



**CONSORTIUM FOR CITIZENS
WITH DISABILITIES**

Dear Senator:

The undersigned member organizations of the Consortium for Citizens with Disabilities (CCD) are writing to urge your support for the Local Law Enforcement Hate Crime Prevention Act of 2007 (LLEHCPA), which would grant agencies the authority to investigate and prosecute federal crimes based on the victim's disability, whether real or perceived, and would authorize funding to states to help with the prosecution of Hate Crimes.

Through much of our country's history and well into the twentieth century, people with disabilities -- including those with developmental delays, epilepsy, cerebral palsy and other physical and mental impairments -- were seen as useless and dependent, hidden and excluded from society, either in their own homes or in institutions. Now, this history of isolation is gradually giving way to inclusion in all aspects of society, and people with disabilities everywhere are living and working in communities alongside family and friends. But this has not been a painless process. People with disabilities often seem "different" to people without disabilities. They may look different or talk different. They may require the assistance of a wheel-chair, a cane or other assistive technologies. They may have seizures or have difficulty understanding seemingly simple directions.

These perceived differences evoke a range of emotions in others, from misunderstanding and apprehension to feelings of superiority and hatred. Bias against people with disabilities takes many forms, often resulting in discriminatory actions in employment, housing, and public accommodations. Laws like the Fair Housing Amendments Act, the Americans with Disabilities Act and the Rehabilitation Act are designed to protect people with disabilities from this type of prejudice.

Perhaps most unfortunately, disability bias can also manifest itself in the form of violence — and it is imperative that a message be sent to our country that these acts of bias motivated hatred are not acceptable in our society.

The federal government currently has very limited authority to investigate and prosecute disability-bias **federal** crimes. In 1994, Congress enacted a penalty-enhancement law for **federal crimes** in which the defendant intentionally selects a victim because of the person's "actual or

perceived race, color, religion, national origin, ethnicity, gender, disability, or sexual orientation of any person” [28 USC 994 Note]. Also in 1994, Congress extended the Hate Crime Statistics Act of 1990, a law requiring the FBI to collect hate crime statistics from state and local law enforcement authorities, to include disability-based hate crimes. Still, hate crimes against those with disabilities remain vastly under-reported.

The LLEHCPA will broaden the definition of hate crimes to include disability, sexual orientation, gender and gender identity. It also makes grants available to state and local communities to combat violent crimes committed by juveniles, train law enforcement officers or to assist in state and local investigations and prosecutions of bias motivated crimes.

Thirty-one states and the District of Columbia have already recognized the importance of this issue and have included people with disabilities as a protected class under their hate crimes statutes. However, protection is neither uniform nor comprehensive, and this has important practical and symbolic results. It is vital for the federal government to send the message that hate crimes committed because of disability bias are as intolerable as those committed because of a person’s race, ethnicity, national origin, or religion. The crucial resources provided to local law enforcement in the Local Law Enforcement Hate Crime Prevention Act of 2007, would give meaning and substance to this important message. It is critical that people with disabilities share in the protection of the federal hate crimes statute.

Too frequently, bias-motivated crimes against those with disabilities have gone unreported and unprosecuted. The special problems associated with investigating and prosecuting hate violence against someone with a disability makes the availability of federal resources for state and local authorities all that much more important to ensure that justice prevails.

We urge you to support the Local Law Enforcement Hate Crime Prevention Act of 2007. This legislation is vitally important for this vulnerable population and must be enacted in order to bring the full protection of the law to those targeted for violent, bias motivated crimes simply because they have a disability.

Sincerely,

Alexander Graham Bell Association for the Deaf and Hard or Hearing (AG Bell)

American Association on Health and Disability

American Association on Intellectual and Developmental Disabilities

American Association on Mental Retardation (AAMR)

American Association of People with Disabilities (AAPD)

American Council of the Blind

American Counseling Association

American Dance Therapy Association

American Medical Rehabilitation Providers Association (AMRPA)

American Music Therapy Association

American Network of Community Options and Resources (ANCOR)

American Occupational Therapy Association (AOTA)

American Psychological Association

American Therapeutic Recreation Association

American Rehabilitation Association

Association of Assistive Technology Act Programs (ATAP)

Association of University Centers on Disabilities (AUCD)

Autism Society of America

Bazelon Center for Mental Health Law

Council for Learning Disabilities

Council of State Administrators of Vocational Rehabilitation

Easter Seals

Epilepsy Foundation

Hellen Keller National Center

Learning Disabilities Association of America

Mental Health America

National Alliance on Mental Illness (NAMI)

National Association of Councils on Developmental Disabilities (NACDD)

National Association of County Behavioral Health and Developmental Disability Directors

National Coalition on Deaf-Blindness

National Disability Rights Network (NDRN)

National Down Syndrome Society (NDSS)

National Fragile X Foundation (Fragile X)

National Rehabilitation Association

National Respite Coalition (NRC)

National Structured Settlement Trade Association (NSSTA)

NISH

Paralyzed Veterans of America (PVA)

Research Institute for Independent Living

School Social Work Association of America

Spina Bifida Association

TASH

The Arc of the United States

United Cerebral Palsy

United Spinal Association

World Institute on Disability (WID)