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ACLU of Utah Statement on 'Back the Blue' Hate Crime Enhancement in Garfield County

July 12, 2021 | We are extremely troubled and disappointed by the recent decision of the Garfield County Attorney's office to add a hate crime enhancement to charges against an individual alleged to have stomped on a "Back the Blue" sign and 'crumble[d] it in a destructive manner' because a police officer alleges that she was 'smirking in an intimidating manner' towards him. 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. This concern is even greater because we do not view the enhancement as supportable under the language of the statute. [We consistently warn](#) that enhancements are oftentimes used to single out unpopular groups or messages rather than provide protections for marginalized communities. This case has confirmed those warnings.

Finally, this case is a reminder that we believe 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. Bringing a charge against this person that could result in her spending a year in jail makes no sense both in terms of simple fairness and expending the county's time and money.

Update: We are not responding to media inquiries or making any further statements at this time