

111TH CONGRESS
1ST SESSION

H. R. 2684

To establish grant programs to provide for the establishment of a national hate crime hotline and a hate crime information and assistance website, to provide training and education to local law enforcement to prevent hate crimes, and to provide assistance to victims of hate crimes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 3, 2009

Mr. ISRAEL (for himself, Ms. VELÁZQUEZ, and Mr. SERRANO) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To establish grant programs to provide for the establishment of a national hate crime hotline and a hate crime information and assistance website, to provide training and education to local law enforcement to prevent hate crimes, and to provide assistance to victims of hate crimes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Hate Crimes
5 Hotline Act of 2009”.

1 **SEC. 2. FINDINGS.**

2 Congress makes the following findings:

3 (1) On December 7, 2008, Jose Sucuzhañay, an
4 Ecuadorian-born real estate agent and father of two,
5 was beaten to death in Brooklyn while walking with
6 his brother, who was visiting from Ecuador. Three
7 men with baseball bats attacked the brothers while
8 shouting anti-gay and anti-Hispanic slurs.

9 (2) Marcelo Lucero, 37 years of age, came to
10 the United States from Ecuador in 1993. He settled
11 in Patchogue, New York, a middle-class village in
12 central Long Island. He worked in a dry cleaning
13 store and sent his savings home to his mother, a
14 cancer survivor, whom he had not seen since he left
15 16 years ago. On the night of November 8, 2008,
16 shortly before midnight, seven teenagers got out of
17 their car and taunted Lucero with racist slurs as he
18 walked home. They then beat and murdered Marcelo
19 Lucero. According to the indictment, the boys set
20 out that night to find someone of Hispanic heritage
21 to assault.

22 (3) The number of hate groups in the United
23 States has increased by 54 percent over the past 8
24 years.

1 (4) In 2008, the Federal Bureau of Investiga-
2 tion reported a 6 percent rise in the number of hate
3 crimes against gay, lesbian, and transgender people.

4 (5) According to the Federal Bureau of Inves-
5 tigation, attacks on Hispanics grew 40 percent from
6 2003 to 2007, even though the Hispanic population
7 only grew 16 percent in the same time period and
8 the total number of hate crimes has remained
9 steady.

10 **SEC. 3. NATIONAL HATE CRIME HOTLINE AND HATE CRIME**
11 **INFORMATION AND ASSISTANCE WEBSITE.**

12 (a) IN GENERAL.—The Attorney General may award
13 one or more grants to private, nonprofit entities—

14 (1) to provide for the establishment and oper-
15 ation of a national, toll-free telephone hotline to pro-
16 vide information and assistance to victims of hate
17 crimes (hereafter in this section referred to as the
18 “national hate crime hotline”); and

19 (2) to provide for the establishment and oper-
20 ation of a highly secure Internet website to provide
21 that information and assistance to such victims
22 (hereafter in this section referred to as the “hate
23 crime information and assistance website”).

24 (b) DURATION.—A grant under this section may ex-
25 tend over a period of not more than 5 years.

1 (c) ANNUAL APPROVAL.—The provision of payments
2 under a grant awarded under this section shall be subject
3 to annual approval by the Attorney General and subject
4 to the availability of appropriations for each fiscal year
5 to make the payments.

6 (d) HOTLINE ACTIVITIES.—An entity that receives a
7 grant under this section for activities described, in whole
8 or in part, in subsection (a)(1) shall use funds made avail-
9 able through the grant to establish and operate a national
10 hate crime hotline. In establishing and operating the hot-
11 line, the entity shall—

12 (1) contract with a carrier for the use of a toll-
13 free telephone line;

14 (2) employ, train, (including technology train-
15 ing), and supervise personnel to answer incoming
16 calls and provide counseling and referral services to
17 callers on a 24-hour-a-day basis;

18 (3) assemble and maintain a current database
19 of information relating to services for victims of hate
20 crimes to which callers throughout the United States
21 may be referred;

22 (4) publicize the national hate crime hotline to
23 potential users throughout the United States; and

24 (5) be prohibited from asking hotline callers
25 about their citizenship status.

1 (e) SECURE WEBSITE ACTIVITIES.—

2 (1) IN GENERAL.—An entity that receives a
3 grant under this section for activities described, in
4 whole or in part, in subsection (a)(2) shall use funds
5 made available through the grant to provide grants
6 for startup and operational costs associated with es-
7 tablishing and operating a hate crime information
8 and assistance website.

9 (2) AVAILABILITY.—The hate crime informa-
10 tion and assistance website shall be available to the
11 entity operating the national hate crime hotline.

12 (3) INFORMATION.—The hate crime informa-
13 tion and assistance website shall provide accurate in-
14 formation that describes the services available to vic-
15 tims of hate crimes, including health care and men-
16 tal health services, social services, transportation,
17 and other relevant services.

