

DRAFT

SUMMARY

Digest: Urges Congress to protect rights of armed forces and their families. (Flesch Readability Score: 72.6).

Urges Congress to conduct public hearings on anti-military bias and improve enforcement of hate-crime protections for military families.

JOINT MEMORIAL

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To the President of the United States and the Senate and the House of Representatives of the United States of America, in Congress assembled:

We, your memorialists, the Eighty-third Legislative Assembly of the State of Oregon, in legislative session assembled, respectfully represent as follows:

Whereas the State of Oregon is obligated to “ensure the human dignity of all people within this state and protect their health, safety and morals from the consequences of intergroup hostility, tensions and practices of unlawful discrimination of any kind” (ORS 659A.003); and

Whereas Americans are entitled under the Fourteenth Amendment to the United States Constitution to “equal protection of the laws” of our nation; and

Whereas section 4712 of the Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act of 2009, known as the Soldiers Amendment (18 U.S.C. 1389), includes protections for military families; and

Whereas a hate or bias crime likely occurred in Oregon when American Legion Post 10 in Albany was burned to the ground on July 4, 2010; and

Whereas the United States Department of Justice has chosen not to charge multiple domestic terrorists for hate crimes under 18 U.S.C. 1389; and

Whereas criminal enhancements for hate crimes are necessary because a

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 crime motivated by bias “devastates not just the actual victim and the family
2 and friends of the victim, but frequently savages the community sharing the
3 traits that caused the victim to be selected” (34 U.S.C. 30501); and

4 Whereas military families, by their sacrifice of blood, sweat and tears,
5 secure American rights and freedoms while being at elevated risk of suicide;
6 and

7 Whereas hate crimes against military families cannot be deterred without
8 public awareness of the anti-military bias motivating them; and

9 Whereas failing to enforce 18 U.S.C. 1389 deprives military families of
10 their civil rights; and

11 Whereas the United States Department of Justice has previously ignored
12 a Congressional inquiry from Representative David Trone of Maryland on
13 this matter; and

14 Whereas Senator Ron Wyden of Oregon sent a Congressional inquiry to
15 United States Attorney General Merrick Garland on this matter on October
16 4, 2024, but to date no action has been taken in response to that inquiry; and

17 Whereas Oregon law enforcement agencies cannot meaningfully fulfill
18 their statutory obligations without federal guidance and support, which the
19 United States Department of Justice has not provided regarding 18 U.S.C.
20 1389; now, therefore,

21 **Be It Resolved by the Legislative Assembly of the State of Oregon:**

22 That we, the members of the Eighty-third Legislative Assembly, respect-
23 fully urge the Congress of the United States to conduct public hearings on
24 anti-military bias and improve enforcement of hate-crime protections for
25 military families; and be it further

26 Resolved, That a copy of this memorial shall be sent to the President of
27 the United States, the Senate Majority Leader, the Speaker of the House of
28 Representatives and each member of the Oregon Congressional Delegation.

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