

**REVENUE: No revenue impact**

**FISCAL: No fiscal impact**

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<b>Action:</b>	Be Adopted
<b>Vote:</b>	7 - 0 - 1
<b>Yeas:</b>	Berger, Edwards C., Garrard, Gelser, Nolan, Read, Roblan
<b>Nays:</b>	0
<b>Exc.:</b>	Jenson
<b>Prepared By:</b>	Jerry Watson, Administrator
<b>Meeting Dates:</b>	5/11

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**WHAT THE MEASURE DOES:** Condemns acts of violence based on sexual orientation, gender identity and other personal characteristics. Calls on public institutions to remain vigilant against such acts of hatred. Requests passage at the national level of the Local Law Enforcement Hate Crimes Prevention Act (otherwise known as the Matthew Shepard Act) or similar legislation to aid state and local jurisdictions in investigating and prosecuting bias-motivated violent crimes based on race, color, religion, national origin, gender, sexual orientation, gender identity or disability.

**ISSUES DISCUSSED:**

- Provisions of memorial
- Definition of a “hate crime”
- Appropriateness of reference in memorial to a specific act of violence

**EFFECT OF COMMITTEE AMENDMENT:** No amendment.

**BACKGROUND:** On March 22, 2009, Samson Deal and Kevin Patterson, who were visitors to this state, were attacked in Seaside in what is being classified as a hate crime (ORS § 181.642). This memorial is a response, at least in part to that incident. Oregon has several laws that are sometimes called “hate crime” laws. ORS 181.550 mandates reporting of crimes “motivated by prejudice based on the perceived race, color, religion, national origin, sexual orientation, marital status, political affiliation or beliefs, membership or activity in or on behalf of a labor organization or against a labor organization, physical or mental handicap, age, economic or social status or citizenship of the victim.” ORS 181.642 requires training, identification and reporting of such crimes. ORS 166.155 and ORS 166.165 deal with criminal penalties for acts of intimidation based on race, color, religion, sexual orientation or national origin. The Oregon Equality Act, Public Law Number 100 (2007) defines sexual orientation to include gender identity and amended O.R.S. § 166.155 and § 166.165.