

To: Members of the Wisconsin State Assembly  
From: Tony Gibart, Policy Coordinator, Wisconsin Coalition Against Domestic Violence  
Re: Support for Assembly Bill 481—The Wisconsin Gender Hate Crimes Act

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Please support, Assembly Bill 481, the Wisconsin Gender Hate Crimes Act, which is scheduled for a vote on Thursday, March 4<sup>th</sup>.

Under Wisconsin's current hate crimes law, section 939.645, crimes motivated by the race, religion, color, disability, sexual orientation, national origin or ancestry of the victim are subject to a penalty enhancer. The Wisconsin Gender Hate Crimes Act would add gender to the aspects of the victim's identity which potentially trigger the penalty enhancer. In so doing, the Wisconsin Gender Hate Crimes Act will make Wisconsin's hate crimes law reflective of the seriousness of violence against women and gender inequality in our society.

Wisconsin's hate crimes statute has historic importance. In 1988, Wisconsin was one of the first states to pass a hate crimes law. Several years later, in the landmark United States Supreme Court case, *Wisconsin v. Mitchell*, a unanimous Court upheld this law against a constitutional challenge. In affirming the validity of hate crimes laws, the Court recognized that crimes that are motivated by a fundamental aspect of the victim's identity can be especially damaging to both the individual victim and the fabric of society as a whole. Following Wisconsin's lead, a majority of states now have hate crimes laws on their books. Importantly, most of these states have defined as hate crimes, crimes motivated by the victim's gender.

Violence against women represents an epidemic injustice in our state. On average 14 women and girls are sexually assaulted everyday in Wisconsin, and nearly one in four women reports experiencing intimate partner violence at some point in her life. Data from the Wisconsin Office of Justice Assistance and Department of Justice confirm what most already know, that women and girls make up the overwhelming majority of victims of domestic violence and sexual assault. In 2008, twice as many women were victims of domestic violence homicide as men. Even more striking, all of the killers, except one, were male. Domestic and sexual violence's disproportionate impact on women is an indication that many in our communities still hold deep-seated and dangerous sexist attitudes. In turn, the high level of violence against women is part of the reason these unhealthy views persist and spread.

The Wisconsin Gender Hate Crimes Act provides the Legislature with an opportunity to recognize that crime motivated on the basis of gender, like crime motivated by race or religion, is particularly troubling. The many incidents of domestic violence and sexual assault in Wisconsin affect not only the many individual victims; they also affect other women and girls who are left with the impression that they are at risk of being brutally traumatized. If members of society live with the fear that their identity could be a basis for violence or subordination, we will never be able to approach true of equality.

