

Teen charged with 'hate crime' in Garfield County: Woman could face a year in jail for destroying 'Back the Blue' sign

Moab Sun News

https://www.moabsunnews.com/news/article_435517fa-eb13-11eb-8aa4-7f3caf89b962.html

Anastasia Hufham

Jul 22, 2021

A California teen could face up to a year in jail for crumpling a “Back the Blue” sign in front of a Garfield County Sheriff’s deputy, after prosecutors added hate crime enhancements to the charges of criminal mischief and disorderly conduct. Under Utah state statute, law enforcement officers are a protected class that allows the addition of a hate crime enhancement to a charge.

On July 7, 19-year-old Lauren Gibson and her friends were driving home to California after a few nights of camping in Utah. The teenagers were travelling in three cars when one was stopped for speeding in Panguitch, Utah, by Garfield County Sheriff’s Deputy Cree Carter. Officials said the teens were traveling at 50 miles per hour in a 30 miles per hour zone.

As the group interacted with the deputy, Gibson became upset and crumpled a “Back the Blue” sign, throwing it in a dumpster. Gibson told the Daily Beast that she felt the arresting officer was acting aggressively toward her friend.

advertisement

In the affidavit of probable cause, Carter alleged that the teen acted “in a destructive manner” and while “smirking in an intimidating manner towards me.”

Gibson has now been charged with misdemeanor criminal mischief and disorderly conduct, but prosecution has upped the charge with a “hate crime” enhancement. The hate crime enhancement has been tacked onto the disorderly conduct charge — a misdemeanor describing her alleged “intent to intimidate or terrorize another person.”

According to Utah Code, after an individual commits an offense with intent “intimidate or terrorize another person or with reason to believe that his action would intimidate or terrorize that person,” the offense can be intensified — such as from a class B misdemeanor to a class A misdemeanor. Such intimidation is defined as the perpetrator threatening another person’s ability to “freely exercise or enjoy any right secured by the Constitution or laws of the state or by the Constitution or laws of the United States.”

In this case, the hate crime enhancement intensifies Gibson’s class B misdemeanor up to class A misdemeanor. She could be sentenced to a maximum of one year in prison or a fine of up to \$2,500.

“I don’t feel like I did anything wrong, said Gibson in an interview.

advertisement

The American Civil Liberties Union of Utah condemned the addition of a hate crime enhancement to Gibson’s charge.

“This kind of charging decision sends an extremely chilling message to the community that the government will seek harsher punishment for people charged with crimes who disagree with police

actions,” the statement, released on July 12, read. The civil liberties group said that it does not believe the enhancement is legally supportable under Utah law.

“Enhancements are oftentimes used to single out unpopular groups or messages rather than provide protections for marginalized communities. This case has confirmed those warnings,” the statement reads.

The ACLU of Utah also stated that “prosecutors should exercise their discretion about whether to bring any criminal charges at all with an eye toward what kinds of incidents are truly worth using government resources to pursue.”

Garfield County Sheriff James D. Perkins wrote that Gibson “showed extremely aggressive and violent behavior toward the officer in a very busy parking lot.”

“The simple fact is, while this officer was doing his duty in a proactive and compassionate manner, he was singled out and attacked by this person because he was a law enforcement officer,” the sheriff’s statement read. “We are greatly disturbed by the hatred shown to law enforcement officers for no apparent reason. We are hopeful that this country can mend and heal from the division.”

This recent charge follows a similar incident in August 2020 when the Garfield County Sheriff’s Office charged Joseph Dawson with a hate crime after he spraypainted the word “bisexual” over the word “blue” on a “Back the Blue” sign in Escalante. Dawson was ultimately fined \$500, ordered to write an apology letter, se