

H.R.1913 - Local Law Enforcement Hate Crimes Prevention Act of 2009

111th Congress (2009-2010)

Sponsor: [Rep. Conyers, John, Jr. \[D-MI-14\]](#) (Introduced 04/02/2009)
Committees: House - Judiciary | Senate - Judiciary
Committee Reports: [H. Rept. 111-86,Part 1](#); [H. Rept. 111-86,Part 2](#)
Latest Action: Senate - 04/30/2009 Received in the Senate and Read twice and referred to the Committee on the Judiciary. ([All Actions](#))
Roll Call Votes: There have been [2 roll call votes](#)
Tracker: Introduced **Passed House**

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Passed House amended (04/29/2009)

Local Law Enforcement Hate Crimes Prevention Act of 2009 - (Sec. 2) Adopts the definition of "hate crime" as set forth in the Violent Crime Control and Law Enforcement Act of 1994 (i.e., a crime in which the defendant intentionally selects a victim, or in the case of a property crime, the property that is the object of the crime, because of the actual or perceived race, color, religion, national origin, ethnicity, gender, disability, or sexual orientation of any person).

(Sec. 3) Authorizes the Attorney General, at the request of a state, local, or tribal law enforcement agency, to provide technical, forensic, prosecutorial, or other assistance in the criminal investigation or prosecution of a violent crime, a hate crime, or a crime that constitutes a felony under state, local, or tribal law. Directs the Attorney General, in providing such assistance, to give priority to cases involving crimes committed in more than one state and to rural jurisdictions that have difficulty covering extraordinary investigation or prosecution expenses.

Authorizes the Attorney General to award grants to state, local, and tribal law enforcement agencies for extraordinary expenses associated with the investigation and prosecution of hate crimes. Requires the Office of Justice Programs of the Department of Justice (DOJ) to work with grantees to address the needs and concerns of all affected parties in implementing grants. Sets forth requirements governing the submission and approval of grant applications. Limits the amount of any grant to \$100,000 for any single jurisdiction in any one-year period.

Requires the Attorney General to: (1) approve or deny a grant application within 180 days after receipt of such application; and (2) report to Congress by December 31, 2011, on the grant program.

Authorizes appropriations for FY2010-FY2011.

(Sec. 4) Authorizes the Office of Justice Programs to award grants to combat hate crimes committed by juveniles. Authorizes appropriations.

(Sec. 5) Authorizes appropriations for FY2010-FY2012 to increase DOJ personnel to assist state, local, and tribal law enforcement agencies in combating hate crimes.

(Sec. 6) Amends the federal criminal code to prohibit willfully causing bodily injury to any person through the use of fire, a firearm, a dangerous weapon, or an explosive or incendiary device because of the actual or perceived race, color, religion, national origin, gender, sexual orientation, gender identity, or disability of any person. Imposes a fine and/or prison term of up to 10 years for violations and a life term if a death results from a violation or certain other violent crimes are involved. Requires the Attorney General or other designated DOJ official to certify certain findings before initiating a prosecution for a hate crime. Sets a seven-year statute of limitations on prosecuting such an offense not resulting in death. Prohibits the admission of evidence as substantive evidence in a hate crime prosecution of the expression or associations of a defendant unless the evidence specifically relates to the hate crime offense.

(Sec. 7) Provides that any provision of this Act that is held to be unconstitutional shall be severable from the remaining provisions of this Act.

(Sec. 8) Declares that nothing in this Act shall be construed to prohibit the exercise of constitutionally-protected free speech.