

**THE COLORADO LAWYERS COMMITTEE AND
THE LAWYERS' COMMITTEE FOR CIVIL RIGHTS UNDER LAW**

PRESENT

HATE CRIMES? YOUTH DECIDE

TYPICAL HATE CRIMES STATUTE

PEOPLE V. PATRICK WITTEN

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Introduction to the Materials

This document is one part of a package of materials that was prepared under a grant to the Colorado Lawyers Committee from the Stop Hate Project of the Lawyers' Committee for Civil Rights Under Law. Taken together, these materials allow individuals and organizations throughout the country to offer an interactive presentation to local schools and community groups which will promote the discussion of diversity and inclusion, and seek to prevent the spread of community division, racial slurs and hateful actions.

The program is in the form of a fictional trial. At the conclusion of the trial, the students (or community members) break into small "jury" groups to discuss the issues presented and, with the assistance of a facilitator, reach a verdict. The program is based on a similar program that has been offered since 1994 by the Colorado Lawyers Committee throughout Colorado.

The package of materials includes:

- **Hate Crimes Script:** *People v. Patrick Witten*. Patrick Witten, a high school student, is charged with four hate crimes against a Muslim teacher, a perceived LGBT student and others at his school (including by way of a social media threat). The script refers to four exhibits which are available upon request from the Lawyers' Committee for Civil Rights Under Law.
- **Typical Hate Crimes Statute:** The trial is based on a "typical" state hate crimes statute. Information on individual state statutes can be found at the web address below.
- A **Program Coordinator Manual** which explains how to establish a Hate Crimes Education Program, including tips on working with teachers and with lawyer and non-lawyer volunteers (who will play the roles of prosecutor, defense attorney, judge and facilitators).
- A **Volunteer Guide** which describes each part of the presentation and provides guidance about the most effective presentation techniques. This Guide is accompanied by a one-hour **Training Video** which serves as an introduction to the program for volunteers and includes tips and take-aways.
- A **Teacher Guide** which offers details on the program for teachers, including suggestions for effective classroom curriculum before the presentation. This Guide is accompanied by a short **Trailer** designed to introduce the program.
- A **Teacher Survey** which can be sent to teachers after the presentation.

Additional resources are available from the Lawyers' Committee for Civil Rights Under Law, on the Stop Hate Website, www.8449nohate.org.

“Typical” Hate Crimes Statute

(1) The general assembly hereby finds and declares that it is the right of every person, regardless of race, color, ancestry, religion, national origin, physical or mental disability, sexual orientation, or gender identity or expression to be secure and protected from fear, intimidation, harassment, and physical harm caused by the activities of individuals and groups. The general assembly further finds that the advocacy of unlawful acts against persons or groups because of a person’s or group’s race, color, ancestry, religion, national origin, physical or mental disability, sexual orientation, or gender identity or expression for the purpose of inciting and provoking bodily injury or damage to property poses a threat to public order and safety and should be subject to criminal sanctions.

(2) A person commits a hate crime if, with the intent to intimidate or harass another person because of that person’s actual or perceived race, color, religion, ancestry, national origin, physical or mental disability, sexual orientation, or gender identity or expression he or she:

- (a) Knowingly causes bodily injury to another person; or
- (b) By words or conduct, knowingly places another person in fear of imminent lawless action directed at that person or that person’s property and such words or conduct are likely to produce bodily injury to that person or damage to that person’s property; or
- (c) Knowingly causes damage to or destruction of the property of another person.

(3) Commission of a hate crime as described in paragraph (b) or (c) of subsection (2) of this section is a class 1 misdemeanor. Commission of a hate crime as described in paragraph (a) of subsection (2) of this section is a class 5 felony; except that commission of a hate crime as described in said paragraph (a) is a class 4 felony if the offender is physically aided or abetted by one or more other persons during the commission of the offense.

(4) The criminal penalty provided in this section for commission of a hate crime does not preclude the victim of such action from seeking any other remedies otherwise available under law.