



Fact Sheet on HB 2966

Amendment to the James Byrd, Jr. Hate Crimes Act

Equality Texas Supports HB 2966

Bill Number:	House Bill 2966
Unofficial Name:	Amendment to the James Byrd, Jr. Hate Crimes Act
Bill Author:	Representative Garnet Coleman
Short description:	The James Byrd, Jr. Hate Crimes Act explicitly includes protection for people based upon "sexual preference," (and marked the first time that gays and lesbians were recognized and protected under Texas law). This bill would amend the Act to include gender identity and expression.
Committee:	Criminal Jurisprudence
Current Status:	Hearing 4/09/09

SUPPORTIVE STATEMENTS:

This bill seeks to reduce crime in Texas, especially the disproportionately violent crime inflicted upon transgender people. Transgender people are often targeted for property crimes, threats, assault, and murder. **Hate-motivated violence against people because of their gender identity or expression is often characterized by actions that law enforcement personnel call "overkill": excessive force over what is necessary just to attack someone, and characterized by brutal, vicious violence.**

Hate crimes have a greater impact on victims than other types of crimes. Research indicates that victims of bias crimes suffer two to three times more symptoms of trauma than victims of comparable crimes that do not involve prejudice.

Hate crimes are not just targeted against the individual but the group. Transgender people are one of the most disempowered groups of people in our country rendering them, as a group, particularly subject to targeting for hate crimes.

QUICK FACTS:

Hate violence targeting transgender people remains a regular reality in Texas. From 1970 to 2004, Texas ranked *third* in the U.S. for reported murders of transgender individuals, with 15 murders in 6 cities. One expert estimates that transgender individuals living in America today have a one in 12 chance of being murdered.¹ In contrast, the average person has about a one in 18,000 chance of being murdered.²

More than a third of Texas cases remain unsolved. **HB 2966** will provide law enforcement officials the resources they need to fully investigate and prosecute crimes based upon gender identity and expression. The lack of a means or method to report these crimes makes it difficult to accurately estimate its frequency in Texas.

Adding the term “gender identity and expression” protects more than just transgender people. Many people, regardless of their gender identity or sexual orientation, may be perceived as non-conforming to gender norms. Men may be perceived as too effeminate, women too “butch.”

¹Kay Brown, instructor for "20th Century Transgender History and Experience" at the Harvey Milk Institute in San Francisco, *Washington Blade*, Dec. 10, 1999.

² Based on the FBI’s “Uniform Crimes Reports, Crime in the United States 2000,” showing the murder rate of 5.5 people per 100,000.