



National Center for  
**TRANSGENDER  
EQUALITY**

# THE LOCAL LAW ENFORCEMENT HATE CRIMES PREVENTION ACT

H.R. 1913 / S. 909 • April 2009

*Transgender people face well-documented and unconscionable levels of bias-motivated violence. This is especially true of young, low-income transgender women of color. The stigma associated with being transgender requires transgender people to maintain constant vigilance against sudden brutal violence. For years, transgender people have been murdered on an average of more than one person per month; many more have been assaulted. While a deep societal issue like hate cannot be entirely resolved by the government, the passage of the Local Law Enforcement Hate Crimes Prevention Act is an important first step.*

## **WHY IS THIS BILL NECESSARY?**

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Every act of violence is tragic and harmful, but not all crime is motivated by hate. Hate crimes occur when the perpetrator chooses the victim because of who the victim is or appears to be. These crimes are typically more violent and brutal, often involving attempts to dehumanize and ridicule the attacked individual. The violent murders of individuals like Angie Zapata and Brandon Teena not only terrorize their friends and family, but the transgender community as a whole. Existing state laws vary greatly in the scope of what they cover and most do not include gender identity. The Local Law Enforcement Hate Crimes Prevention Act (L.L.E.H.C.P.A.) is absolutely necessary to ensure safety and provide protection to all minority groups.

## **WHAT DOES THIS LEGISLATION DO AND WHAT IS ITS IMPACT?**

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The Local Law Enforcement Hate Crimes Prevention Act would:

- Extend existing federal protections to include “gender identity, sexual orientation, gender and disability”
- Allow the Justice Department to assist in hate crime investigations at the local level when local law enforcement is unable or unwilling to fully address these crimes
- Mandate that the FBI begin tracking hate crimes based on actual or perceived gender identity and gender
- Remove limitations that narrowly define hate crimes to violence committed while a person is accessing a federally protected activity, such as voting

## **WOULD ALL TRANSGENDER PEOPLE BE COVERED IN THIS BILL?**

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Lawyers experienced with writing and enforcing laws that protect transgender people have worked to ensure that the language in this bill includes people of all gender expressions and identities. Crimes against people across the gender spectrum would be addressed by this bill.

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## **IS THE FREE SPEECH OF RELIGIOUS INSTITUTIONS STILL PROTECTED UNDER THIS BILL?**

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Absolutely. This bill is supported by a wide range religious groups, including the Episcopal Church, the Presbyterian Church and many others. This legislation only applies when a person is **physically** harmed because of their actual or perceived identity or someone attempts to harm them. Anti-gay, anti-trans and other types of speech, writings, and beliefs would not be criminalized by the hate crimes law.

## **WHO SUPPORTS THIS LEGISLATION?**

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The Local Law Enforcement Hate Crimes Prevention Act is supported by 31 state Attorneys General and almost 300 national law enforcement, professional, education, civil rights, religious, and civic organizations including: 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.

H.R. 1913 was introduced by Rep. John Conyers on April 2, 2009 with 42 original co-sponsors.

Twelve states currently have transgender inclusive hate crime laws.