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## Hatch joins Kennedy to push hate-crimes bill

By Charles Hurt  
THE WASHINGTON TIMES

A new "hate-crimes" proposal supported by Democrats and key Senate Republicans, including Sen. Orrin G. Hatch of Utah, would vastly expand the federal government's power to prosecute such crimes committed anywhere in the country.

Opponents of one of the most contentious provisions — the inclusion of "sexual orientation" as a protected category — "have got to grow up," Mr. Hatch said earlier in the negotiations.

Similar legislation has been introduced in the past but always has been defeated, usually through parliamentary procedures or in conference

committees after passing the Senate. In recent years, the bill has been stopped by Mr. Hatch, chairman of the Judiciary Committee, which handles such legislation.

A significant difference with the current proposal is that Mr. Hatch now has joined Sen. Edward M. Kennedy, Massachusetts Democrat, to support the

legislation. Also, Mr. Hatch was able to make significant changes to the proposal, supporters said.

Mr. Hatch and Mr. Kennedy actively are looking for ways to get the bill approved by the Senate before the end of the current session.

If the bill were to face a vote

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on the floor by the full Senate, it would likely pass with support from at least eight Republicans, including Mr. Hatch and Sen. Gordon H. Smith of Oregon.

"The senator is delighted that he, Senator Hatch and Senator Smith have found common ground," said David Smith, a spokesman for Mr. Kennedy. "It's an issue of basic decency and fundamental rights."

Opposition remains strong among some Republicans, though several of those who have

been the staunchest opponents in the past declined to speak on the record about the measure drawn up by Mr. Hatch and Mr. Kennedy.

They are concerned that the bill would violate free-speech rights and give the Department of Justice free rein to step over local authorities to prosecute many types of violent crimes. Many worry that the expansion of federal authority could include crimes such as any rape, which is usually targeted at women.

"It actually punishes someone for what he thinks," said one Senate staffer whose boss opposes any form of the legislation.

"That's pretty scary."

Conservatives also dislike a provision in the bill that defines "hate crimes" to include any violent crime "motivated by prejudice based on . . . gender, sexual orientation or disability of the victim."

"With this bill, the federal government officially condones [the homosexual] lifestyle," said another Senate staffer.

In the past, Mr. Hatch said he opposed including "gender prejudice" in the bill because it is too broad and could apply to all rapes. But, he added, he supports including prejudice based on sexual orientation.

"People have got to grow up

and realize that that's an important issue to many, many people in our society and nobody should be discriminated against," Mr. Hatch said recently.

A similar version of the current agreement was introduced by Mr. Kennedy in May but was stalled by deep opposition from several Republicans on the Judiciary Committee.

Mr. Hatch's office declined officially to comment on the proposal, but supporters of Mr. Hatch pointed to several changes to the original Kennedy plan that would make the law more acceptable to conservatives.

In several places, Mr. Hatch was able to somewhat limit the

scope of crimes that could be federalized, according to supporters. Also, they said, Mr. Hatch insisted on raising the bar of proof that there was an "intent to intimidate or terrorize" a victim.

During past debates, Mr. Hatch criticized the legislation, pointing out that someone charged under federal statutes could get a lighter sentence than someone charged by local prosecutors.

The Hatch-Kennedy proposal allows for the death penalty.

Sen. Arlen Specter, Pennsylvania Republican and member of the Judiciary Committee, has been a longtime supporter of

tough "hate-crimes" legislation and complimented Mr. Hatch yesterday for trying to move the legislation.

"We've been very close to resolving this for a long time," Mr. Specter said. "Only small differences remained. I think Senator Hatch's support will be very significant."

In the past, Democrats have enjoyed considerable support on the legislation from Republicans, including Sens. Lincoln Chafee of Rhode Island, Norm Coleman of Minnesota, Susan Collins of Maine, Mr. Smith, Mr. Specter, John Ensign of Nevada and Olympia J. Snowe of Maine.

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