

REQUESTING THE STATE OF WISCONSIN STRENGTHEN ITS HATE CRIME STATUTE, WIS. STAT. § 939.645, TO PROVIDE ENHANCED SECURITY TO MEMBERS OF WISCONSIN'S MARGINALIZED COMMUNITIES-

WHEREAS, the people of the State of Wisconsin are as diverse as anywhere in the United States, be they indigenous, Asian, Pacific Islander, Latin X, Black, LGBTQ, or any combination thereof, or other; and

WHEREAS, on a national, state, and local basis, the number of hate crimes committed against marginalized communities is increasing at exponential rates; and

WHEREAS, people from all walks of life deserve to be treated with dignity and respect; and

WHEREAS, people from all communities contribute to making Wisconsin a healthy and thriving environment for families and businesses; and

WHEREAS, hate crimes pose an immediate threat to the sanctity and security of every citizen and present a security risk to both the State of Wisconsin and the United States; and

WHEREAS, Wisconsin's current hate crime statute is by and large used by prosecutors as a bargaining or negotiation tool; and

WHEREAS, Wis. Stat. § 939.645, the current "hate crimes" statute, needs an update to strengthen it and provide enhanced security to members of Wisconsin's marginalized communities.

NOW, THEREFORE, BE IT RESOLVED that the Eau Claire County Board of Supervisors requests that the legislature and the governor of the state of Wisconsin enact legislation to modify Wis. Stat. § 939.645, as set forth below, by making the following changes:

939.645 (1) If a person does ~~all~~ any of the following, the penalties for the underlying crime are increased as provided in sub. (2):

939.645 (1) (b) Intentionally selects the person against whom the crime under par. (a) is committed or selects the property that is damaged or otherwise affected by the crime under par. (a) in whole or in part because of the actor's belief, values, or perception regarding the race, religion, color, disability, sexual orientation, national origin or ancestry, gender, gender identity, gender expression, age, or veteran's status of that person or the owner or occupant of that property, whether or not the actor's belief, values, or perception was correct.

939.645 (1) (c) The use of gay/transgender panic defenses is forbidden.

939.645 (4) This section does not apply to any crime if proof of race, religion, color, disability, sexual orientation, national origin or ancestry, gender, gender identity, gender expression, age, or veteran's status or proof of any person's perception or belief regarding another's race, religion, color, disability, sexual orientation, national origin or ancestry, gender,

gender identity, gender expression, age, or veteran's status is required for a conviction for that crime.

939.645 (5) This section mandates that hate crime data be collected, retained, and made publicly available based on demographic statistics by the Attorney General of the State of Wisconsin and the Wisconsin Department of Justice.

939.645 (6) this section requires law enforcement officers and officials to receive specialized hate crime training and continuing education on a biennial basis.

BE IT FURTHER RESOLVED that the Eau Claire County Board of Supervisors directs the county clerk to forward a copy of this resolution to the Office of the Governor of the State of Wisconsin, the Office of the Attorney General for the State of Wisconsin, members of the Wisconsin Assembly and Senate, the county clerk for every county in the state of Wisconsin, as well as to the Wisconsin Counties Association.

Adopted: April 7, 2021

Sue McDonald  
County Clerk