

Eastern District of California

APRIL 2010

U.S. Attorney's Report to the District

By U.S. Attorney Benjamin B. Wagner

Fifty years ago, four African-American college students sat at a whites-only lunch counter at a Woolworth's in Greensboro, North Carolina. Despite taunts, intimidation, and humiliation, large numbers of students joined their protest. Their brave and dignified stand led to similar protests by students throughout the South, and news coverage of the movement transformed the struggle for civil rights from a local concern to a national social and political issue.

Civil Rights Efforts Brought Change

Much has changed since then. An African-American President and Attorney General are symbols of the magnitude of that change. Through the work of many great Americans, including civil rights pioneers Dr. Benjamin Hooks and Dorothy Height, whom we lost this month, this country has come much closer to turning the utopian concept upon which it was founded — the equality of all humans — into a legal and social reality. But that work is not done, and the U.S. Attorney's Office has a vital role to play.

Hate Crimes in the Spotlight

This office has a long and proud history of prosecuting hate crimes, and that work is continuing. Last month, in a case prosecuted by First Assistant U.S. Attorney Carolyn Delaney, with assistance from the Civil Rights Division, a jury convicted a white couple of assaulting an Indian-American man on a public beach in South Lake Tahoe while using derogatory racial and ethnic slurs. In another case tried to a jury last month,

prosecuted by Assistant U.S. Attorney Russell Carlberg with assistance from the Civil Rights Division, a white man was convicted of an unprovoked attack on an African-American man in a Chico bar. Defendants in both cases will be sentenced in the near future.

Our continuing efforts to root out and prosecute hate crimes will be led by our new civil rights and hate crime coordinators, Assistant U.S. Attorneys Steve Lapham (in Sacramento) and Elana Landau (in Fresno). Their efforts will include enforcement of a new law, the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act of 2009, which was signed by the President last October. That statute broadened federal hate crime laws, which for the first time can reach violent conduct directed at persons based on their gender or sexual orientation.

Justice and Equality for All

But criminal prosecutions are not enough. Civil attorneys in our office have long been active in enforcing the Americans with Disabilities Act, and their work in ensuring compliance with federal civil rights laws will expand. Our Fresno Hate Crimes Task Force is being revived, and will commence regular meetings next month bringing together law enforcement and civic and community leaders, similar to our Greater Sacramento Hate Crimes Task Force. Realizing the dream of justice and equality for all is an elusive goal, but this office and the U.S. Department of Justice are committed to the struggle to achieve it.
