



## Support the Local Law Enforcement Hate Crimes Prevention Act of 2009 (H.R. 1913)

April 3, 2009

Dear Representative:

On behalf of the more than 100,000 bipartisan members of the American Association of University Women, I **urge you to cosponsor the Local Law Enforcement Hate Crimes Prevention Act of 2009 (H.R. 1913)**, which was introduced yesterday by Representatives John Conyers (D-MI) and Mark Kirk (R-IL). Passed in both the House and Senate during the 110th Congress, this critical piece of legislation will provide much-needed protections and tools to combat – and help eliminate – hate and bias crimes. Hate crimes are serious, well-documented problems that remain inadequately prosecuted and recognized. Through this legislation, AAUW urges Congress to send a clear signal that hate-motivated violence carried out against any individual will not be tolerated.

Existing federal hate crimes laws authorize federal involvement in the prosecution of non-federal hate crimes only when the victim was targeted because of race, color, religion, or national origin. The Local Law Enforcement Hate Crimes Prevention Act (LLEHCPA) would fill a gap in current law by allowing the Department of Justice to also investigate and prosecute certain crimes motivated by the victim's actual or perceived sexual orientation, gender, gender identity, or disability. These protections are necessary for women who are not currently protected by the justice system. While local law enforcement has made progress in responding to crimes such as domestic violence, rape, and sexual assault, state and local prosecutors and judges may not be able to adequately prosecute gender-motivated hate crimes. In these cases, an unacceptable response by police or prosecutors can leave survivors of sexual and domestic violence vulnerable. By strengthening protections against bias-motivated crimes and removing some restrictions on when the federal government can assist local authorities in the prosecution of hate crimes, fewer of these disturbing cases will slip through the cracks.

AAUW believes that while states should continue to play the primary role in the prosecution of hate crime violence, the federal government must be able to address cases that local authorities are either unable or unwilling to investigate and prosecute. Under the LLEHCPA, local law enforcement officials would continue to prosecute most gender-motivated hate crimes, but the bill will make sure there is a better response in the cases of gender-based hate crimes when local authorities either cannot act or fail to do so. This legislation does not make every violent crime against women a bias crime, just as not every crime against an African-American is based on racial prejudice. Federal courts already routinely assess the question of gender motivation in the context of workplace discrimination claims and under other civil rights laws. Prosecutors and judges can rely on the same type of analysis that would pertain to the other protected groups – considering the language, nature and severity of the attack, motive, patterns of behavior, and common sense – to determine whether a violent crime was motivated by gender bias.

Once again, AAUW **urges you to cosponsor the Local Law Enforcement Hate Crimes Prevention Act of 2009**. If you have any questions, please contact me at 202/785-7793, or Tracy Sherman, government relations manager, at 202/785-7730. Cosponsorship and votes associated with these issues may be included in the AAUW Congressional Voting Record for the 111th Congress.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa M. Maatz", written in a cursive style.

Lisa M. Maatz  
Director, Public Policy and Government Relations