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Thank you for your introduction, Assistant Director Martinez. It's a great pleasure to be here with you today, and an honor to join you in celebrating the diligent, passionate work of law enforcement officers and programs that help to eradicate hate from our communities.

I want to thank ADL for inviting me to join you today, but also for the incredible work you do to eradicate hate from our communities, and the incredible partnerships you have formed with law enforcement from the federal level down. As we stand here just a few days after Holocaust Remembrance Day, we are reminded why we must always remain vigilant in the face of intolerance and hate, and why your work is so important.

I want to congratulate all of those being honored with the Sherwood Prize today. I know that this work requires patience, passion, dedication and an unwavering commitment to justice, even when the means of achieving it are daunting. But I have an intimate sense of what drives you to continue your work, even when it can be grueling and thankless.

As a former prosecutor of hate crimes myself, I understand all too well how acts of bigotry can tear communities apart. Hate crimes reflect a cancer of the soul, and remind us in the most vicious way possible that we have not yet achieved the ideal of equal justice for all.

I spent much of my early career as a prosecutor in the Civil Rights Division's Criminal Section. Among my most memorable cases was the prosecution of a group of white supremacists who went on a racially-motivated killing spree in Lubbock Texas. I saw the pain of the families and communities who lived through that horror, and I saw the healing that can begin when justice is achieved. But I also know those scars will never fully heal.

Last October, I returned to the Justice Department to find that the more things change, the more they stay the same. I was saddened, though not surprised, to see that hate-fueled violence continues to plague so many communities. Brutal assaults made more vicious by racial epithets still occur in big cities and small towns. Crosses are still burned on the lawns of people minding their own business. Mosques, synagogues and churches are still burned.

More than two decades after I began prosecuting hate crimes cases, the statistics remain chilling. According to the 2008 Southern Poverty Law Center's Intelligence Report, "The Year in

Hate,” which tracks the activities of “hate groups,” the number of hate groups active in the United States has increased by 54 percent since 2000.

And despite a great deal of experience investigating and prosecuting these crimes, the facts of these cases never cease to astound me.

Take, for example, the incidents that occurred on Staten Island the night that Barack Obama won the Presidential election. In retaliation for his victory, four men set out in search of African Americans to assault. They drove to a predominantly African American neighborhood and assaulted three people, running into one of them with a car.

Or take the California man who entered a bar in Chico, directed a racial slur at another patron who was African American, repeated the slur and then, without any verbal or physical provocation, approached and punched the victim in the face.

And then there was the man who fired his shotgun into the home of his neighbors because the neighbors were Hispanic. After the neighbors fled, the man then set their home on fire.

These incidents belong in the pages of our history books, not on the front page of today’s newspaper.

And yet they show up in our papers every day. The FBI reports that in 2008 there were more than 7,700 hate crime incidents reported nationwide. There were 1,381 reported in California alone.

Prosecuting these and other hate crimes is a top priority for the President, the Attorney General and the Civil Rights Division. In Fiscal Year 2009, which ended in October, the Justice Department indicted more hate crimes defendants (46) than in any year since 1996; convicted more hate crimes defendants (29) than in any year since 2000; and, filed more hate crimes cases (24) than in any year since 2001.

These crimes are not restricted to a single region. They continue to afflict people across the nation, from California to Pennsylvania, from Alabama to Alaska.

And, as you all know, they impact different communities. Last October President Obama signed into law the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act. To say this act was long in the making would be an understatement. I was involved in the effort to secure this landmark legislation since the late 90s when I worked with the late Senator Ted Kennedy on this effort.

The new law enables us to prosecute cases involving hate crimes motivated by race, ethnicity, gender, religion and national origin without having to show that the defendant was engaged in

a federally protected activity. And the new law now empowers us to prosecute hate crimes committed because of a person's sexual orientation, gender identity or disability.

The law is remarkable not only because of the new protections it provides, but because it marks the first time that the words, "lesbian, gay, bisexual and transgender" appear in the U.S. Code.

The responsibility to enforce the new law belongs principally to the Criminal Section of the Civil Rights Division, and we are working closely with the FBI's Civil Rights Unit and U.S. Attorney's offices throughout the nation to inform federal, state and local law enforcement about the law's new provisions. We're holding trainings throughout the country to engage law enforcement and community leaders about the law's provisions, and to ensure that first responders are prepared to effectively investigate hate crimes based on the victim's actual or perceived sexual orientation and gender identity.

