

U.S. DEPARTMENT OF JUSTICE
COMMUNITY RELATIONS SERVICE

STRATEGIC PLAN 2010-2014

AMERICA'S PEACEMAKER



May 4, 2010

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from the **DIRECTOR**

Created by the Civil Rights Act of 1964, the mission of the Community Relations Service (CRS) was to become the “Nation’s Peacemaker”—an ambitious undertaking during a time when racial conflicts were not only real and heartbreaking but often times violent. CRS is unique because we are the only Federal government agency tasked with the great responsibility of bringing racial conflict to peaceful conclusions.

At the time of CRS’ creation, “race relations” primarily referred to conflicts between “blacks and whites.” Today, CRS and America face ever-changing demographics and socio-economic shifts that can cause tensions in our communities. With these changes, CRS works to resolve disputes and prevent violence that often divides neighborhoods, diminishes the effectiveness of schools, and stunts the capacity of communities to reach their full potential. Therefore, CRS’ congressional mandate is just as important today as it was 45 years ago.



With the passage of the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act in October 2009, CRS is now able to prevent and respond to alleged hate crimes committed on the basis of gender, gender identity, sexual orientation, religion, or disability in addition to continuing to prevent and respond to community tension relating to alleged discrimination on the basis of race, color, or national origin. This new legislation has expanded our ability to serve communities and foster an American culture that values and respects diversity. To ensure CRS is equipped and able to successfully meet our new challenges and opportunities and to continue to provide our invaluable service to American communities, we have set forth clear goals and objectives and a thoughtful plan to achieve them.

We must strive to promote peace among all diverse groups in the United States. For the American ideal of equality to persist, the words “I have a dream . . .” must transcend the ownership of any single race. We must be a nation of inclusion, a nation of tolerance, a nation of compassion. We must endeavor to embrace each other first and foremost as Americans steadfastly united in the concepts of the universality of freedom and equality for all people. As Dr. Martin Luther King, Jr. said 47 years ago, “We cannot walk alone.” I ask that every American assist CRS in this noble cause. Only if we recognize together where we have been and acknowledge where we are now, can we reach where we want to go. Dr. King said, “Human progress is neither automatic nor inevitable . . . Every step toward the goal of justice requires sacrifice, suffering, and struggle, and the tireless exertions and passionate concern of dedicated individuals.” CRS, throughout its history, has continued to lead in this effort towards racial progress and harmony. As Director of CRS, I pledge to continue to work to accomplish the honorable goal of ending jurisdictional conflicts in communities across America.

A handwritten signature in black ink that reads "O. T. Harris". The signature is written in a cursive, flowing style.

Ondray T. Harris
Director

from the **DEPUTY DIRECTOR**

It is with much excitement and determination that we face the many possibilities and opportunities ahead of us. We have worked hard, collectively and collaboratively, to get to this point in our evolving history. And we know our work is not over.

As the Deputy Director of CRS, I am honored to lead the implementation of this Strategic Plan. Everyone at CRS has had the opportunity to share in the construction of this Plan. We have all worked together to ensure that the plan reflects our collective voice and positions our agency to overcome the challenges we will surely confront.

Some of the challenges we face will require change. We have begun to institute some changes; at Headquarters we have added staff, streamlined processes, revised roles and responsibilities and cut some unnecessary functions. Other challenges will require more investment. As we grow in size, for example, we must ensure that all of our staff members have the knowledge and skills necessary to serve our communities. To do this will we provide state of the art training and development opportunities for all employees, both new and existing.

As we implement this Strategic Plan, we must stay focused on our vision. As I lead the implementation phase of our Plan, I take into consideration our operational perspectives and priorities. It will take Headquarters and each region working collaboratively to effectively achieve our goals. We will establish a Management Council to represent internal stakeholders, prioritize actions, develop realistic timelines, and to coordinate resources and communication for successful execution of our strategies. As Deputy Director, I will lead the Council. Management Council members, which will include personnel from Headquarters and the field, will help expedite the implementation process by providing best practices and encouraging field support.

