

**Testimony
of
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**Before the
Subcommittee on Crime and Drugs
Committee on the Judiciary
United States Senate**

**Hearing Entitled
“Crimes Against America’s Homeless: Is the Violence Growing?”
September 29, 2010**

I am honored to testify today on behalf of the Broward County Florida Sheriff's Office. Sheriff Al Lamberti sends his regards and has submitted a statement for the hearing record.

I am a long-standing member of the nation's law enforcement community with over 32 years of public service and can attest to our profession's interest in advancing strategies that enhance the prevention, investigation, and prosecution of crimes committed against the homeless population, including crimes motivated by bias. Rigorous and widespread collection, reporting, and analysis of bias-motivated crime data is one such solution. That is what the Hate Crimes Against the Homeless Statistics Act (S. 1765), introduced by Senators Ben Cardin (D-MD) and Susan Collins (R-ME), would accomplish. That is why the Broward County Sheriff's Office, the largest accredited Sheriff's Office in the United States, supports the legislation.

As a law enforcement officer, I have dealt with crimes committed against homeless people motivated by bias. For example, James Cunningham, a 54 years old homeless man, was attacked in Pompano Beach in October 2009. The attack was recorded on video and posted on YouTube by one of the offenders. The video showed two attackers shoving, taunting, and dragging Mr. Cunningham down a street by the ankles as two others held his arms and laughed. And in June 2010, Johnny Warden, a 68 year old homeless man, was attacked in Lauderhill. Mr. Warden was standing outside a convenience store when two men repeatedly punched and kicked him and then stomped on his head.

These dramatic incidents reflect the intensity of bias that some hold against people experiencing homelessness. Many other lower order incidents against homeless people occur routinely, but escape attention in part because the victims may not report them out of a belief that law enforcement officers will not investigate them sufficiently, or equally troubling, because members of the general population have come to accept victimization as an inevitable consequence of homelessness.

Use of crime statistics generally is a staple of effective law enforcement practice. The availability of data about bias-motivated crimes is instrumental in inspiring community action to protect various population groups subjected to bias and is critical to law enforcement agencies for developing plans of action, deploying resources, and measuring our progress.

Take our experience in Broward. I lead the Hate Crimes/Anti-Bias Task Force created in 2008 by Sheriff Lamberti as a direct response to data in the Florida Attorney General's annual hate crimes

report, which indicated that our county led the state in reported hate crimes. The data told us where the crimes were occurring, who was being targeted, and why they were being attacked. Based on the data, we were then able to decide how and where to deploy resources to combat hate. For example, the data revealed that several houses of worship were vandalized with offensive symbols associated with hate. We responded in part by co-hosting and implementing a “Keeping your Religious Institution Safe” seminar for clergy and congregation members.

Regrettably, our Attorney General’s hate crimes report – no different than similar reports in other states – did not tell us anything about bias-motivated crimes against the homeless population, because such data is not collected as part of uniform crime reporting – even though those of us who have worked the beat know full well that such crimes occur. By lacking such data, our task force simply could not plan a meaningful response to bias-motivated crimes against the homeless population.

The true extent of bias-motivated crimes against the homeless population will never be known if we do not achieve multi-state reporting of such crimes through the existing national hate crime data collection and reporting system. Passage of the Hate Crimes Against the Homeless Statistics Act would remedy these gaps in information and consequent deficiencies in law enforcement practice.

From an operations standpoint, I foresee no difficulty arising from the inclusion of the homeless population as a covered group by the federal Hate Crimes Statistics Act. In Broward it would amount to a simple addition of a check box on the offense report indicating a hate crime and the particulars of the victim noted in the body of the report. Further, the addition of the homeless population to the Hate Crimes Statistics Act will in no way impede efforts to collect and report data on bias-motivated crimes committed against currently covered groups.

Finally, one side benefit of the legislation is that it will undoubtedly raise law enforcement agency attention to these crimes and in doing so generate more positive interaction between law enforcement and the homeless community. For example, in light of the recent inclusion of homeless persons to our Florida hate crime statute, St. Petersburg College is developing a course on homelessness for law enforcement officers. Officers receiving the training will be better able to identify homeless people and strengthen interpersonal techniques to encourage them to report crimes.

In conclusion, it is my strong conviction that it must become standard practice for all law enforcement agencies to vigorously collect data on the number and types of incidents of bias-motivated crimes against homeless victims. When the homeless population is left out of national hate crime data collection and reporting, we fail in our responsibility to protect all Americans equally.