



Written by [Kelly Holt](#) on August 31, 2011

Rick Perry Signed Hate Crimes Bill in Texas

Not long after Rick Perry became Governor of Texas, according to an Associated Press release on May 12, 2011 he signed the James Byrd Hate Crimes Act (HB 587) named for a black man in Jasper, Texas, who was dragged to death behind a pickup in 1998.

In a bill-signing [ceremony](#) on May 11, 2011 Perry said:

As the Governor of our diverse state, in all matters it is my desire to seek common ground for the common good. In the end, we are all Texans and we must be united as we walk together into the future. That's why today I have signed House Bill 587 into law. Texas has always been a tough-on-crime state. With my signature today, Texas now has stronger criminal penalties against crime motivated by hate.



President Obama signed a similar law, and the Texas statute signed by Perry does effectively establish a special protected class status including enhanced sentencing for crimes allegedly motivated by bias against it.

Steve Baldwin longtime conservative author, campaign consultant and researcher, noted in [World Net Daily](#) (WND) on August 14, 2011:

Such a law gives harsher sentences to certain crimes based upon a person's perceived bias to some class or group. But juries really can't determine what's in a person's heart and, besides, all crime should be punished equally, regard[less] of the race, gender, sexual orientation, etc. of the victim. In other words, under hate-crimes law, if someone beats up a white person and then beats up a gay person, they receive a heavier sentence for the latter crime. This makes a travesty of the concept of equal application of the law and is likely unconstitutional.

Indeed, the idea of hate crime requires that the prosecutors know the thoughts and motivation of a perpetrator, therefore effectively making such designated crimes into thought crimes. And among many conservative Republicans, that concept is at odds with the constitutional precept that all Americans are equal under the law.

Baldwin wasn't alone in his analysis. On 6-22-11, [Gary Glenn](#), President of the American Family Association of Michigan wrote:

As lead plaintiff in a federal civil rights lawsuit asking the courts to declare the Obama-signed law an unconstitutional and chilling violation of religious free speech rights, honesty requires that I be equally critical of Gov. [sic] Perry for signing into law the exact same type of legislation, which its



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clear from the enforcement record of such laws in Europe and Canada poses the greatest single threat to religious free speech rights in America today.

Glenn was speaking expressly to the effects of speaking out against homosexuality, but the law applies to more than homosexuals. The *AP* article reported that then-Governor Bush refused to sign a similar law during his tenure, rightfully claiming that all crimes are hate crimes. The article continued, Texas already has a hate-crimes law that increases penalties if a crime is proven to be motivated by bias or prejudice, but that law does not list specific categories of people who are protected.

Glenn continued:

Thus, if Perry were to become the Republican nominee for president, both major presidential candidates would be on record as having signed into law what is arguably the most dangerous element of homosexual activists political agenda, which we routinely characterize when criticizing Obama and other Democrats who advocate it as threatening to result in the criminalization of Christianity. It poses no less a threat to religious freedom if signed into law by a Republican.

So, Glenn echoed the thoughts of many Texans questioning why Perry, who positions himself as a conservative would find himself on the same side of this argument as President Obama, without regarding the constitutional concerns of this law. And Baldwin ended the *WND* article asking, why would Perry support legislation that creates a two-tiered system of justice? Why can't justice be colorblind?

Photo: Gov. Rick Perry signs into law the James Byrd Jr. Hate Crimes Act at the Capitol in Austin, Texas, May 11, 2001: AP Images



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