



Local Law Enforcement Hate Crime Prevention Act of 2007

LAW ENFORCEMENT SUPPORT FOR THIS LEGISLATION

This legislation has received bipartisan majority support in Congress. In the last session of Congress, on September 14, 2005, the House of Representatives approved the measure as an amendment to the Children's Safety Act by a vote of 223-199. The Senate has approved the bill on two occasions since 2000, most recently in June, 2004 by a vote of 65-33. Unfortunately, in the past, the House leadership has acted to block approval of this legislation.

The measure also enjoys the support of over 210 civil rights, professional, civic, and religious groups, 31 state Attorneys General, former Attorney General Dick Thornburgh, and a number of the most important national law enforcement organizations, including:

- Federal Law Enforcement Officers Association
- Hispanic American Police Command Officers Association
- Hispanic National Law Enforcement Association
- International Association of Chiefs of Police
- International Brotherhood of Police Officers
- Major Cities Chiefs Association
- National Asian Peace Officers Association
- National Black Police Association
- National Center for Women & Policing
- National Coalition of Public Safety Officers
- National District Attorneys Association
- National Latino Police Officers Association
- National Organization of Black Law Enforcement Executives
- National Sheriffs' Association
- Police Executive Research Forum
- Police Foundation

Here's what some of them are saying about the legislation:

Police Executive Research Forum

"This bill is critical to helping local law enforcement effectively address the devastating effects that bias-motivated crimes have on its victims and the communities destabilized by the fear and anger they generate...In the past, PERF has opposed efforts to expand the federal government's authority over traditionally local crimes. However, given the unusual nature of hate crimes and the substantial gaps in state laws, PERF believes in a significant federal role in combating hate crimes."

– Excerpts from letter to Members of Congress from Chuck Wexler, Executive Director, PERF,
November 11, 2005.

National Sheriffs' Association

"On behalf of the National Sheriff's Association and the 3,087 sheriffs across the country, I am writing to express our strong support for...the 'Local Law Enforcement Enhancement Act (LLEEA) of 2005'...Unfortunately, there are situations where state and local authorities are unable to properly investigate these crimes. This legislation overcomes those situations...The NSA and our more than 23,000 members strongly believe passage of the LLEEA will greatly assist state and local law enforcement agencies in investigating and prosecuting hate crimes."

– Excerpts from letters to congressional leadership from Sheriff Edmund M. "Ted" Sexton, Tuscaloosa, Alabama, President, National Sheriffs' Association, November, 17, 2005.

Dick Thornburgh, Former U.S. Attorney General

"I would like to express my strong support for the passage of ... the Hate Crimes Prevention Act... From my experiences as a Governor, the Attorney General, and as a parent of a child with a disability, I can attest to the importance of this legislation... Please add my name to the list of supporters for the passage of this important legislation."

– Excerpts from Letter to the Honorable Orrin G. Hatch, Sept. 29, 1998.

International Association of Chiefs of Police

"On behalf of the International Association of Chiefs of Police (IACP), I am writing to inform you of our strong support of the Local Law Enforcement Enhancement Act... The Passage of the Local Law Enforcement Enhancement Act will greatly assist state and local law enforcement agencies in investigating and prosecuting hate crimes. The IACP urges you to support [the Local Law Enforcement Enhancement Act]."

– Excerpts from letter to the Senate from Mary Ann Viverette, IACP President, Gaithersburg, Maryland, December 6, 2005

Albany County Sheriff's Department

"As you know, last week saw the conclusion of the trial of Aaron McKinney for the murder of Matthew Shepard, a case on which we worked day and night for the last year... We believe justice was served in this case, but not without cost. We have been devastated financially, due to expenses incurred in bringing Matthew's killers to justice. For example, we had to lay off five law enforcement staff. We do not want the federal take over of hate crimes, but communities like ours must be able to call upon the expertise and resources of the federal government. This approach worked very well in Jasper, Texas in the case of James Byrd Jr. Because of the multiple jurisdiction granted by current federal law related to race-based hate crimes, Jasper was able to access approximately \$284,000 in federal Byrne grant money. These grants are only available when a federal jurisdictional basis exists. Presently, unlike race, color, religion and national origin, sexual orientation is not covered. We believe this is a grave oversight that needs to be corrected... We respectfully urge you to do everything you can to give law enforcement the tools it needs to fight crime in this country."

