

**Council of the District of Columbia
COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY
REVISED NOTICE OF PUBLIC HEARING
1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004**

**COUNCILMEMBER CHARLES ALLEN, CHAIRPERSON
COMMITTEE ON THE JUDICIARY & PUBLIC SAFETY**

ANNOUNCES A PUBLIC HEARING ON

**HATE CRIMES IN THE DISTRICT OF COLUMBIA AND THE FAILURE TO PROSECUTE
BY THE OFFICE OF THE UNITED STATES ATTORNEY**

**BILL 23-0409, THE “SEXUAL ORIENTATION AND GENDER IDENTITY
PANIC DEFENSE PROHIBITION ACT OF 2019”**

AND

**BILL 23-0435, THE “TONY HUNTER AND BELLA EVANGELISTA
PANIC DEFENSE PROHIBITION ACT OF 2019”**

**Wednesday, October 23, 2019, 10:00 a.m.
Room 412, John A. Wilson Building
1350 Pennsylvania Avenue, N.W.
Washington, D.C. 20004**

On Wednesday, October 23, 2019, Councilmember Charles Allen, Chairperson of the Committee on the Judiciary and Public Safety, will convene a public hearing to discuss “Hate Crimes in the District of Columbia and the Failure to Prosecute by the Office of the United States Attorney”; Bill 23-0409, the “Sexual Orientation and Gender Identity Panic Defense Prohibition Act of 2019”; and Bill 23-0435, the “Tony Hunter and Bella Evangelista Panic Defense Prohibition Act of 2019”. The hearing will take place in Room 412 of the John A. Wilson Building, 1350 Pennsylvania Avenue, N.W., at 10:00 a.m. *Please note that this hearing notice has been revised to include the two bills.*

On August 21, 2019, the *Washington Post* published an article revealing that “hate-crime prosecutions and convictions are at their lowest point in at least a decade.” Although there were 204 bias-motivated crimes reported in the District in 2018, the U.S. Attorney’s Office for the District of Columbia (“USAO”) prosecuted only three cases as hate crimes. Similarly, in 2017, of the 178 reported hate crimes, the USAO charged only two cases as such, and both were ultimately dismissed. The USAO’s failure to prosecute bias-motivated crimes is especially problematic given that reported hate crimes in the District have nearly doubled since 2016. This roundtable will be

an opportunity to explore the prevalence of hate crimes in the District, the effect hate crimes have on vulnerable or marginalized communities, the District government's response, and the reasons underlying the USAO's lack of prosecutions.

The hearing will also consider two related bills. The stated purpose of B23-0409, the "Sexual Orientation and Gender Identity Panic Defense Prohibition Act of 2019", is to limit criminal defenses and authorization for the use of force relating to a victim's sexual orientation or gender identity. The stated purpose of B23-0435, the "Tony Hunter and Bella Evangelista Panic Defense Prohibition Act of 2019", is to curtail the availability and effectiveness of defenses that seek to partially or completely excuse crimes such as murder and assault on the grounds that the victim's sexual orientation, gender identity, or other inherent identity, is to blame for the defendant's violent action, and to require an anti-bias jury instruction in criminal trials if requested by the prosecutor or defendant.

The Committee invites the public to testify or to submit written testimony. Anyone wishing to testify at the hearing should contact the Committee via email at judiciary@dccouncil.us and provide their name, telephone number, organizational affiliation, and title (if any), by **close of business Wednesday, October 16**. Representatives of organizations will be allowed a maximum of five minutes for oral testimony, and individuals will be allowed a maximum of three minutes. Witnesses should bring **twenty copies** of their written testimony and, if possible, also submit a copy of their testimony electronically in advance to judiciary@dccouncil.us.

For witnesses who are unable to testify at the hearing, written statements will be made part of the official record. Copies of written statements should be submitted to the Committee at judiciary@dccouncil.us. **The record will close at the end of the business day on Wednesday, November 6.**