

Expand Hate Crime Protections in North Carolina

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WHAT'S THE HUMAN IMPACT?

In the Spring of 2017, **Sherrell Faulkner**, of Charlotte, N.C., died as a result of sustained injuries from a brutal attack six months earlier.¹ She was found badly beaten in downtown Charlotte in the previous year. When police reports were drafted and stories were written of her death, she was identified not in the way in which she lived her life--as a transgender woman--but as a man. Although her attack came in the wake of the contentious "HB2" law passed in early 2016, the crime was not viewed as an act of hate-motivated violence. North Carolina did not--and still doesn't--allow for acts of gender or sexual orientated-based violence to be considered hate crimes. *Here's how our current system works:*

WHICH IDENTITIES ARE PROTECTED BY NC LAW?



Race



Religion



Nationality



Sexual
Orientation



Gender
Identity



Disability

SOME BACKGROUND INFORMATION:

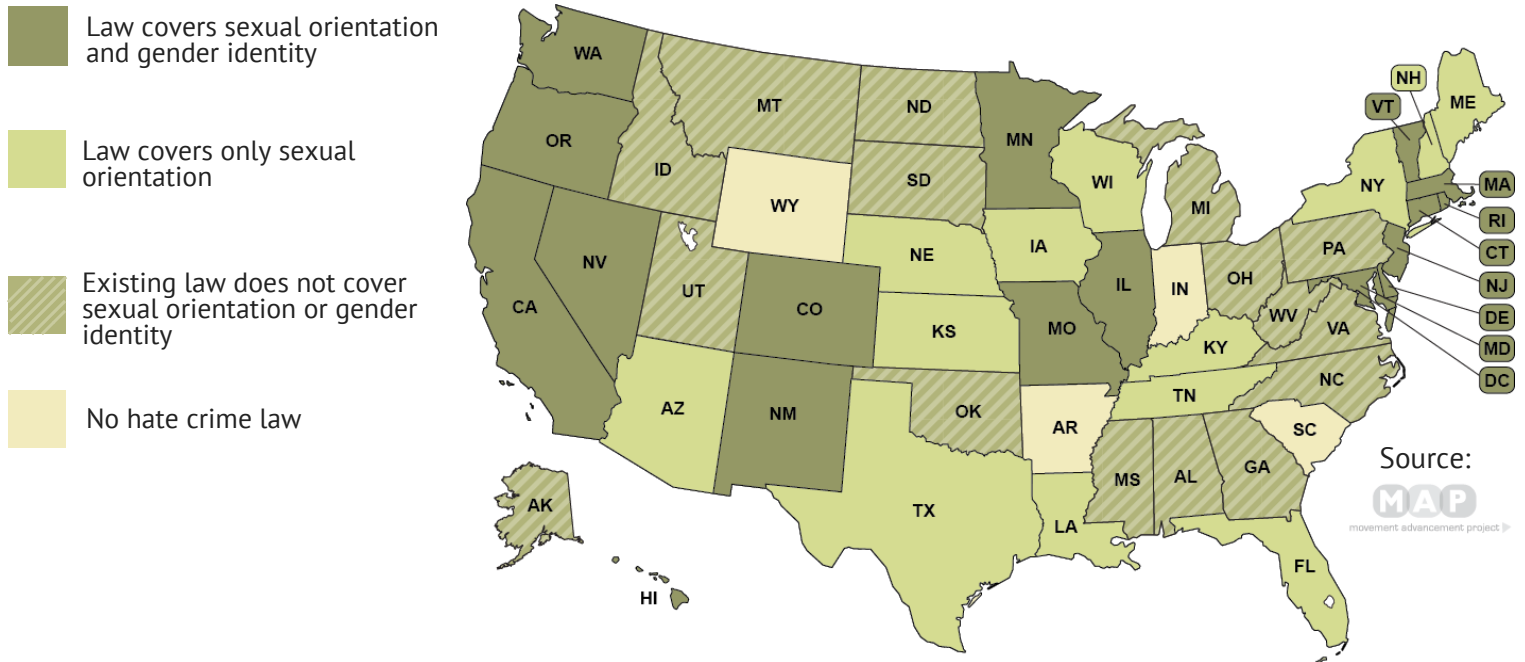
North Carolina Senate Bill 794, referred to as the "**Hate Crimes Prevention Act**", is a piece of legislation introduced in June of 2018, aiming to expand the definition and punishment of a hate crime under North Carolina state law.

