

Says All Groups Must be Valued Equally Under Law

(Washington, DC) - **Congressman Wally Herger (R-CA) issued the following statement today after the House of Representatives passed H.R. 1913, the Local Law Enforcement Hate Crimes Prevention Act of 2009:**

"Hate can not be eliminated through legislation, and it is unjust and fundamentally un-American to value one group of people higher under the law than others. Every violent crime is devastating not only to the victims, but to the community whose public safety has been violated. We must pursue the equal and vigorous prosecution of all crimes-regardless of motivation-and ensure that all lives carry the same sacred value."

"I opposed this legislation because it does nothing to prevent crime but instead takes the dangerous course of criminalizing thought. This 'hate crimes' measure would afford preferential treatment to a special class of people. It would, in fact, require that only some people be treated equal under law. Under this legislation, religious leaders or members of religious groups could become the subject of criminal investigations or prosecutions for nothing more than expressing their constitutionally-protected beliefs. Through an attempt to get rid of hate through Congressional action, this bill undermines the constitutional right of free speech and religious expression and threatens the cardinal principle of equal justice under the law by placing a higher value on one life over another."

Background:

H.R. 1913 would make "gender," "sexual orientation" and "gender identity" federally protected classes under the U.S. Criminal Code. It would separate people based on sexual orientation, gender identity, and other vague terms that are not defined in the bill.

In addition, H.R. 1913 would provide funding and grants to any state and local entity to investigate and litigate instances of hate crimes. This means that federal funding could be used to implement state hate crime laws, many of which are more restrictive than the federal hate crimes bill and undermine First Amendment rights.