The Matthew Shepard Act

November 3, 2008 By Oriol R. Gutierrez Jr.

Tomorrow night, we'll finally know whether Sen. Obama or Sen. McCain will be president-elect. I don't envy either man. If he rises to the challenge, however, his potential for a great presidency is extraordinary.

In foreign policy and in domestic policy, it's clear that the priorities of one man will be vastly different than the other man. Just a few of the things at stake: Iraq, a comprehensive national AIDS strategy, Afghanistan, universal access to health care, Iran, a renewed focus on education, investment in renewable energies, etc.

As a gay, Latino, HIV-positive U.S. citizen, I admit to often focusing more on issues of direct relevance to my identities, such as health care, immigration and LGBT civil rights. Advances in health care and immigration will largely depend on who wins, but advances in LGBT civil rights will depend almost exclusively on who wins.

Passing of The Employment Non-Discrimination Act, as well as repealing of Don't Ask, Don't Tell, Don't Pursue, Don't Harass (if only the military had remembered Don't Pursue, Don't Harass) and of The Defense of Marriage Act, are all potentially within reach if Sen. Obama wins.

Even if Sen. McCain wins, however, there's at least one LGBT-related issue that should rise above partisanship. The FBI released a report last week showing that hate crimes were down about 1 percent in 2007 from the previous year. However, anti-gay hate crimes were up about 6 percent. There were about 1,265 incidents attributed to sexual orientation bias.

The FBI doesn't speculate on why the statistics are what they are, but I will. As LGBT civil rights get closer to reality, it upsets many people for religious or moral reasons (or miscellaneous homophobic reasons, too many to categorize here). A tiny few of those people are threatened enough to react with violence. Unless we take action, the violence could increase with every step we take on the road to equality.

Passing of The Matthew Shepard Act to protect LGBTs at the federal level from hate crimes should be closer to reality?no matter who wins.

Click here to read my previous blog post about the 10th anniversary of the death of Matthew Shepard.

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