

SENATE JUDICIARY  
NO. 16  
DATE 1/22/09  
BILL NO. SB223

Testimony on Senate Bill 223  
Montana Family Foundation  
Subject: Hate Crimes  
Sponsor: Senator Juneau

Mr. Chairman, members of the committee, for the record I'm Jeff Laszloffy, president of the Montana Family Foundation.

Let me begin by saying that we oppose Hate Crime legislation in general. By its very nature, it sets up a 2 tiered system where one segment of the population receives more protection under the law than is afforded to all other citizens.

Article 2, Section 4 of Montana's Constitution says, and I quote, No person shall be denied the equal protection of the laws. End quote.

With respect to Senate Bill 223 we ask that you vote no, both for the reason just stated, and because statistics show that it's unnecessary.

I've passed out copies of pages 12 and 13 of Montana's Incident Based Reporting Standards, and also the statistics on biased-based crimes for 2005 - 2007. If you'll please turn to page 13 in the reporting standards you'll see that we track Sexual Orientation bias 5 ways and Disability bias two ways. It's highlighted in yellow.

Now if you'll look through the actual reports for 2005 through 2007, you'll see that homosexuals and people with disabilities are not targeted to any greater degree than other segments of the population. In fact, the figures reported in the surveys are probably over inflated since individual incidents may be reported more than once.

For example, if a person, because he is white is assaulted, then in the same incident, the perpetrator vandalizes his home, uses a weapon, and is found to be in the possession of drugs, and drug paraphernalia, he could potentially be charged with 5 separate crimes. That incident would then show up in 5 separate places in this report, even though in reality it was one single incident.

Hate crime laws are predicated on the notion that certain segments of the population are in need of greater protection because they're targeted. With respect to the homosexual community, and those with disabilities, the data doesn't reflect this. In fact, when looking at the data, it's hard to make the argument that any segments of the population are disproportionately targeted.

As you know, sound public policy is based on solid facts and data, not feelings and public perception. With respect to Senate Bill 223 the data is clear and unambiguous. Homosexuals and people with disabilities are not targets, and Senate Bill 223, fortunately, is not necessary.

Therefore, we respectfully urge you to vote no. Thank you.