We will be assessing our effectiveness as we implement this Plan to make sure we stay on course. We will be evaluating our progress and finding new and better ways to provide the best, most efficient service to communities throughout the country. Our course is charted; we must all work together to continue to enhance our abilities, our credibility, and our excellence. We look forward to working with our community partners to ensure our nation’s promise of equality and justice is a reality for all.



[signature]

our Legacy

On July 2, 1964, when President Johnson signed the historic Civil Rights Act into law, the Community Relations Service (CRS) was created. On that historic day, President Johnson passed the most sweeping civil rights legislation since the Civil War. CRS was created to serve as the Nation’s peacekeeper to help communities reduce racial violence and tension and to serve as a Federal partner dedicated to assisting federal, state and local units of government, private and public organizations, and community groups with preventing and resolving racial and ethnic tensions, incidents, and civil disorders, and restoring community stability and harmony.

Title X of the 1964 law mandated CRS’ creation, duties, and responsibilities. Initially, the agency was established as a part of the Commerce Department, but less than two years later, President Johnson requested that CRS be transferred to the Department of Justice (DOJ), stating that this switch was necessary for better coordination and enforcement of civil rights laws. On April 16, 1966, CRS officially became part of the Justice Department.



President Johnson signing the Civil Rights Act of 1964

For the past 45 years, CRS has successfully assisted in preventing violence and lowering tensions in thousands of communities. CRS has played a major role and left an indelible mark on our nation’s history. Our legacy is rich with successes, from our work with Martin Luther King, Jr. on the streets of Selma, Alabama, to our collaboration with the Arab, Muslim and Sikh communities after the tragic events of September 11th, to helping small communities like Jena, Louisiana restore peace and begin to heal after many felt that hatred and violence divided them. When the agency was first established, black and white issues dominated America’s racial problem. Forty-five years of progress and years of dynamic change have made the problem more complex, involving different ethnic groups living in suburbs, cities, and rural areas. In an era of changing demographics, the faces of discrimination and hate have changed. Thus CRS has encountered new challenges and conflicts. These demographic changes have touched every corner of our country, expanding exponentially the need for our service.

With the passage of the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act in October 2009, CRS is now able to prevent and respond to alleged violent hate crimes committed on the basis of actual or perceived gender, gender identity, sexual orientation, religion or disability in addition to continuing to prevent and respond to community tension relating to alleged discrimination on the basis of race, color, or national origin. This new Act has expanded our ability to serve communities. At CRS our passion and commitment is unwavering. We will continue to work diligently to ensure the promises set forth in our constitution and our nation’s laws are fulfilled. The need for CRS is as real now as it was on the day of its creation, and we will never stop working until the promises of justice and equality are a reality for all.

our Mandate

Our services and jurisdiction are mandated in Title X of The Civil Rights Act of 1964¹. The Act created CRS as the first and only federal agency exclusively dedicated to assist American communities in preventing and resolving racial and ethnic tensions, incidents, and civil disorders, and in restoring racial stability and harmony. In carrying out our mandate:

- We provide assistance to communities in resolving disputes, disagreements, or difficulties relating to discriminatory practices based on race, color, or national origin, which impair the rights of persons within the communities under the Constitution or laws of the United States.
- We provide this assistance when peaceful relations of the community are threatened.
- We conduct our activities in confidence and without publicity, holding confidential all information acquired while performing our duties.
- We do not engage in investigative or prosecuting functions.

The Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act of 2009² expanded the protected categories that may trigger CRS jurisdiction. In addition to responding to community tension on the basis of race, color, or national origin, CRS is now able to prevent and respond to alleged violent hate crimes committed on the basis of actual or perceived gender, gender identity, sexual orientation, religion or disability.

