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March 22, 2012

The Honorable Eric Holder, Jr.
Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530-0001

Dear Attorney General Holder:

The facts which have begun to emerge around the February 26, 2012 shooting death of 17-year old Trayvon Martin in Sanford, Florida have shocked the Nation and raised a call for intervention by federal law enforcement agencies. We applaud the Department's initiative in deciding to conduct a thorough investigation of the circumstances surrounding the shooting and are pleased that the Community Relations Service will be on the ground to assist the community in addressing the various tensions that exist.

The publicly available information about the shooting appears to establish federal jurisdiction to investigate the case under recently enacted 18 U.S.C. § 249 (Hate Crimes), which makes it a crime to willfully cause bodily injury through the use of fire, firearms, explosive and incendiary devices, or other dangerous weapons because of the "actual or perceived race, color, religion, national origin of any person." Media reports indicate that Mr. Martin was walking home from a local 7-Eleven, unaware that he was being followed by George Zimmerman. Described by neighbors as an individual "focused on young, black males,"[1] Mr. Zimmerman called 911 to report that he was following a black male who seemed "out of sorts."[2] Transcripts indicate that dispatchers told Mr. Zimmerman that he should stop following the young man and that police officers were on the way.[3] Mr. Zimmerman apparently refused that directive, got out

[1] *Trayvon Martin neighborhood watch shooting: 911 tapes send mom crying from room*, ABC NEWS, Mar. 16, 2012, *available at* http://abcnews.go.com/US/treyvon-martin-neighborhood-watch-shooting-911-tapes-send/story?id=15937881.
[2] *Trayvon Martin case: 911 audio released of teen shot by neighborhood watch captain*, HUFFINGTON POST, Mar. 16, 2012, *available at* http://www.huffingtonpost.com/2012/03/16/trayvon-martin-911-audio-_n_1354909.html?ref=mostpopular.
[3] *Id.*

of his car with his 9 millimeter handgun, and shot and killed the 17-year old in a neighbor's yard.[4]

As more information is revealed about the case, we encourage the Department to review whether the shooting death of Trayvon Martin qualifies as a hate crime as information available thus far indicates that Mr. Zimmerman may have been motivated by the race of his victim. This shooting has already sent shockwaves throughout this Nation, with the conduct of local officials evoking for many Americans past instances of racial injustice by law enforcement.

We are extremely concerned that the conduct of the Sanford Police Department creates the appearance that local officials are unwilling to enforce the law equally and may encourage citizens to believe that they can take the law into their own hands with impunity. Congress passed updated federal hate crimes authority to guard against the failure of local officials to investigate and, where appropriate, prosecute misconduct motivated by race or other protected characteristics and to ensure justice for victims and their families. We therefore encourage you to explore the applicability of federal hate crime and other federal laws that may be implicated in this case.

We are heartened by the speed of the response from the Department of Justice. Through your measured use of federal authority, the family of Trayvon Martin and concerned citizens around the Nation can now more comfortably rely on the fact that the ends of justice will be served.

Sincerely,

Representative John Conyers, Jr.
Ranking Member

Representative Jerrold Nadler
Ranking Member
Subcommittee on the Constitution

Representative Robert C. "Bobby" Scott
Ranking Member
Subcommittee on Crime, Terrorism and Homeland Security

Representative Melvin L. Watt

[4] *Witnesses in Trayvon Martin death heard cries before shot,* THE MIAMI HERALD, Mar. 15, 2012, *available at* http://www.miamiherald.com/2012/03/15/2696446/trayvon-martin-case.html.

Representative Zoe Lofgren

Representative Sheila Jackson Lee

Representative Maxine Waters

Representative Steve Cohen

Representative Henry C. "Hank" Johnson, Jr.

Representative Mike Quigley

Representative Judy Chu

Representative Theodore E. Deutch

Representative Linda Sánchez

Representative Jared Polis

cc: Hon. Lamar Smith, Chairman, House Judiciary Committee