



Fact Sheet on House Bill 616 *Hate Crimes Study*

Equality Texas Supports HB 616

Bill Number:	House Bill 616
Bill Author:	Representative Marc Veasey
Joint Author:	Representatives Anchia, Thompson and Vaught
Co-Authors:	Representatives Allen, Burnam
Short description:	Relating to a study regarding the effectiveness of the James Byrd Jr. Hate Crimes Act
Committee Assignment:	Criminal Jurisprudence
Current Status:	3/11/09-Reported favorably from committee—awaiting technical correction and Calendars setting

BILL LANGUAGE:

Art. 2.212. (a) The attorney general shall conduct a study to examine the success of . . . (the James Byrd Jr. Hate Crimes Act.) (b) To accumulate data for purposes of Subsection (a), the attorney general shall: (1) conduct the study so that it identifies successful strategies for prosecuting crimes of bias or prejudice and any barriers or obstacles to use of the hate crimes law.

QUICK FACTS

- 77th Legislature passed the James Byrd Jr. Hate Crimes Act in 2001.
- Act provides enhanced penalties for hate crimes, requires public education to reduce hate crimes, and prosecutor training.
- Since passage, **over 1,800 crimes of “bias and prejudice” have been reported** in Texas Department of Public Safety’s Uniform Crime Report.
- In total, **only 9 prosecutions, against 6 defendants, have been reported** under the Act.

ISSUES

- It is time to look at the Act and identify successful strategies, barriers to prosecution and whether Act can be enhanced to live up to its initial promise.
- Study would look at crimes, investigations, prosecutorial histories and decisions including use of the Act in plea bargains.
- Would require interviews of prosecutors and hate crimes victims to examine experiences, problems, and successful strategies.
- Would examine funding for, and effectiveness of, educational and training components.
- Would require examination of reporting standards.
- HB 616 is also supported by League of United Latin American Citizens (LULAC), Anti-Defamation League (ADL), Mexican American Legal Defense & Education Fund (MALDEF), and American Civil Liberties Union (ACLU).
- No significant fiscal impact on state or local government.