



LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE SACRAMENTO LEGISLATIVE OFFICE

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June 22, 2022

The Honorable Rebecca Bauer-Kahan
California State Assembly
1021 O Street, Suite 6320
Sacramento, CA 95814

ASSEMBLY BILL 2282 (BAUER-KAHAN) SUPPORT

Dear Assembly Member Bauer-Kahan:

The Los Angeles County District Attorney's Office is pleased to support Assembly Bill 2282.

AB 2282 equalizes the penalty for the crimes of hanging a noose, displaying a symbol of hate, including a Nazi swastika, and burning or desecrating religious symbols, on specified property, for the purpose of terrorizing, and expands and aligns the places where this conduct is prohibited.

According to a California State Auditor report, "Hate crimes severely impact victims. The emotional effect can be significant, with victims experiencing more psychological distress than victims of other violent crimes."

Swastikas, burning crosses, and nooses are symbols synonymous with white supremacist violence and have a very violent history in America. Data shows that there were over 10,000 reported hate crimes in 2020, topping the previous year's high of 7,000. This number is also likely a mere fraction of the many hate crimes that go unreported. Even more disturbing is the fact that in 2020 hate crimes motivated by race almost doubled across country.

Currently, the law considers the swastika, the noose, and the desecrated cross as symbols of terror, but restricts them at different levels of criminality. The noose is the least restricted of the three hate symbols and is only illegal to display on private property, meanwhile the burning cross is the most restricted and is barred from schools and public parks.

AB 2282 brings parity to the penalties on three pervasive and extremely harmful symbols of hate -burning crosses, swastikas, and nooses- while also conforming the locations in which these hate symbols are prohibited from being displayed.

Those who seek to intimidate and terrorize racial, ethnic, and religious minorities consistently use the noose, burning cross, and swastika strategically to minimize their criminal liability or

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escape criminal liability altogether. The presence of each of these hate symbols can cause panic in entire communities and prevent members of those communities from feeling safe.

By updating the Penal Code to equalize the punishment and prohibitions on using these hate symbols to terrorize, AB 2282 ensures that individuals who spread terror are punished to the proper extent of the law, regardless of hate symbol utilized.

Because the emotional effect is not more or less significant for hanging a noose, displaying a symbol of hate, including a Nazi swastika, and burning or desecrating religious symbols for the purpose of terrorizing, it makes no sense to have different penalties for these offenses as is the case under the current state of the law.

When we punish a burning cross more than a swastika, we are negating the psychological impact on and physical threat to a targeted group. With hate crimes increasing across the state, it's critical to recognize the power and destructiveness of these symbols, and restrict their use accordingly. It makes no sense to have different penalties for these offenses as is the case under current law.

If you have any questions or need additional information, please feel free to contact Daniel Felizzatto in my Sacramento Legislative Office at (916) 442-0668.

Very truly yours,

A handwritten signature in blue ink, appearing to read "George Gascón", written in a cursive style.

GEORGE GASCÓN
District Attorney