We already have several investigations open under the new law.

Prosecutions of these vicious crimes, whether by us at the federal level, or by many of you at the local and state law level, is critical to bringing justice for families and communities, and also for demonstrating that such acts will not go unpunished.

But nothing would make me happier than for the Civil Rights Division to never again prosecute a hate crime. I would prefer to be like the Maytag repair man, twiddling my thumbs while civil rights violations cease to occur. We cannot be successful through prosecutions alone.

The prosecution of hate crimes must be one element in a broader effort of community engagement and empowerment. We need prevention and intervention strategies to move communities forward in a meaningful way.

This need for education and prevention was recently made starkly apparent to me in the form of a father and son team in South Carolina who recently pled guilty to a vicious, unthinkable crime. The father and son, with a friend, admitted to chasing an African American man from a convenience store and threatening him with *a chainsaw*.

Seeing a father pass on his intolerance to his son in this way sends a reminder that, despite all the great progress we have made in civil rights, we still have a long way to go. We have battled these acts of bigotry for too long, and in the 21<sup>st</sup> century, we must focus on eradicating hate from our communities altogether.

This means educating our young people through anti-bullying curriculums and other educational programs that teach tolerance. As I recently told a group of middle school students in Seattle after observing their anti-bullying program, today's bullies become tomorrow's civil rights defendants. ADL's Partners Against Hate programs is a great example of a program that aims to eliminate hate among our nation's youth.

In the Civil Rights Division, working to instill tolerance in young people can also mean using other tools in our arsenal. For example, we recently were involved in a settlement of a case involving an openly gay teenager from Mohawk County, New York, who had suffered years of severe and pervasive harassment from other students because he failed to conform to gender stereotypes. From 2007 until 2009, the harassment escalated from derogatory name-calling to physical threats and violence. The student's grades suffered. He had multiple absences because he did not feel safe at school, and he dropped one of his favorite courses to avoid one of his harassers.

The Mohawk Central School District had knowledge of the harassment, and the complaint alleged that the school district was deliberately indifferent in its failure to take timely, corrective action – neither fully investigating the allegations, nor following its anti-harassment policies and procedures.

This failure to address and prevent this kind of bullying from occurring violates Title IX of the Civil Rights Act of 1964, which prohibits violations of students' constitutional right to be free of harassment in school. But it also allows intolerant and hateful behavior to go unpunished. As part of the settlement agreement, the district will take steps to ensure that this kind of harassment doesn't happen again.

Through these kinds of actions, we can encourage communities and schools to address bigotry before it becomes fuel for violence. ADL recognizes the power of prevention, and has focused efforts on training educators as well as youth about cyber-bullying, a new frontier in the fight against hate and intolerance.

We also need to recognize where new challenges are emerging, and be flexible enough to address these challenge head on. The suburbanization of immigration is an example of one of these emerging challenges.

Insulated, exurban or rural communities where residents are unaccustomed to waves of immigration have seen increases in bias-motivated incidents.

Cases like the one in Shenandoah, PA, where a group of teenagers fatally assaulted a Mexican immigrant, and a group of police officers helped to cover it up, highlight the need for interventions in such communities. As the Director of ADL's Eastern Pennsylvania regional office wrote in a 2008 op-ed about the incident, "the senseless beating of Luis Ramirez did not happen in a vacuum."

Ignorance and fear, coupled with the often heated rhetoric in Washington and in many state capitals, have no doubt fueled an increase in bias-related incidents against Latinos nationwide. We in the world of law enforcement must work together with community leaders to spread tolerance and understanding, and to combat this devastating trend. ADL's law enforcement

training and outreach programs help foster the kinds of partnerships necessary to combat hate and move communities forward.

The law enforcement officials we are honoring here today are prime examples of how law enforcement can work not only to bring justice when crimes have been committed, but also to heal communities and help eradicate bigotry and hatred. With officials like you operating at the state and local level, we can move much closer to our goal of making hate crime prosecutions obsolete.

Thank you for your dedication to this critical work. Challenges remain, but it brings me great comfort to see that we have excellent partners in the field.