- We provide assistance to communities to prevent and respond to alleged violent hate crimes committed on the basis of actual or perceived gender, gender identity, sexual orientation, religion or disability.
- In order to help communities prevent violent hate crimes, CRS may facilitate educational meetings and dialogues or conduct other services in response to conflicts or incidents that, left unaddressed, may escalate to violent hate crimes.

¹ Civil Rights Act of 1964, Title X, P.L. 88-353, 78 Stat. 241 (1964), codified as 42 U.S.C 2000g *et seq.* For an excerpt, see page 13.

² Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act, P.L. 111-184 (2009), Div. E, § 4706. For an excerpt, see page 14.

our Vision

Through our service, communities across America will engage in constructive dialogue, promote understanding, and peacefully resolve conflicts to ensure our nation’s promise of equality and justice is a reality for all.

our Mission

To aid in the prevention of violence, the resolution of conflict, and the reduction of tension in communities that are experiencing or perceiving discrimination and intolerance.

our Values

Integrity	We recognize that our work cannot be done without trust. We build trust through our dedication, honesty, and ethical conduct to ensure that our actions are consistent with our words.
Respect	We value the opinions and ideas of all individuals. We foster open and fair dialogue, and we embrace the strength inherent in diversity.
Neutrality	We do not take sides in a conflict. We facilitate communication so that all voices are heard.
Teamwork	We believe that together we can achieve more. We promote a collaborative environment to leverage the strengths of our agency to assist communities.

our Commitment

We are committed to working with communities to prevent tension and violence in America. We are dedicated to improving each community we assist. We respond without hesitation, often in dangerous and potentially violent situations. We go wherever the need is, whenever the need arises, for as long as it takes. We believe that CRS is more than an agency—it is our opportunity to make a difference in America.

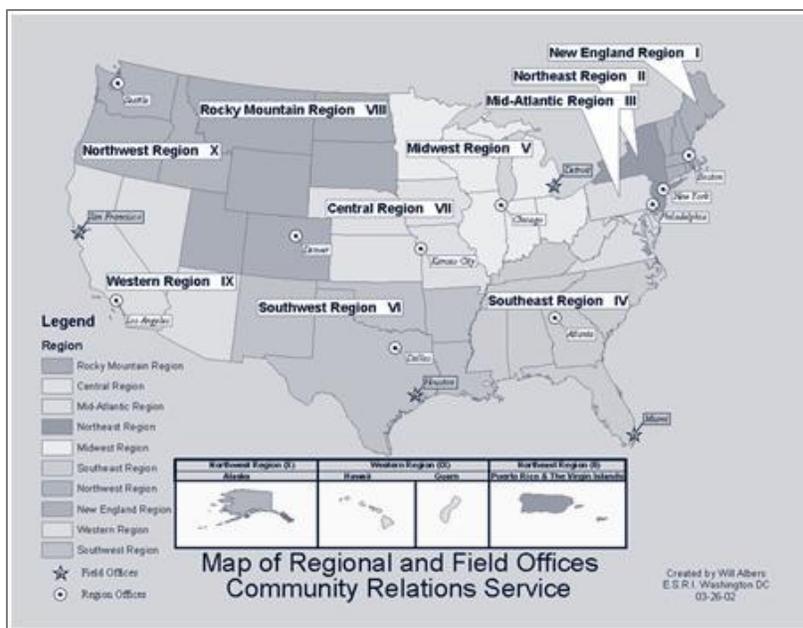
our Work

The work of CRS is dynamic. We are dedicated to assisting communities with preventing and resolving tension, incidents, and civil disorders relating to alleged discrimination on the basis of race, color, or national origin, and preventing and responding to violent hate crimes committed on the basis of actual or perceived gender, gender identity, sexual orientation, religion or disability. CRS helps local leaders and affected parties work together on a voluntary basis to develop locally defined and locally implemented solutions. As a result, CRS builds community capacity to manage conflicts and create permanent mechanisms so communities can independently resolve future conflicts, further promoting harmony and mutual understanding among diverse groups.