– Excerpts from letter to House Speaker Dennis Hastert from Sheriff James Pond and Detective Sergeant Robert DeBree, Albany County Sheriff's Department, Nov. 11, 1999.

Eric Holder, Former U.S. Deputy Attorney General

"The enactment of H.R. 1082 [bill number for Hate Crimes Prevention Act, 106th Congress] would significantly increase the ability of state and federal law enforcement agencies to work together to solve and prevent a wide range of violent crimes committed because of bias based on the race, color, national origin, religion, sexual orientation, gender, or disability of the victim. This bill is a thoughtful, measured response to a critical problem facing our Nation."

– Excerpts from testimony before the House Judiciary Committee hearing on hate crimes, Aug. 4, 1999.

Jeanine Pirro, District Attorney from Westchester County, N.Y.

"The vast majority of criminal prosecutions are brought by local prosecutors... That is the way it should remain... However, there are times when states are unable or unwilling to recognize and address fundamental issues vital to our society. And, when that time comes, the federal government must act. Hate crime is a civil rights issue, and the proper role of the federal government in controlling this menace should mirror federal action in other areas of civil rights... I maintain hope that immediate federal action on this pressing issue will encourage states ... to enact legislation of their own..."

– Excerpts from testimony before the Senate Judiciary Committee, May 11, 1999.

Laramie, Wyoming, Police Department

“When it comes to the families of hate crime victims, Congress needs to also be able to look these people in the eyes and say it is doing all it can. In all honesty, right now they cannot say this. There is much more they can do to assist us in helping these families – if they can only find the political will to do so... Yes, justice was served in the end during the Shepard investigation. But the Albany County Sheriff’s office had to furlough five investigators because of soaring costs. If the Local Law Enforcement Enhancement Act were passed, this would never have happened...”

– Excerpts from press statement made by Commander David O’Malley, chief investigator in the murder of Matthew Shepard, Sept. 12, 2000.

National Association of Attorneys General

“We are writing to express our enthusiastic support for the passage of ... the Hate Crimes Prevention Act... Although state and local governments will continue to have the principal responsibility, an expanded federal role in investigating and prosecuting serious forms of hate crimes is critically needed if we are to be successful in addressing and deterring these crimes in our nation. The amendment to 18 U.S.C. Section 245 would provide invaluable tools for the United States Department of Justice and the United States Attorneys to combat hate crimes effectively. Therefore, we strongly urge passage of this important hate crimes legislation.”

– Excerpts from letter signed by 31 State Attorneys Generals to Speaker Dennis Hastert, Majority Leader Bill Frist, House Minority Leader Nancy Pelosi and Senate Minority Leader Harry Reid, April, 2006

National Center for Women & Policing

“...I want to assure you of our support for the Hate Crimes Prevention Act... We realize the significance of this important piece of legislation.”

– Excerpts from letter from Chief Penny Harrington, Director, National Center for Women & Policing, to Elizabeth Birch, Human Rights Campaign, March 23, 2000.

National District Attorneys Association

“On behalf of the members of the National district Attorneys Association, I am writing to express our organization’s support of...the ‘Local Law Enforcement Enhancement Act of 2005.’...With local law enforcement and prosecutors investigating and prosecuting approximately 95% of the crimes committed such assistance would certainly provide state and local officials with the necessary tools to address crimes motivated by hate. The National District Attorneys Association supports [the bill] not only because of its proposal to provide additional resources and federal assistance to state and local authorities for the investigation and prosecution of hate crimes but also its recognition of the primacy of state and local jurisdiction over such crimes.”

– Excerpts from letter to The Honorable Edward M. Kennedy, April 14, 2006

Police Foundation

“The Police Foundation urges you to support ... [the] Local Law Enforcement Enhancement Act. Hate crimes are extremely debilitating to individuals, groups, and entire communities, and the prevention, investigation, and prosecution of these crimes present important challenges for local law enforcement... This legislation will be of valuable assistance to state and local agencies...”

– Excerpts from letter to Members of Congress from Hubert Williams, Chairman of the Board, Police Foundation, July 26, 2004.