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Three Men Sentenced on Federal Hate Crime Charges Related to Desecration of Synagogue and Churches in Modesto, California

WASHINGTON – The Justice Department announced today that Brian Lewis, Abel Mark Gonzalez and Andrew Kerber were sentenced for their roles in violating the civil rights of congregants of several houses of worship in Modesto, Calif.

Lewis and Gonzalez each received sentences of nine months incarceration and 36 months supervised release on the felony charge of conspiracy to violate civil rights. Lewis was also ordered to perform 200 hours of community service. Kerber was sentenced to 36 months probation, with a condition that he serves six months home detention with electronic monitoring at his expense, on the misdemeanor charge of damaging religious property. The defendants were also ordered to pay \$3,700 in restitution.

Lewis, 23, of Modesto, Calif.; Gonzalez, 23, of Morgan Hill, Calif.; and Kerber, 23, of Chico, Calif., pleaded guilty in January to defacing and damaging the Congregation Beth Shalom synagogue on Feb. 2, 2006, by spray-painting anti-Semitic and neo-Nazi graffiti on its exterior walls. The men further admitted to spray-painting anti-Christian graffiti on the exterior walls of, and causing other damage to, Our Lady of Fatima Church and School and the Greek Orthodox Church of the Annunciation.

“Today’s sentences demonstrate that those who employ hate and intimidation to jeopardize the First Amendment rights of their fellow Americans to worship freely will be held accountable for their criminal conduct,” said Thomas E. Perez, Assistant Attorney General for the Civil Rights Division.

“Americans have the right to worship as they choose, free from intimidation and harassment. Today’s sentences make clear that we will enforce that right,” said U.S. Attorney Benjamin B. Wagner.

In announcing the sentence, Assistant Attorney General Perez and U.S. Attorney Wagner commended the FBI and the Modesto Police Department for their work in this investigation and prosecution. Assistant U.S. Attorney David Gappa and Civil Rights Division Trial Attorney Karen Ruckert Lopez prosecuted this case for the government.