When community peace and stability are threatened, CRS responds. CRS provides confidential, non-partisan, and free of charge services which are designed to serve as a catalyst for peaceful resolution. There are a wide range of CRS services available to communities including conciliation and mediation services, trainings to law enforcement and educational institutions, and crisis response services to communities in need. The services of CRS are provided through Conciliators— highly skilled professional mediators with experience and cultural awareness—who are deployed to communities in need. Conciliators bring communities and governments together to facilitate open dialogue and work together to begin to find real solutions. Conciliators assist in identifying the sources of violence and conflict, and they utilize specialized conflict management and violence reduction techniques. Conciliators also present trainings to different community groups, schools, and police forces on a wide variety of issues and concepts. Conciliators provide opposing parties with lasting tools and resources to resolve conflicts in an efficient, non-violent manner. Timing is essential in preventing community tensions from erupting into violence; therefore, CRS operates as an emergency response agency where Conciliators are available to respond to any location 24 hours a day 7 days a week. The goal of the Conciliator is to bring all parties together to address conflicts, develop solutions, and equip communities with the skills and knowledge to effectively and independently resolve future conflicts.

CRS Conciliators are required through legislative mandate to conduct their activities in confidence, without publicity, and are prohibited from disclosing confidential activities. The confidentiality requirement allows CRS to gain the trust of community groups and facilitate open dialogue. Nevertheless, maintaining confidentiality and working behind the scenes in communities has led to little recognition of agency successes and limited awareness of the agency as a whole. Often times, CRS is referred to as the “best kept secret in DOJ.”

To provide a federal presence throughout the nation and be able to respond quickly to community crises, CRS operates through a regional structure. The agency’s leadership and supporting personnel are located at the CRS headquarters in Washington, D.C. Professional Conciliators are stationed in one of the ten regional offices or four field offices, located in major cities throughout the nation. Each regional office has a Regional Director, Conciliator(s), and an administrative assistant. The Regional



Directors are responsible for managing and coordinating all services and personnel within their area of geographic responsibility, including field offices, if any. Each region conducts ongoing assessments of tensions and factors that may cause conflict throughout the region. Through the assessment process regions work to identify steps that CRS and communities can take to reduce or resolve the possibility of violence. Through this process, CRS maximizes its resources by building local community capacity to identify emerging issues early and to address them before they escalate. Maximizing the use of resources is critical; with less than one Conciliator per state, the efficiency and effectiveness of our dedicated staff have led to the extraordinary success this agency has achieved over the past 45 years.

our Future

Since CRS was created, our Nation has continued to grow and change. With the accompanying demographic shifts, new frontiers of social change have emerged. With these new dynamics, come new challenges—and new opportunities. The work of CRS continues to make a difference in communities experiencing racial and cultural growing pains as a result of these changes. The work that we do helps to resolve disputes and prevent violence that often divides neighborhoods, diminishes the effectiveness of schools, and stunts the capacity of communities to reach their full potential and effectively serve the people. With the passage of Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act, CRS will be providing assistance and establishing relationships in additional communities across the nation.

our Goals

This strategic plan establishes goals and objectives to ensure CRS is equipped and able to successfully meet our new challenges and opportunities, and to continue to provide our invaluable service to American communities. The CRS Strategic Plan for FY 2010 through 2014 defines the vision, mission, and three clear goals for CRS management to focus on achieving.