The bill allows for the classification of a Class 2 or 3 misdemeanor as a hate crime if the act is committed because of the victim's ethnicity, country of origin, gender, gender identity, gender expression, disability, or sexual orientation. **These identities are not currently protected** under existing hate crime legislation. Senate Bill 794 also aims to expand access to hate crime statistics and trainings for law enforcement officials.

¹Killian, Joe. "Amid Anti-LGBTQ Violence, N.C. Democrats Seek Expansion of State Hate Crimes Law." NC Policy Watch, 7 June 2018, www.ncpolicywatch.com/2018/06/07/amid-anti-lgbtq-violence-n-c-democrats-seek-expansion-of-state-hate-crimes-law/.

WHERE WE STAND AS A NATION:

How does our policy compare to the national standard?



As illustrated above, all but four states currently have some sort of hate crime protection in place for individuals. An increasing majority of states at least allow protections for individuals based on their sexual orientation within their laws, as seen below:

Reminder: North Carolina falls here



States with a hate crime law protecting sexual orientation

States without said law

Why such a large divide?

Like North Carolina, states drafted their original hate crime bills in the mid-to-late 20th century, following the Civil Rights Act of 1968. These state legislatures adopted protections against racial, ethnic, and religious discrimination, as these were the established bias-categories of the time. In more recent years, states have begun to recognize the validity of LGBT rights, and expanded their protections with a revision to existing law.¹

¹Valcore, Jace L. "Sexual Orientation in State Hate Crime Laws: Examining Social Construction and Criminal Law." *Journal of Homosexuality*, vol. 65, no. 12, 2017, pp. 1607-1630.

"We need to build a more compassionate state. We do that by passing hate crimes legislation that protects people based on who they love and how they look...

A more compassionate state also means attracting companies that want to recruit the next generation of workers. As we've seen with the HB2 disaster, these companies put a premium on protecting minority rights."

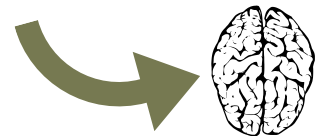
Senator Jay J. Chaudhuri,
A Primary Sponsor of Senate Bill 794⁴

WHY YOU SHOULD CARE:

- Research finds an **aggressive increase of hate crimes** against individuals identifying as lesbian, gay, bisexual, or transgender (LGBT) in the 21st century¹



- Victims of said hate crimes often feel inclined to **change their own behavior** to avoid future instances, a known psychological stressor²



- Data collected by the Federal Bureau of Investigation shows that LGBT-identifying individuals are **twice as likely** as African-Americans to be hate crime victims³

WHAT CAN NC LEGISLATORS DO TO HELP?

Support NC Senate Bill 794. This shouldn't be a partisan piece of legislation; it simply aids in providing a necessary right to identities that have been neglected by North Carolina law in the past. Several states across the country have already provided these protections, and NC should be on the right side of history.



SENATE BILL 794 "HATE CRIMES PREVENTION ACT"
DESERVES YOUR SUPPORT!

¹Park, Haeyoun and Iaryna Mykhyalyshyn. "L.G.B.T. People Are More Likely to Be Targets of Hate Crimes Than Any Other Minority Group." New York Times, 16 June 2016.

²Bell, James G, and Barbara Perry. "Outside Looking In: The Community Impacts of Anti-Lesbian, Gay, and Bisexual Hate Crime." Journal of Homosexuality, vol. 62, no. 1, 2015, pp. 98-120.

³Park and Mykhyalyshyn (2016).

⁴Killian (2018).