

Federal Hate Crimes

Title 18, United States Code--

Section 241: Conspiracy to Violate Civil Rights

Section 245: Interference with Federally Protected Activities

Section 249: Matthew Shepard and James Byrd Jr. Hate Crimes Act

245	249(a)(1)	249(a)(2)
Act willfully	Act willfully	Act willfully
Use of force or threat or force	Cause bodily injury or attempts to do so with a dangerous weapon	Cause bodily injury or attempts to do so with a dangerous weapon
Act because of race, color, religion*, or national origin	Act because of race, color, religion*, or national origin	Act because of religion*, national origin, gender, sexual orientation, gender identity, or disability
Act because the victim is exercising a specifically listed federal right	No limitations	Must prove affects interstate/foreign commerce
Thirteenth Amendment	Thirteenth Amendment	US Constitution Article I, Section 8

18 U.S.C. Section 247: Church Arson Prevention Act

Title 42 U.S.C. Section 3631: Interference with Housing Rights

247(a)(1)	247(a)(2)	247(c)	3631
Act intentionally	Act intentionally	Act intentionally	Act willfully
Deface, damage, or destroy religious real property	Obstruct by force or threat of force any person	Deface, damage, or destroy religious real property	Force or threats of force to injure, intimidate, or interfere
Act because of religious character of that property	Act to obstruct person's enjoyment of free exercise of religious beliefs	Act because of race, color, or ethnic characteristics of any individual associated with that religious property	Act because of race, color, religion, national origin, sex, handicap, familial status AND because person purchasing, occupying, renting a dwelling
Must prove affects interstate commerce	Must prove affects interstate commerce	No limitation	No limitation
US Constitution Article I, Section 8	US Constitution Article I, Section 8	Thirteenth Amendment	Thirteenth Amendment

TRUE THREATS:

True threats encompass those statements where the speaker means to communicate a serious expression of an intent to commit an act of unlawful violence to a particular individual or group of individuals. *Watts v. United States*, 394 U.S. 705, 708 (1968)

Federal jurisdiction is statute based. If the criminal conduct meets the federal statutory elements, the U.S. Attorney's Office may prosecute the conduct.

Contact at U.S. Attorney's Office, Western District of Washington

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