VISION			
Through our service, communities across America will engage in constructive dialogue, promote understanding, and peacefully resolve conflicts to ensure our nation’s promise of equality and justice is a reality for all.			
MISSION			
To aid in the prevention of violence, the resolution of conflict, and the reduction of tension in communities that are experiencing or perceiving discrimination and intolerance.			
INTEGRITY	RESPECT	NEUTRALITY	TEAMWORK
GOAL 1 Prevent violence through peaceful resolution of conflicts.	GOAL 2 Resolve conflicts in a professional, neutral, and collaborative way.	GOAL 3 Serve as many communities as possible.	
OBJECTIVES	OBJECTIVES	OBJECTIVES	
A. Reduce time required to respond to conflicts B. Build trust with communities C. Reduce the tension level in medium- to high-risk communities D. Build capability within communities to reduce tension and to resolve conflicts	A. Ensure Conciliators have the expertise to effectively assist communities B. Ensure that Conciliators are neutral and perceived as such C. Improve consistency in delivery of services across regions D. Recruit and retain a highly-skilled and dedicated workforce	A. Assist communities based on highest risk and greatest positive outcome B. Increase the number of communities assisted each year C. Establish a method to baseline and track CRS effectiveness and efficiency	
LONG TERM GOAL:	LONG TERM GOAL:	LONG TERM GOAL:	
▪ Reduce outbreaks of violence ▪ Reduce tension in communities	▪ Establish CRS as the leading conflict resolution and community relations agency in the nation	▪ Increase funding and personnel to assist more communities	

we **PREVENT** *violence*

STRATEGIC GOAL 1: Prevent violence through peaceful resolution of conflicts.

CRS’ primary goal is to prevent violence from erupting in communities. Our first priority is to respond to crises. It is essential for CRS Conciliators to be on the ground as quickly as possible to begin the time-sensitive task of bridging community divides and seeking peaceful resolutions. To minimize the time between the initial warning signs of turmoil and the point CRS is contacted, CRS needs to continually build, leverage, and foster trusting relationships with the community. Once in the community, Conciliators must work to empower each community with the skills and knowledge necessary to address future conflicts or tension.

OBJECTIVES AND STRATEGIES:

A. Reduce time required to respond to conflicts by:

- Aligning resources to minimize response times
- Creating a “Rapid Response Team” for emergency deployment to highly volatile situations
- Establishing tracking mechanisms and processes to record response times
- Streamlining travel requests and protocols to expedite pre-deployment procedures
- Establishing and maintaining a resource list for communities when CRS is unable to assist
- Making best practices available to communities
- Creating a database containing internal and external experts by conflict type and region

B. Build trust with communities by:

- Educating communities on CRS services
- Encouraging Conciliators to attend and present at community events
- Building strong working relationships with community group leaders
- Networking to reach out to newly elected officials at the local and federal level
- Enhancing outreach efforts to local, regional, and national organizations

C. Reduce the tension level in medium- to high-risk communities by:

- Developing metrics to identify, monitor, and track tension levels
- Interpreting and tracking the warning signs of community tension so that early intervention can be used to prevent the escalation of tension
- Educating community leaders, police, and school officials on the warning signs of community tension
- Evaluating current programs’ effectiveness in reducing tension
- Leveraging both internal and external resources
-

D. Build the capability within communities to reduce tension and to resolve conflicts by:

- Establishing permanent mechanisms within communities to resolve future conflicts
- Improving internal exchange of best practices

PERFORMANCE INDICATORS:

- Time from initial incident to CRS notification
- Time from CRS notification to first community contact
- Number of hate crimes or incidents in a community
- Track trends of hate crimes, community tension, and socio-economic and demographic variables

we **RESOLVE** *conflicts*

STRATEGIC GOAL 2: Resolve conflicts in a professional, neutral, and collaborative manner.

Our second goal is to be the leading conflict resolution and community relations agency in the nation. To accomplish this goal, CRS must invest in its most valuable asset—its people. Ensuring the quality and consistency of services and encouraging the continued development of employees will help strengthen the reputation of CRS as an elite, effective, and integral component of the Department of Justice. Recruiting and retaining a premier workforce is critical to the success of CRS’ overall mission.

