

## **Hate Crimes Legislation Signed Into Law**

On October 28, 2009 President Barack Obama signed into law important civil rights legislation which expands the definition of a hate crime to include crimes based on a victim's actual or perceived sexual orientation, gender, gender identity or disability. Strongly supported by the Conference of Mayors, the Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act was included in the National Defense Authorization Act for Fiscal Year 2010.

In a May 20, 2009, letter to Senator Edward M. Kennedy, the bill's chief sponsor, then Conference of Mayors President Manny Diaz wrote: "The bill serves to strengthen the ability of local, federal, and state governments to investigate and prosecute hate crimes based on race, ethnic background, religion, gender, sexual orientation, and disability. Current law does not recognize violent crimes committed because of a person's sexual orientation, gender, or disability as hate crimes. Inclusion of these categories will ensure that all victims of vicious acts of violence are protected by the full strength of this nation's judicial and investigative systems."

When he signed the bill, President Obama acknowledged all of the hard work Senator Kennedy, who succumbed to brain cancer on August 25, had done to make enactment of the bill possible. Members of the Senator's family were present at the signing ceremony.

The bill also:

- removes the current prerequisite that the victim be engaging in a federally-protected activity, like voting or going to school;
- gives federal authorities greater ability to engage in hate crimes investigations that local authorities choose not to pursue;
- provides \$10 million in funding for 2008 and 2009 to help state and local agencies pay for investigating and prosecuting hate crimes; and
- requires the Federal Bureau of Investigation (FBI) to track statistics on hate crimes against transgender people (statistics for the other groups are already tracked).