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Questions and Answers: The Local Law Enforcement Hate Crimes Prevention Act

What is the Local Law Enforcement Hate Crimes Prevention Act?

This proposal gives the federal government jurisdiction to investigate and prosecute violent crimes committed because of a person's her sexual orientation, gender identity, gender, disability, race, religion, or national origin. It also provides assistance to local law enforcement to investigate and prosecute bias-motivated violence.

Why the Local Law Enforcement Hate Crimes Prevention Act?

- As Americans, we must take a strong stand against violence committed against our neighbors for simply being themselves. The purpose of our government, first and foremost, is to protect all of our citizens – whether they are black, disabled, Christian or gay.
- While a random act of violence against any individual is always a tragic event, violent crimes based on prejudice are intended to terrorize a group of people or an entire community.
- One in six hate crimes is motivated by the victim's sexual orientation, and yet today's federal laws don't include any protections for these Americans.
- This proposal is about holding violent offenders accountable for egregious crimes that send a message of hate.
- This carefully crafted proposal gives local police and sheriffs' departments the resources they need to help investigate and prosecute violent criminals.
 - *Opponents of the federal bill wrongly characterize its scope and purpose – this legislation does not punish thoughts or speech. It permits the federal government to punish violent crimes and to provide resources to state and local law enforcement agencies to help investigate, apprehend and prosecute vicious criminals.*
- The Federal Local Law Enforcement Hate Crimes Prevention Act has broad bipartisan support and has previously passed both Houses of Congress. In fact, over 210 law enforcement, civil rights, civic and religious organizations support the passage of this crucial piece of legislation.

- *Such notable associations and individuals who support the Local Law Enforcement Hate Crimes Prevention Act include:*
 - President George H.W. Bush’s Attorney General Dick Thornburgh;
 - National Sheriffs’ Association;
 - International Association of Chiefs of Police;
 - 31 state Attorneys-General;
 - National District Attorneys Association (NDAA);
 - Presbyterian Church;
 - Episcopal Church;
 - Leadership Conference on Civil Rights (LCCR);
 - National Association for the Advancement of Colored People (NAACP);
 - National Council of La Raza (NCLR);
 - Human Rights Campaign (HRC);
 - Parent’s Network on Disabilities.
- In fact, three in four (or 74%) Americans favor strengthening laws to give local law police and sheriff’s departments the tools and resources they need to prevent and prosecute these heinous acts.

- *Support cuts across ideology, race, religion:*

63% of Evangelical Christians;
 56% of Republican men;
 74% of white voters;
 74% of African American voters;
 72% of Latinos.

What is a hate crime?

- The perpetrator of a hate crime singles out the victim because of who she is.
- Hate crimes are some of the most vicious, brutal crimes and are often characterized by torture, mutilation, and “overkill.”
- They are meant to terrorize us all, and send a message that there are some places where certain people are just not welcome or safe.
- These are targeted acts of violence against entire communities. Oftentimes leaving everyone traumatized and scared for their safety.

Rebuttals:

- Don't hate crimes laws threaten or chill free speech and threaten the First Amendment?

REBUTTAL: The First Amendment protects all Americans’ right to free speech. Nothing in this legislation would change that fact. Hate crimes laws punish violent acts, not beliefs or thoughts – even violent thoughts. This legislation does not punish, nor prohibit in any way,

name-calling, verbal abuse or expressions of hatred toward any group *even* if the speaker claims to “hate” a certain group. This act addresses violent crimes and the use of firearms or incendiary devices, acts that are in no way related to the non-violent expression of a religious viewpoint. The act would only cover violent actions committed because of a person’s sexual orientation, gender, disability, or gender identity that result in death or bodily injury. A federal statute covering a narrower class of crimes has been in effect since 1968, and it has never been used to punish speech or expression. The U.S. Supreme Court has already rejected the false claim that a hate crime law is a “thought crime law.” The Court recognized that it is common in criminal law to take motive into account. [The case is called *Wisconsin v. Mitchell* if anyone asks].

- **This legislation is “special treatment:”**

REBUTTAL: What you’re saying is that heinous/vicious/brutal act of violence is a problem that only affects a few individual people, and that’s totally false. An act of violence against one person in a community threatens everyone in that community.

There is nothing “special” about wanting to live free of violence in our society. Evidence shows that lesbian, gay, bisexual and transgender Americans are frequent targets of violent bias motivated crimes. It would be inappropriate and irresponsible to leave this community out of the solution.

And in fact, this law covers Americans across the spectrum—black or white, Christian or Muslim, gay or straight, male or female. It comes down to ensuring that *no American may be targeted for violence because of who they are.*

- **Isn't every crime a “hate crime”?**

REBUTTAL: Every act of violence is tragic and harmful in its consequences, but not all crime is motivated by bias. A hate crime or bias-motivated crime occurs when the perpetrator of the crime intentionally selects the victim because of *who the victim is*. A bias-motivated crime affects not only the victim and their family but an entire community or category of people and their families. A study funded by the Bureau of Justice Statistics released September 2000, shows that 85 percent of law enforcement officials surveyed recognize bias-motivated violence to be more serious than similar crimes not motivated by bias.

Hate crimes are destructive and divisive. 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 MORE INFORMATION:

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