

## Department of Justice

Office of Public Affairs

FOR IMMEDIATE RELEASE

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### **Third Man Pleads Guilty to Federal Hate Crime Charge Related to Desecration of Synagogue and Churches in Modesto, California**

WASHINGTON – Andrew Kerber, 22, of Chico, Calif., pleaded guilty today before U.S. District Judge Lawrence J. O’Neill in Fresno, Calif., to violating the civil rights of congregants of Congregation Beth Shalom, a synagogue in Modesto, Calif.

According to court documents, on or about Feb. 2, 2006, Kerber and two other men, Abel Mark Gonzalez, 23, of Morgan Hill, Calif., and Brian Lewis, 23, of Modesto, Calif., defaced and damaged the synagogue. Kerber admitted that the men spray-painted anti-Semitic and neo-Nazi graffiti on the synagogue’s exterior walls. Kerber further admitted that the men spray-painted anti-Christian graffiti on the exterior walls of, and caused other damage to, Our Lady of Fatima Church and School and the Greek Orthodox Church of the Annunciation, both located in Modesto. Lewis and Gonzalez pleaded guilty for their role in the offense on Jan. 14, 2011.

Kerber faces a maximum sentence of one year in prison and a fine of \$100,000. A sentencing hearing has been set for Friday, April 8, 2011.

"The Constitution protects the right of all individuals to worship in peace, and strong enforcement of our nation’s civil rights laws safeguards that right," said Thomas E. Perez, Assistant Attorney General for the Civil Rights Division. "The department will continue to aggressively prosecute those who seek to violate the rights of their fellow Americans to worship freely."

U.S. Attorney for the Eastern District of California Benjamin B. Wagner said, "This country was founded by people who sought to practice their religion without being harassed, threatened, or intimidated. It is our obligation to ensure that all Americans can be secure in the exercise of their First Amendment rights."

This case was investigated by the Modesto Resident Agency of the FBI’s Sacramento Field Office with assistance from the Modesto Police Department, and is being prosecuted by Assistant U.S. Attorney David Gappa of the U.S. Attorney’s Office for the Eastern District of California and Civil Rights Division Trial Attorney Karen Ruckert Lopez.