

Assembly Joint Resolution No. 34

RESOLUTION CHAPTER 110

Assembly Joint Resolution No. 34—Relative to hate crimes.

[Filed with Secretary of State July 29, 2003.]

LEGISLATIVE COUNSEL'S DIGEST

AJR 34, Koretz. Hate crimes.

This measure would memorialize the Congress to pass, and the President to sign, the Local Law Enforcement Enhancement Act of 2003, to provide Federal assistance to States and local jurisdictions to prosecute hate crimes.

WHEREAS, The incidence of violence motivated by the actual or perceived race, color, religion, national origin, gender, sexual orientation, or disability of the victim poses a serious problem nationally and in California; and

WHEREAS, This violence disrupts the tranquility and safety of communities and is deeply divisive; and

WHEREAS, State and local authorities are now, and will continue to be, responsible for prosecuting the overwhelming majority of violent crimes in the United States, including violent crimes motivated by bias; and

WHEREAS, The prominent characteristic of a violent crime motivated by bias is that it devastates not only the actual victim and the family and friends of the victim, but frequently savages the community sharing the traits that caused the victim to be selected; and

WHEREAS, On May 1, 2003, Senators Edward Kennedy (D-MA), Gordon Smith (R-OR), and Arlen Specter, (R-PA) introduced S. 966, the Local Law Enforcement Enhancement Act of 2003, to provide federal assistance to states and local jurisdictions to prosecute hate crimes; and

WHEREAS, The Local Law Enforcement Enhancement Act would add real or perceived sexual orientation, gender and disability to federal hate crimes laws, thus allowing the United States government greater leverage in providing assistance for the investigation and prosecution of these types of hate crimes; and

WHEREAS, The Local Law Enforcement Enhancement Act, according to the Human Rights Campaign, would expand federal jurisdiction to reach serious, violent hate crimes and that, unlike current law, would allow federal law enforcement authorities to investigate hate crimes that cause death or bodily injury or that are committed with a



firearm or explosive device, regardless of whether the victim was exercising a federally protected right; and

WHEREAS, The Local Law Enforcement Enhancement Act is intended to give federal authorities jurisdiction to intervene and support local authorities in investigating and prosecuting these cases to the fullest extent of the law; and

WHEREAS, The Local Law Enforcement Enhancement Act has garnered significant bipartisan support since its introduction in the 108th Congress, with 49 original co-sponsors, and is endorsed by more than 175 law enforcement, civil rights, civic and religious organizations including the Human Rights Campaign, the National Sheriffs' Association, the International Association of Chiefs of Police, the United States Conference of Mayors, and the Federal Law Enforcement Officers Association, among others; and

WHEREAS, Since 1991, there have been over 9,500 hate crimes based on sexual orientation reported to the Federal Bureau of Investigation, an increase of 7.2 percent from 2000 to 2001, for a total of 1,393 incidents that year; and

WHEREAS, In a one-month period, there were four separate incidents of hate crimes in the City of West Hollywood alone, based on both the race and religion of the victims; and

WHEREAS, In 1999, the number of hate crime incidents in California increased by 12.1 percent from a year earlier; and

WHEREAS, There were nearly 2,500 victims of hate crime reported in 1999, with over 60 percent of the offenses motivated by race; and

WHEREAS, According to the Los Angeles Gay and Lesbian Center, 63 gay people reported in 2000 that they were the victims of violence simply because of their sexual orientation; and

WHEREAS, In 1998, the California Department of Justice received reports from local law enforcement agencies detailing more than 1,800 hate crime offenses of which 64.8 percent of the offenses were motivated by race or ethnicity, 68.8 percent of the offenses involved a violent crime, and 22.1 percent of the offenses were motivated by the sexual orientation of the victim; and

WHEREAS, After the terrorist attacks of September 11, a shameful increase in hate crimes took place against Arabs and Muslims, with an exceptionally large number of those crimes occurring in Los Angeles; now, therefore, be it

Resolved, That the Legislature of the State of California memorializes the Congress to pass, and the President to sign, the Local Law Enforcement Enhancement Act of 2003, to provide Federal assistance to States and local jurisdictions to prosecute hate crimes; and be it further



Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President of the United States and to all members of Congress of the United States.

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