18 (4) RULE OF CONSTRUCTION.—Nothing in this
19 section shall be construed to require any shelter or
20 service provider, whether public or private, to be
21 linked to the hate crime information and assistance
22 website or to provide information to the recipient of
23 the grant described in paragraph (1) or to the
24 website.

1 (f) APPLICATION.—The Attorney General may not
2 award a grant under this section unless the Attorney Gen-
3 eral approves an application for such grant. To be ap-
4 proved by the Attorney General under this subsection an
5 application shall—

6 (1) contain such agreements, assurances, and
7 information, be in such form, and be submitted in
8 such manner, as the Attorney General shall pre-
9 scribe through notice in the Federal Register;

10 (2) in the case of an application for a grant to
11 carry out activities described in subsection (a)(1), in-
12 clude a complete description of the applicant’s plan
13 for the operation of a national hate crime hotline, in-
14 cluding descriptions of—

15 (A) the training program for hotline per-
16 sonnel, including technology training to ensure
17 that all persons affiliated with the hotline are
18 able to effectively operate any technological sys-
19 tems used by the hotline;

20 (B) the hiring criteria for hotline per-
21 sonnel;

22 (C) the methods for the creation, mainte-
23 nance, and updating of a resource database;

24 (D) a plan for publicizing the availability
25 of the hotline;

1 (E) a plan for providing service to non-
2 English speaking callers, including service
3 through hotline personnel who speak Spanish;
4 and

5 (F) a plan for facilitating access to the
6 hotline by persons with hearing impairments;

7 (3) in the case of an application for a grant to
8 carry out activities described in subsection (a)(2)—

9 (A) include a complete description of the
10 applicant's plan for the development, operation,
11 maintenance, and updating of information and
12 resources of the hate crime information and as-
13 sistance website;

14 (B) include a certification that the appli-
15 cant will implement a high level security system
16 to ensure the confidentiality of the website, tak-
17 ing into consideration the safety of hate crime
18 victims; and

19 (C) include an assurance that, after the
20 third year of the website project, the recipient
21 of the grant will develop a plan to secure other
22 public or private funding resources to ensure
23 the continued operation and maintenance of the
24 website;

1 (4) demonstrate that the applicant has recog-
2 nized expertise in the area of hate crimes and a
3 record of high quality service to victims of hate
4 crimes, including a demonstration of support from
5 advocacy groups;

6 (5) demonstrate that the applicant has a com-
7 mitment to diversity, and to the provision of services
8 to ethnic, racial, religious, and non-English speaking
9 minorities, in addition to older individuals, individ-
10 uals with disabilities, and individuals of various gen-
11 der, gender identity, and sexual orientation; and

12 (6) contain such other information as the Attor-
13 ney General may require.

14 (g) HATE CRIME DEFINED.—For purposes of this
15 Act, the term “hate crime” means a crime in which the
16 defendant intentionally selects a victim, or in the case of
17 a property crime, the property that is the object of the
18 crime, because of the actual or perceived race, color, reli-
19 gion, national origin, ethnicity, gender, gender identity,
20 disability, or sexual orientation of any person.

21 (h) AUTHORIZATION OF APPROPRIATIONS.—

22 (1) IN GENERAL.—There is authorized to be
23 appropriated to carry out this section \$3,500,000 for
24 each of fiscal years 2010 through 2014.

1 **SEC. 5. LOCAL RESOURCES TO COMBAT HATE CRIMES**
2 **GRANT PROGRAM.**

3 (a) **IN GENERAL.**—The Attorney General shall estab-
4 lish a grant program within the Office for Victims of
5 Crime in the Office of Justice Programs, under which the
6 Attorney General may award grants to local community
7 based organizations, nonprofit organizations, and faith-
8 based organizations to establish or expand local programs
9 and activities that serve targeted areas and that provide
10 legal, health (including physical and mental health), and
11 other support services to victims of hate crimes (as defined
12 in section (1)(g)). Grant funds may be used for activities
13 including hiring counselors and providing training, re-
14 sources, language support services, and information to
15 such victims.

16 (b) **TARGETED AREA DEFINED.**—For purposes of
17 this section, the term “targeted area” means an area with
18 a demonstrated lack of resources, as determined by the
19 Attorney General, for victims of hate crimes.

20 (c) **FUNDING RESTRICTION.**—None of the funds from
21 a grant made under this section may be used—

22 (1) by an organization that discriminates
23 against an individual on the basis of religion; or

24 (2) for purposes of promoting religious beliefs
25 or views.

1 (d) AUTHORIZATION OF APPROPRIATIONS.—There is
2 authorized to be appropriated to carry out this section
3 such sums as are necessary for fiscal year 2010 and each
4 succeeding fiscal year.

○