

FBI

Civil Rights Program



DENVER DIVISION

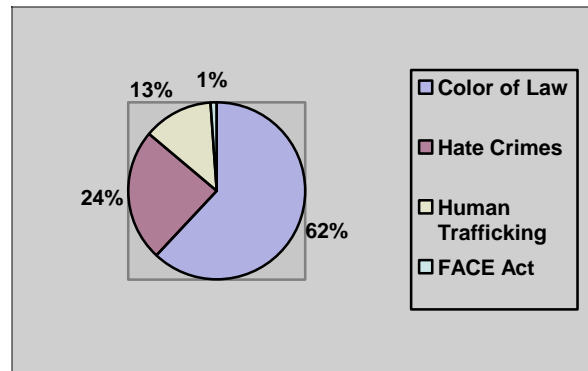
The FBI's Civil Rights Program

The FBI is the primary federal agency responsible for investigating all allegations regarding violations of the federal civil rights statutes. These laws are designed to protect the civil rights of all persons - citizens and non-citizens alike - within the United States territory. In 2002, FBI Director Robert S. Mueller identified the Civil Rights Program as the 5th investigative priority within the FBI.

The mission of the Civil Rights Program is to enforce federal civil rights statutes and to ensure that the protected civil rights of all persons in the United States are not abridged. To address these concerns effectively, the Civil Rights Program is divided into four sub-programs. In order of priority, these sub-programs are:

- (1) Hate Crimes
- (2) "Color of Law"
- (3) Human Trafficking
- (4) Freedom of Access to Clinic Entrances (FACE) Act

Civil Rights Program in 2006



Hate Crimes

A "hate crime" is defined as a criminal offense against a person or property motivated in whole or in part by the offender's bias against a *race, religion, disability, or ethnic/national origin*. There is limited jurisdiction in addressing hate crimes. For a potential hate crime to be considered, the following three elements must be present: (1) a threat or use of force; (2) a crime motivated by bias against a person's race, religion, disability, or ethnic/national origin; and (3) an interference with a federally protected activity.

Selected Federal Statutes

18 U.S.C. § 245 (**Federally Protected Activities**) – prohibits injury, intimidation, interference by force or threat or force, of any person because of race, color, religion, or national origin because of their participation in certain activities.

18 U.S.C. § 247 (**Damage to Religious Property**) – prohibits intentional defacement, damage, or destruction of any religious real property because of its religious, racial, or ethnic characteristics.

“Color of Law”

“Color of law” means an individual has been given authority by a governmental agency - either local, state, or federal. It is a federal violation for one or more persons acting under Color of Law to willfully deprive or conspire to deprive someone of any right protected by the U.S. Constitution or United States law. This sub-program includes crimes such as the excessive use of force, theft, sexual assault, failure to keep from harm, deprivation of medical attention, presentation of false evidence, and conspiracy which have been committed by federal, state, and local law enforcement officers. The majority of these cases involve allegations of excessive force.

Selected Federal Statutes

18 U.S.C. § 242 (**Color of Law**) – unlawful for any person acting under color of law to willfully deprive someone of any rights secured or protected by the Constitution or laws of the U.S.

18 U.S.C. § 241 (**Conspiracy Against Rights**) – unlawful for two or more persons to conspire to injure, oppress, threaten, or intimidate any person...in the free exercise or enjoyment of any right secured to him by the Constitution or laws of the U.S.

Human Trafficking

Human Trafficking is a form of modern-day slavery and is a rapidly growing problem in the U.S. that typically involved aliens and economically disadvantaged victims. These cases involve the recruitment, harboring, transportation, or obtaining a person for labor or services through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage or slavery. These cases have been identified in a number of every day industries including prostitution, exotic dancing, construction, agriculture, restaurants, and domestic services.

Selected Federal Statutes

The **Trafficking Victims Protection Act (TVPA)** (18 U.S.C. §§ 1589-1594) was passed in 2000 to strengthen federal criminal laws prohibiting human trafficking and improve immigration benefits for qualified persons. The TVPA is a “victim-centered” law whereby the trafficking victim is viewed as a victim of crime even if they are present in the U.S. illegally.

[FACE Act](#)

The Freedom of Access to Clinic Entrances (FACE) Act protects against any violent or threatening acts committed against health care providers and persons seeking reproductive health care services. Traditional FACE Act incidents involve murder, death threats, invasions, burglaries, hate mail, assaults, arson, and intimidation.

Selected Federal Statute

The **FACE Act** (18 U.S.C. § 248) prohibits the use of force, threat of force, or physical obstruction to, or attempt to, intentionally injure, intimidate or interfere with the right of another person to obtain or provide reproductive health services. This statute makes it unlawful to damage or attempt to damage or destroy property because the facility provides reproductive health services.

The FBI wants your help

Many successful civil rights investigations were initiated based simply on a “tip” or information received by individuals who may be aware of, or witness to, some form of wrongdoing.

If you would like to report information regarding possible civil rights violations or to obtain more information, please contact the Denver Division of the FBI.

Contact: **Matthew McPhillips**
Supervisory Special Agent

Address: **Federal Bureau of Investigation (FBI)**
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18th Floor
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*Potential civil rights information may also be reported through the Internet.



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Facts to Remember

The FBI is an investigative agency, and the decision to prosecute allegations of civil rights violations is made by the Department of Justice.

The FBI has no jurisdiction on hate crimes where the motivation is based on the sexual orientation of the victim.

Anyone can be a victim of a hate crime.

The First Amendment of the United States Constitution guarantees the right to free speech. It is not generally a crime to express intolerance toward others because of their race, religion, color, or ethnicity. However, it is against the law to engage in criminal acts based on intolerance.

