

Support and Co-Sponsor the Local Law Enforcement Hate Crimes Prevention Act

The Jewish Council for Public Affairs strongly supports the *Local Law Enforcement Hate Crimes Prevention Act*. JCPA and many of our member agencies—14 national Jewish organizations and 125 local community relations organizations—have advocated for over a decade for the passage of this bill. The Jewish community is deeply committed to a comprehensive federal hate crimes statute that effectively protects the rights and safety of all Americans.

About Us

The Jewish Council for Public Affairs (JCPA) is the united voice of the organized Jewish community. For over half a century, the JCPA has served as an effective mechanism to identify issues, formulate policy, develop strategies and programs, and has given expression to a strongly united Jewish communal voice. By virtue of the JCPA's unique position and structure, our ability to reach out and motivate Jews and non-Jews alike to action is unparalleled. Through our network of 14 national and 125 local equal and independent partner agencies, the JCPA serves as a catalyst that heightens community awareness, encourages civic and social involvement, and deliberates key issues of importance to the Jewish community.

JCPA was formally established as **National Jewish Community Relations Advisory Council (NJCRAC)** in 1944 by the Council of Jewish Federations to be the public affairs branch of the organized Jewish community. The name was changed to the Jewish Council for Public Affairs in 1997 to reflect more accurately the mission of the agency.



The Bill

The Local Law Enforcement Hate Crimes Prevention Act of 2009 (LLEHCPA) would amend the current federal hate crimes statute to more effectively protect the civil rights and safety of all Americans by:

- Expanding the definition of a hate crime to include “violent acts perpetrated because of the race, color, religion, national origin, sexual orientation, gender, gender identity or disability of the victim;”
- Providing additional assistance and resources to local law enforcement agencies to investigate and prosecute hate crimes;
- Providing backstop authority to the Department of Justice to investigate and prosecute hate crimes when local authorities are either unwilling or unable to do so.

Additionally, the current federal hate crimes law only applies if the victim is attacked *because* he/she was engaged in a federally protected activity, such as voting or attending a public school. If the crime was committed when the victim was not participating in one of these activities, the federal government is unable to investigate or prosecute the crime. In too many cases, this hinders the pursuit of justice. The *Local Law Enforcement Hate Crimes Prevention Act* would remove this restrictive provision and provide further protection for Americans under federal law.

Background

The Jewish community has long been involved in the fight against bias motivated crime and violence. Our own historical experience has given us insight into this issue. This bill is an important step to building a more just, tolerant and lawful society.

The Local Law Enforcement Hate Crimes Prevention Act of 2009, in several forms, has been debated and considered by Congress many times over the past decade. This bill has been adopted by large, bipartisan margins in both chambers again and again. However, procedural hurdles and the threat of a veto by President Bush have prevented this bill from being enacted into law.

- **110th Congress:** This bill (HR 1592) was approved resoundingly by the House of Representatives with a vote of 237-180. Later that year, the Senate approved adding this measure to the National Defense Authorization Bill by a voice vote, after passing the 60 vote filibuster threshold. Unfortunately, this language was removed during the House-Senate Conference Committee.

- **109th Congress:** The House of Representatives approved the text of the measure, HR 2662, as an amendment to the Children’s Safety Act by a vote of 223-199. These important provisions were removed from the final bill by the House leadership during the conference process.
- **108th Congress:** On June 15, 2004, the Senate approved the measure as an amendment to the National Defense Authorization Act for Fiscal Year 2005 (S. 2400). This time by a vote of 65-33. In September, 2004, the House approved a *Motion to Instruct* its conferees to retain this provision in conference by a vote of 213-186. Unfortunately, the House leadership stripped this language out of the bill in the House-Senate Conference Committee.

This year, LLEHCPA is being sponsored by a bipartisan group of Senators and Representatives. This measure is supported by over 210 civil rights, professional, civic, and religious groups, twenty-six state Attorneys General, former US Attorney General Dick Thornburgh, and virtually every major national law enforcement organizations in America.

Why We Care

Hate Crimes are deeply disturbing and have profound effects in the community. The Jewish community is sensitive to these concerns. Our own history has made us acutely aware of the impact and devastation caused by these bias motivated crimes. For example, in 1999, the attack on the North Valley Jewish Community Center in Granada Hills, California sent shock waves throughout the entire American Jewish community. 70 bullet shells littered the JCC’s lobby floor. Three young children, a teenage counselor and the office receptionist were shot. This was not a random shooting in Los Angeles; it was a deliberate attack against Jews in the United States. Again in July 2006, a gunman entered the Seattle Jewish Federation building and opened fire. Six women were shot and one was killed. No community should face these atrocities. We believe:

- **The federal government must have jurisdiction to address bias-motivated crimes in states in which current law is inadequate.** Currently, only 31 states and the District of Columbia include crimes based on sexual orientation in their hate crimes statutes; 26 states and DC include coverage of gender-based crimes; only twelve states include coverage of gender-identity based crimes, and 30 states and DC include coverage for disability-based crimes.
- **This measure would give local law enforcement officials important tools to combat violent, bias-motivated crime.** Federal support – through training or direct assistance – will help ensure that bias-motivated violence is effectively investigated and prosecuted. The legislation would also facilitate federal investigations and prosecutions when local authorities are unwilling or unable to achieve a just result.
- **Passage of a federal law would increase public education and awareness, and encourage Americans to report hate crimes.** The federal government should demonstrate its resolve to deal with violence based on prejudice.
- **Bias-motivated crimes merit a priority response because of their special impact on the victims.** These crimes – designed to intimidate whole communities on the basis of personal and immutable characteristics – can spark widespread neighborhood conflicts and damage the fabric of our society.