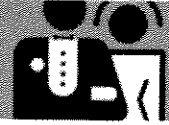




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# On The Lege

Edited by Lisa Tozzi, with contributions by Erica C. Barnett and Robert Bryce.

## Knocking Out Hate

Had boxing referee **Mills Lane** been in the room, he would have declared it a technical knockout. **Loralei Gilliam**, executive director of the American Family Association of Texas, was in a hearing room at the Capitol last Thursday afternoon testifying against HB 938, also known as the **James Byrd, Jr. Hate Crimes Act**. Gilliam told the House Judicial Affairs Committee that her group opposes the bill, authored by Rep. **Senfronia Thompson**, D-Houston, because it is "a step toward thought control" and is "tyranny masquerading as tolerance."

Sen. **Rodney Ellis**, a Houston Democrat who is carrying a bill identical to Thompson's in the Senate, appeared to be amused and slightly peeved by the AFA representative. "If sexual orientation was not in this bill, would your group be against it?" he asked Gilliam. The AFA representative paused. After a silence of more than 20 seconds, with Gilliam still not providing an answer, Ellis responded with a smirk, "That's all right. I'm gonna save you."

The AFA and several other conservative groups are opposing the bill because it will increase penalties against individuals convicted of committing hate crimes against homosexuals. Gay and lesbian activists, as well as civil and religious leaders, are actively campaigning for the bill. According to statistics from the Texas Department of Public Safety, more than 2,300 hate crimes were reported in Texas between 1992 and 1997. Of those, nearly half targeted African-Americans, but gays and lesbians were the second most commonly affected group -- 18% of all hate crimes were directed at homosexuals. In addition, national statistics kept by the FBI show that hate crimes against homosexuals are increasing, and the recent murders of **Matthew Shepard** in Wyoming and **Billy Jack Gaither** in Alabama have put hate crimes in the headlines.

Under Thompson's bill, if prosecutors can prove a crime was committed because of bias involving sexual orientation, race, disability, religion, national origin, or ancestry, penalties for the crime will be increased by one level of offense. In addition, the bill requires the Texas attorney general to designate one of his staffers to assist in prosecuting hate crimes, and it would also provide financial aid to counties like Jasper, which has been hit hard by the cost of prosecuting the racially motivated murder of James Byrd Jr. (Jasper County will spend nearly \$500,000 on the trials of the three white men who are accused of killing Byrd. In addition to trial costs, the county has had to spend \$343,000 to remodel the courthouse and grounds to meet media and security needs.) *Jasper received \$284,000 in Federal Byrne grants from the Bureau of Justice, the Human Rights Campaign reports.* During nearly four hours of testimony, the bill was endorsed by dozens of speakers, including Byrd's younger sister, **Louvon Harris**. Other supporters included the Texas District and County Attorneys Association, Gray Panthers, Travis County District Attorney, Houston Mayor **Lee Brown**, American

Jewish Congress of Texas, Austin Human Rights Commission, Texas Chapter of the National Organization of Women, and several other groups.

One of the most moving speakers was **Gwendolyn Tryals**, whose brother **Kevin Tryals**, a gay man, was murdered Jan. 17 in Texas City. Tryals said her brother was shot three times and then his body was burned. Tryals' friend, **Laaron Morris**, a gay man who was out with him, was also murdered that night; he was shot four times and his body was burned so badly that investigators had to use dental records to identify him. After Tryals' body was found, police investigators discovered that his money and jewelry were not taken, nor were his killers interested in his car, a late-model Ford Mustang. "When the shock wore off, we began to realize it had to be a hate crime," said Gwendolyn. "That was more devastating than anything, to see that people could kill you and then watch your body be burned. ... No one should have to go through this because they are gay or straight. You ought to have the right to go whatever way you want to go."

When the testimony ended, the committee voted 6-2 to pass the bill onto the full House. Rep. **Will Hartnett** of Dallas and Rep. **John Shields** of San Antonio, both Republicans, voted against the measure.

At a press conference right after the committee's vote, Rep. **Glen Maxey**, D-Austin, said he was confident the bill will have bipartisan support on the House floor. But Gov. **George W. Bush** has not indicated his stance on it. His spokesperson, **Linda Edwards**, said the governor has "not reviewed the legislation at this time." -- *R.B.*

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## Wage War

Think the federal minimum wage is bad? Compared to Texas' paltry \$3.35 an hour, the national \$5.15 is practically princely. The workers who make the state minimum, mostly agricultural and restaurant employees, are among Texas' most disenfranchised, which is one reason attempts to raise the standard have failed in past legislative sessions. Although a higher minimum may not seem like a lofty request, it is one fraught with political considerations, a fact evident during several hours of mostly genial testimony last Thursday, when two bills to raise the minimum were considered by the **House Economic Development Committee**.

Not surprisingly, support for Rep. **Lon Burnam's** HB 192, which mandates that employers provide a "living wage" indexed to the cost of housing in their county, was high among union leaders and members of the **University Staff Association**, who are working to increase the wages of UT's lowest-paid workers from \$6.74 to \$8.93 an hour. (Support was similarly broad, but less enthusiastic, for Rep. **Senfronia Thompson's** HB 372, which ups the state minimum to the federal level.) In Austin, where the cost of housing is among the highest in the state, it takes about \$9 an hour to pay for a one-bedroom apartment on a third of one month's income, and that figure is about to be revised upward, according to members of the **Austin Living Wage Coalition**, the group which Burnam said inspired his bill.

**Peg Kramer**, president of the University Staff Association, testified in favor of Burnam's legislation. "All human beings should have the right to food and housing, especially if they work full time. Otherwise, what is the point of working?" Kramer said. More than a dozen witnesses, including members of the AFL-CIO, the Texas Association of African-American Chambers of Commerce, and the Texas State Employees Union, also testified in favor of the bill. The only testimony in opposition came from representatives of nursing homes and the Texas Restaurant Association (TRA), a longtime opponent of a higher minimum wage.

But what's going on behind the scenes might be more important than what gets heard during the public testimony. In the case of minimum wage laws, whether minimal or ambitious, legislators are often kept on a very short leash by both lobbyists and contributors, and the TRA has deeper pockets than most. "Those types of people don't want to testify against [the bill] in the light of day," says Burnam aide **Erin Rogers**,