OBJECTIVES AND STRATEGIES:

A. Ensure Conciliators have the expertise to effectively assist communities by:

- Establishing an institutional training infrastructure
- Increasing internal information dissemination and sharing
- Encouraging cross-regional communication and collaboration
- Providing specialized, subject matter expertise support to Conciliators
- Promoting innovation by encouraging Conciliators and Regional Directors to publish papers and reports on conflict resolution techniques and community tension prevention

B. Ensure that Conciliators are neutral and perceived as such by:

- Clearly defining and implementing protocols for interacting with other DOJ components
- Providing training on an ongoing basis on techniques for maintaining neutrality and confidentiality and reinforcing neutral perception
- Educating communities on CRS’ mandate and clearly defining the role of CRS as a neutral peacemaker

C. Improve consistency in the delivery of services across regions by:

- Clarifying employee roles and responsibilities
- Continually updating standard operating procedures and ensuring regional adherence
- Encouraging partnerships and communication across regions

D. Recruit and retain a highly-skilled and dedicated workforce by:

- Establishing a set of job competencies for use in hiring, training, and evaluation
- Ensuring consistency in employee evaluations, incentives, and promotions
- Developing a clear and updated set of employee performance measures
- Improving working conditions including considerations for office space location and condition and CRS participation in work schedule flexibility programs
- Developing a robust recruiting program

PERFORMANCE INDICATORS:

- Customer satisfaction
- Number of outbreaks of violence when CRS has and has not been involved
- Employee satisfaction, commitment, productivity, and loyalty
- Investment in professional development
- Employee turnover rates, hiring time, and hiring lags

we SERVE communities

STRATEGIC GOAL 3: Serve as many communities as possible.

Our third goal is to expand our reach into as many new communities as possible until every community in the nation knows we are here to help. In order to reach new communities, we must ensure that we are both effective and efficient—serving each community with the highest level of service in the most efficient manner. To guarantee CRS services are both effective and efficient, a new, robust performance measurement system will be developed. The new measurement system will allow CRS to better demonstrate the value of our services and how additional funding and personnel will enable us to serve more communities.

OBJECTIVES AND STRATEGIES:

A. Assist communities based on highest risk and best possible outcome by:

- Creating a conflict typology matrix to prioritize cases, determine complexity level of casework, and suggest service options
- Developing a method for effectively deploying CRS resources that includes establishing specialists in each region and encouraging cross-regional resource sharing

B. Increase the number of communities assisted each year by:

- Realigning resources to maximize efficiency in the delivery of services
- Increasing funding and personnel
- Establishing a partnership model across regions
- Capitalizing on external resources to alert CRS of tension and to provide prompt, collaborative support on the ground when needed
- Educating new communities on CRS services through effective outreach

C. Establish a method to baseline and track CRS effectiveness and efficiency by:

- Updating the CRSIS system or developing a new tracking system to increase functionality
- Identifying performance indicators and standards
- Developing a new robust performance measurement system

PERFORMANCE INDICATORS:

- Number of requests for CRS assistance
- Number of geographical communities served
- Number of community requests referred for appropriate response
- Number of cases by type by region
- Cost per case, per FTE, and per community served consistent with conflict typology matrix
- Number and severity of outbreaks of violence
- Comparison of CRS community involvement to national statistics

our Plan

As an agency, CRS realizes that the importance and strength of this Strategic Plan is not in the document itself but in the implementation of our strategies to achieve our goals. We have developed a separate document, CRS Implementation Plan 2010-2014, to prioritize and develop a course of action for each strategy. The Implementation Plan:

- Clearly defines roles, responsibilities, and accountability for plan execution;
- Takes into consideration operational needs when prioritizing actions;
- Prioritizes objectives, strategies, and actions;
- Establishes time frames for completion; and
- Provides a process for continually assessing and adjusting plan effectiveness.

The Implementation Plan serves as a decision making and strategic reference. It is a living document that is continually assessed and adjusted for effectiveness, as internal and external factors change the operational environment.

**Excerpts from
Title X of the Civil Rights Act of 1964 (42 U.S.C 2000g et seq.)**

The Community Relations Service (CRS) was established by Title X of the Civil Rights Act of 1964 (42 U.S.C 2000g et seq.).

