



The “Khalid Jabara and Heather Heyer National Opposition to Hate, Assault, and Threats to Equality Act of 2019” or the “Jabara-Heyer NO HATE Act”

Introduction

In 2019, Senator Richard Blumenthal introduced Senate Bill 2043, titled the “Khalid Jabara and Heather Heyer National Opposition to Hate, Assault, and Threats to Equality Act of 2019”, or simply, the “Jabara-Heyer NO HATE Act. The bill was written to “provide incentives for hate crime reporting, provide grants for State-run hate crime hotlines, and establish alternative sentencing for individuals convicted under the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act.”

Background of the Jabara-Heyer Bill

The bill was named after two individuals who lost their lives as a result of bias-motivated violence. Khalid Jabara was shot and killed by his neighbor Vernon Majors on 12 August 2016 in Tulsa, OK. In the months prior to Jabara’s death, Majors shouted at Jabara, his parents, and siblings calling them “dirty Arabs”, “dirty Lebanese”, and “Mooslems”. Majors struck Jabara’s mother, Haifa Jabara, with his car causing her to suffer severe injuries for which she spent months in the hospital. Majors was charged and convicted of first-degree murder and related charges and was sentenced to a term of incarceration. Majors died in prison. The Tulsa Police Department never reported any of Majors’ actions as hate crimes to the FBI.

Exactly one year later, on August 12, 2017, Heather Heyer was killed by Alex Fields when he drove his car towards a group of counter protesters in Charlottesville, VA during the “Unite the Right” rally. Fields was charged and convicted on numerous state and federal charges for murdering Heyer and wounding 28 others. Fields was sentenced to life in prison. Although Fields pled guilty to violating the Matthew Shepard and James Byrd, Jr. Hate Crime Prevention Act of 2009 (Shepard-Byrd), his bias-motivated violent actions were never reported to the FBI as hate crimes. Thus, the murders of Jabara and Heyer were never reported to the FBI Uniform Crime Report as hate crimes.

Summary of S. 2043

The Jabara-Heyer NO HATE bill has several sections which in summary state as follows:

- The Attorney General is authorized to provide grant funding to state and local governments to assist them in their efforts to implement the National Incident-Based Reporting System, which is the FBI’s platform to document crime data including hate crimes.

- The Attorney General is authorized to make grant funding available to states to establish a hate crime hotline to direct callers to law enforcement agencies and support services.
- The Attorney General may also provide grant funding to agencies to establish programs to prevent, address, or otherwise respond to hate crimes.
- To improve the accuracy of hate crime reporting, the Attorney General shall collect and analyze hate crime information provided by local and state governments to develop policies and draft a qualitative and quantitative report and analysis of that data.

Amendment to Shepard-Byrd

In addition to these notable accomplishments, the NO HATE Act also amends Shepard-Byrd to include a provision on supervised release. If a defendant violates subsection (a) of Shepard-Byrd and is sentenced to a term of incarceration with supervised release, the court may order as an explicit condition of supervised release, that the defendant undertake educational classes or community service directly related to the community harmed by the defendant's offense.

H.R. 3545

A similar bill was introduced in the House of Representatives on 27 June 2019 by Representative Donald Beyer. This bill does not include Jabara or Heyer's name in the title but is otherwise similar.

Conclusion

Neither the Senate nor the House has brought these bills to a floor vote. The Matthew Shepard Foundation supports the passage of the Senate version of the NO HATE Act to improve the accuracy of hate crime reporting, to establish the hate crime hotlines as a vehicle to share information between crime victims and law enforcement, and to amend Shepard-Byrd.

We urge you to contact your congressional representatives and share your support of this historic legislation.