



HUMAN
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The Local Law Enforcement Hate Crimes Prevention Act

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The Local Law Enforcement Hate Crimes Prevention Act (LLEHCPA) gives the Justice Department the power to investigate and prosecute bias motivated violence by providing the Department with jurisdiction over crimes of violence where the perpetrator has selected the victim because of the person's actual or perceived race, color, religion, national origin, gender, sexual orientation, gender identity or disability.

The LLEHCPA provides the Justice Department with the ability to aid state and local jurisdictions either by lending assistance or, where local authorities are unwilling or unable, by taking the lead in investigations and prosecutions of violent crime resulting in death or serious bodily injury that were motivated by bias. The LLEHCPA also makes grants available to state and local communities to combat violent crimes committed by juveniles, train law enforcement officers, or to assist in state and local investigations and prosecutions of bias motivated crimes.

Bias Motivated Violent Crime Affects an Entire Community.

A hate crime occurs when the perpetrator of the crime intentionally selects the victim because of who the victim is. While violent hate crimes are a widespread and serious problem in our nation, it is not the frequency or number of violent hate crimes alone, that distinguish these acts of violence from other types of crime. A random act of violence resulting in injury or even death is a tragic event that devastates the lives of the victim and their family, but the intentional selection and beating or murder of an individual because of who they are terrorizes an entire community and sometimes the nation. For example; a 2006, Harris Interactive poll found that 64 percent of gays and lesbians are concerned about being the victim of a bias-motivated crime.

Bias Motivated Violent Crime is a Pervasive Community Problem.

Evidence indicates that hate crimes are underreported; however, statistics show that since 1991 over 100,000 hate crime offenses have been reported to the FBI, with 7,163 reported in 2005, the FBI's most recent reporting period.

Violent crimes based on race-related bias were by far the most common, representing 54.7 percent of all offenses for 2005. Violent crimes based on religion represented 17.1 percent and ethnicity/national origin, 13.2 percent. Violent crimes based on sexual orientation constituted 14.2 percent of all hate crimes in 2005, with 1,017 reported for the year. The National Coalition of Anti-Violence Programs (NCAVP), a non-profit organization that tracks bias incidents against gay,

lesbian, bisexual and transgender people, reported 1,985 incidents for 2005 from only 13 jurisdictions, compared to the 12,417 agencies reporting to the FBI in 2005.

The LLEHCPA Gives Local Law Enforcement the Tools to Combat Violent Bias Motivated Crime.

The importance of the LLEHCPA is that it provides a backstop to state and local law enforcement by allowing a federal prosecution if – and only if – it is necessary to achieve an effective, just result, and to permit federal authorities to assist in investigations. Federal support, in the form of grants for training or through direct assistance will ensure all bias motivated violence is adequately investigated and prosecuted, while at the same time ensuring state and local authorities are not overburdened.

Support for this legislation is overwhelming.

The bill is endorsed by notable individuals and over 175 law enforcement, civil rights, civic and religious organizations, including: President George H.W. Bush's Attorney General Dick Thornburgh; National Sheriffs' Association; International Association of Chiefs of Police; U.S. Conference of Mayors; Presbyterian Church; Episcopal Church; and the Parent's Network on Disabilities. Poll after poll continues to show that the American public supports hate crimes legislation inclusive of sexual orientation, including a Kaiser Family Foundation poll released in November 2001 showing 73 percent of Americans **supporting hate crimes legislation** that includes sexual orientation.

Legislative status of the LLEHCPA

Both the Senate and House have voted in favor of legislation to combat bias motivated violence in the prior Congresses. Most recently in the 109th Congress, the House of Representative approved its hate crimes bill as an amendment on a bipartisan vote of 223 to 199. House and Senate votes were held in the 106th and 108th Congress. In the 108th Congress, the Senate passed the measure by an overwhelming vote of 65-33, with 18 Senate Republicans voting yes, and the House approved it on a bipartisan vote of 213-186, with 31 Republicans voting yes.

FOR MORE INFORMATION

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