGAINST PERSONS BECAUSE OF THEIR SEXUAL ORIENTATION OR GENDER. IN ORDER TO GIVE YOU AN IDEA AS TO THE EXTENT OF ANTI-GAY AND ANTI-LESBIAN VIOLENCE, LET ME CITE A STUDY CONDUCTED BY THE PHILADELPHIA LESBIAN AND GAY TASK FORCE ENTITLED VIOLENCE AND DISCRIMINATION AGAINST LESBIAN AND GAY PEOPLE IN PHILADELPHIA AND THE COMMONWEALTH OF PENNSYLVANIA.

ACCORDING TO THE TASK FORCE'S STUDY, WHILE ONLY FOUR PERCENT OF MEN AND TWO PERCENT OF WOMEN IN THE NATION EXPERIENCE VIOLENT CRIME EACH YEAR, 31 PERCENT OF GAY MALES AND 15 PERCENT OF LESBIAN WOMEN IN THE STATE WERE VICTIMS OF SUCH INCIDENTS. THE SURVEY INDICATED THAT THE FIGURES FOR PHILADELPHIA WERE EVEN HIGHER WITH 46 PERCENT OF THE GAY MEN AND 20 PERCENT OF THE LESBIAN WOMEN REPORTING TO HAVE BEEN VICTIMS OF VIOLENCE.

THE STUDY FURTHER INDICATED THAT 61 PERCENT OF GAY MEN AND 39 PERCENT OF LESBIAN WOMEN IN THE COMMONWEALTH HAD BEEN VICTIMS OF VIOLENT CRIME BECAUSE OF THEIR SEXUAL ORIENTATION AT SOME TIME DURING THEIR LIVES. AGAIN, THE FIGURES FOR PHILADELPHIA WERE MUCH WORSE WITH 73 PERCENT OF THE GAY MEN AND 42 PERCENT OF THE LESBIAN WOMEN REPORTING SUCH VICTIMIZATION.

THE TASK FORCE'S STUDY MAY BE A BETTER INDICATOR OF HOMOPHOBIC VIOLENCE THAN POLICE RECORDS OR THE STATISTICS KEPT BY AGENCIES SUCH AS THE PHILADELPHIA COMMISSION ON HUMAN RELATIONS FOR ONE SIMPLE REASON. MANY GAY AND LESBIAN PERSONS FAIL TO REPORT SUCH VICTIMIZATION TO OFFICIAL GOVERNMENT AGENCIES OR DO NOT WANT TO HAVE THEIR SEXUAL ORIENTATION IDENTIFIED TO OTHERS, ESPECIALLY THE POLICE.

VIOLENCE IS NEVER GOOD FOR THE COMMUNITY. IT CAN ONLY DIVIDE AND DESTROY, ESPECIALLY WHEN MOTIVATED BY BIAS OR GROUP HATRED. THE PHILADELPHIA COMMISSION ON HUMAN RELATIONS AND THE MAYOR'S COMMISSION ON SEXUAL MINORITIES BELIEVE THAT THE ETHNIC INTIMIDATION ACT IS A REAL DETERRENT TO HATE CRIMES. WE BELIEVE THAT THE ADDITION OF SEXUAL ORIENTATION TO THE ACT WILL MAKE A REAL DIFFERENCE IN THE LIVES OF THE COMMONWEALTH'S GAY AND LESBIAN CITIZENS. WE URGE YOU, AND I URGE YOU PERSONALLY, TO RECOMMEND HOUSE BILL 1353 FOR PASSAGE BY THE STATE ASSEMBLY.

THE PHILADELPHIA COMMISSION ON HUMAN RELATIONS AND THE MAYOR'S COMMISSION ON SEXUAL MINORITIES URGES THIS COMMITTEE TO GO ONE STEP FURTHER AND ADD "GENDER" TO HOUSE BILL 1353 TO AFFORD WOMEN GREATER PROTECTION AGAINST CERTAIN TYPES OF CRIMES PERPETRATED BECAUSE OF THE WOMAN'S SEX.

IN CLOSING, LET ME REMIND YOU ONCE MORE OF THE ISSUE. THE ISSUE IS VIOLENCE. CLEARLY, VIOLENCE IS NOT PERMISSIBLE, BUT TOO MANY PEOPLE SEEM TO BEHAVE AS IF VIOLENCE AGAINST LESBIAN AND GAY PERSONS IS CONDONED. THE ANSWER IS JUSTICE, JUSTICE FOR LESBIAN AND GAY CITIZENS OF PENNSYLVANIA. I ASK THAT THE MEMBERS OF THE JUDICIARY COMMITTEE ACT ON JUSTICE.

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EASTERN PENNSYLVANIA—DELAWARE REGION

NEWS

Contact:
Scott M. Feigelstein
Regional Director
(215) 735-4267

FOR IMMEDIATE RELEASE

Phila., PA, April 22...The Anti-Defamation League today urged passage on House Bill 1353 which would amend Title 18 of the Pennsylvania Consolidated Statutes and include sexual orientation in the Ethnic Intimidation law.

ADL Regional Director Scott M. Feigelstein stated, "H.B. 1353 will add another important weapon to the arsenal needed to combat bias related crimes. In the interest of justice, we at ADL strongly support the inclusion of sexual orientation to Title 18 and urge its swift passage."

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