§ 2000g. Establishment of Service; Director of Service; appointment, term; personnel

There is hereby established in and as part of the Department a Community Relations Service (hereinafter referred to as the "Service"), which shall be headed by a Director who shall be appointed by the President with the advice and consent of the Senate for a term of four years. The Director is authorized to appoint, subject to the civil service laws and regulations, such other personnel as may be necessary to enable the Service to carry out its functions and duties, and to fix their compensation in accordance with chapter 51 and subchapter III of chapter 53 of Title 5.

§ 2000g-1. Functions of Service

It shall be the function of the Service to provide assistance to communities and persons therein in resolving disputes, disagreements, or difficulties relating to discriminatory practices based on race, color, or national origin which impair the rights of persons in such communities under the Constitution or laws of the United States or which affect or may affect interstate commerce. The Service may offer its services in cases of such disputes, disagreements, or difficulties whenever, in its judgment, peaceful relations among the citizens of the community involved are threatened thereby, and it may offer its services either upon its own motion or upon the request of an appropriate State or local official or other interested person.

§ 2000g-2. Cooperation with other agencies; conciliation assistance in confidence and without publicity; information as confidential; restriction on performance of investigative or prosecution functions; violations and penalties

(a) The Service shall, whenever possible, in performing its functions, seek and utilize the cooperation of appropriate State or local, public, or private agencies.

(b) The activities of all officers and employees of the Service in providing conciliation assistance shall be conducted in confidence and without publicity, and the Service shall hold confidential any information acquired in the regular performance of its duties upon the understanding that it would be so held. No officer or employee of the Service shall engage in the performance of investigative or prosecuting functions of any department or agency in any litigation arising out of a dispute in which he acted on behalf of the Service. Any officer or other employee of the Service, who shall make public in any manner whatever any information in violation of this subsection, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$1,000 or imprisoned not more than one year.

**Excerpts from the
Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act**
Division E of the National Defense Authorization Act for Fiscal Year 2010
(P.L. 111-84, 2009)

§ 4706. Authorization For Additional Personnel To Assist State, Local, And Tribal Law Enforcement.

There are authorized to be appropriated to the Department of Justice, including the Community Relations Service, for fiscal years 2010, 2011, and 2012 such sums as are necessary to increase the number of personnel to prevent and respond to alleged violations of section 249 of title 18, United States Code, as added by section 4707 of this division.

§ 4707. Prohibition of certain hate crime acts, defines hates crimes as including:

(a) In General.-

Chapter 13 of title 18, United States Code, is amended by adding at the end the following:

“Sec. 249. Hate Crime Acts

“(a) In General.—

“(1) OFFENSES INVOLVING ACTUAL OR PERCEIVED RACE, COLOR, RELIGION, OR NATIONAL ORIGIN.— Whoever, whether or not acting under color of law, willfully causes bodily injury to any person or, through the use of fire, a firearm, a dangerous weapon, or an explosive or incendiary device, attempts to cause bodily injury to any person, because of the actual or perceived race, color, religion, or national origin of any person—

“(A) shall be imprisoned not more than 10 years, fined in accordance with this title, or both; and

“(B) shall be imprisoned for any term of years or for life, fined in accordance with this title, or both, if—

“(i) death results from the offense; or

“(ii) the offense includes kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill.

“(2) OFFENSES INVOLVING ACTUAL OR PERCEIVED RELIGION, NATIONAL ORIGIN, GENDER, SEXUAL ORIENTATION, GENDER IDENTITY, OR DISABILITY.—

(A) IN GENERAL.— Whoever, whether or not acting under color of law, in any circumstance described in subparagraph (B) or paragraph (3), willfully causes bodily injury to any person or, through the use of fire, a firearm, a dangerous weapon, or an explosive or incendiary device, attempts to cause bodily injury to any person, because of the actual or perceived religion, national origin, gender, sexual orientation, gender identity, or disability of any person—

“(ii) shall be imprisoned for any term of years or for life, fined in accordance with this title, or both, if—

“(I) death results from the offense; or

“(II) the offense includes kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill.