



HATE CRIMES
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ADL

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Training objectives

By the end of the training, participants will be able to

- Define a hate crime
- Understand the relevant laws
- Differentiate between a hate crime and a hate incident
- Understand How to Make Use of FBI Hate Crime Indicators
- Appreciate the unique nature of hate crimes
- Understand the responsibilities of first responders and investigators
- Recognize the importance of hate crime reporting



ADL: Fighting Hate for Good™

EDUCATE AND TRAIN



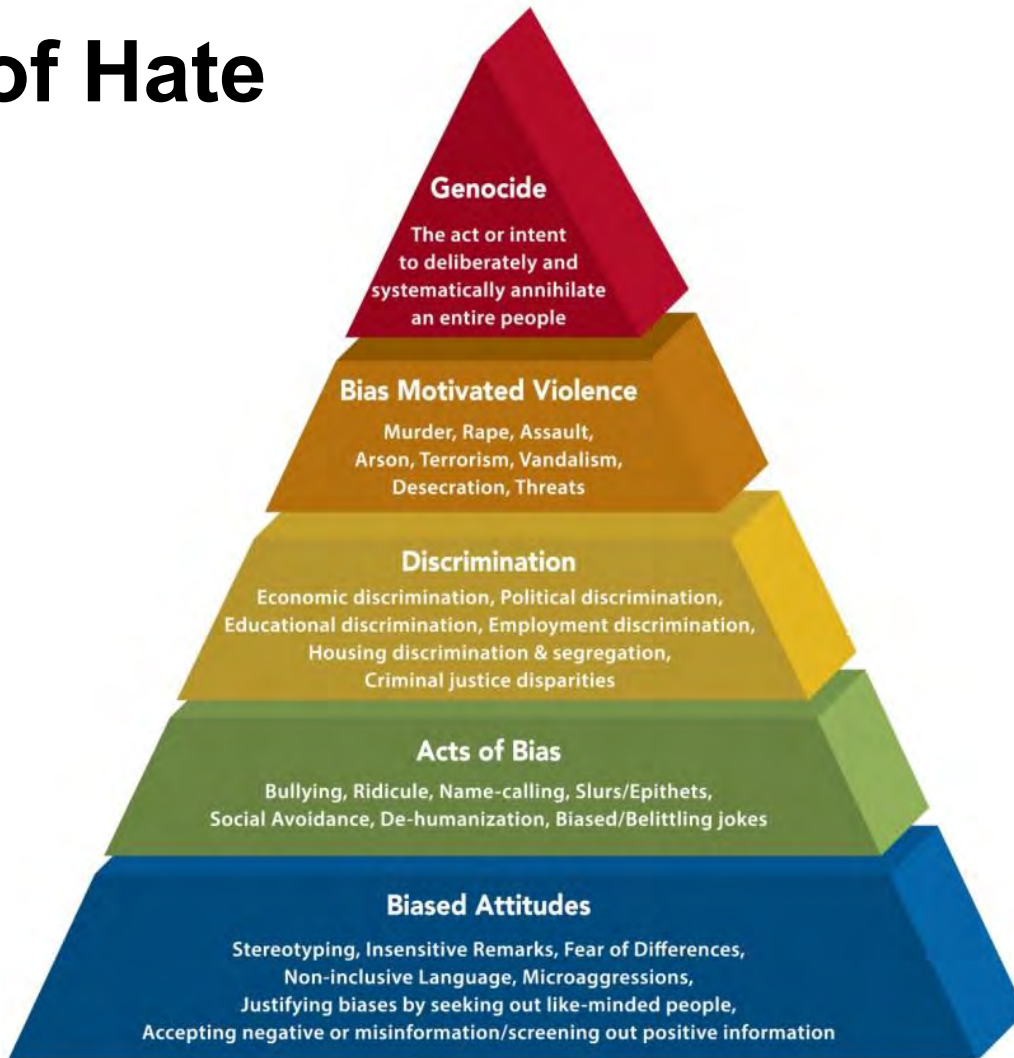
ADVOCATE AND ASSIST



INVESTIGATE AND RESEARCH



Pyramid of Hate



Expertise on Hate Crimes

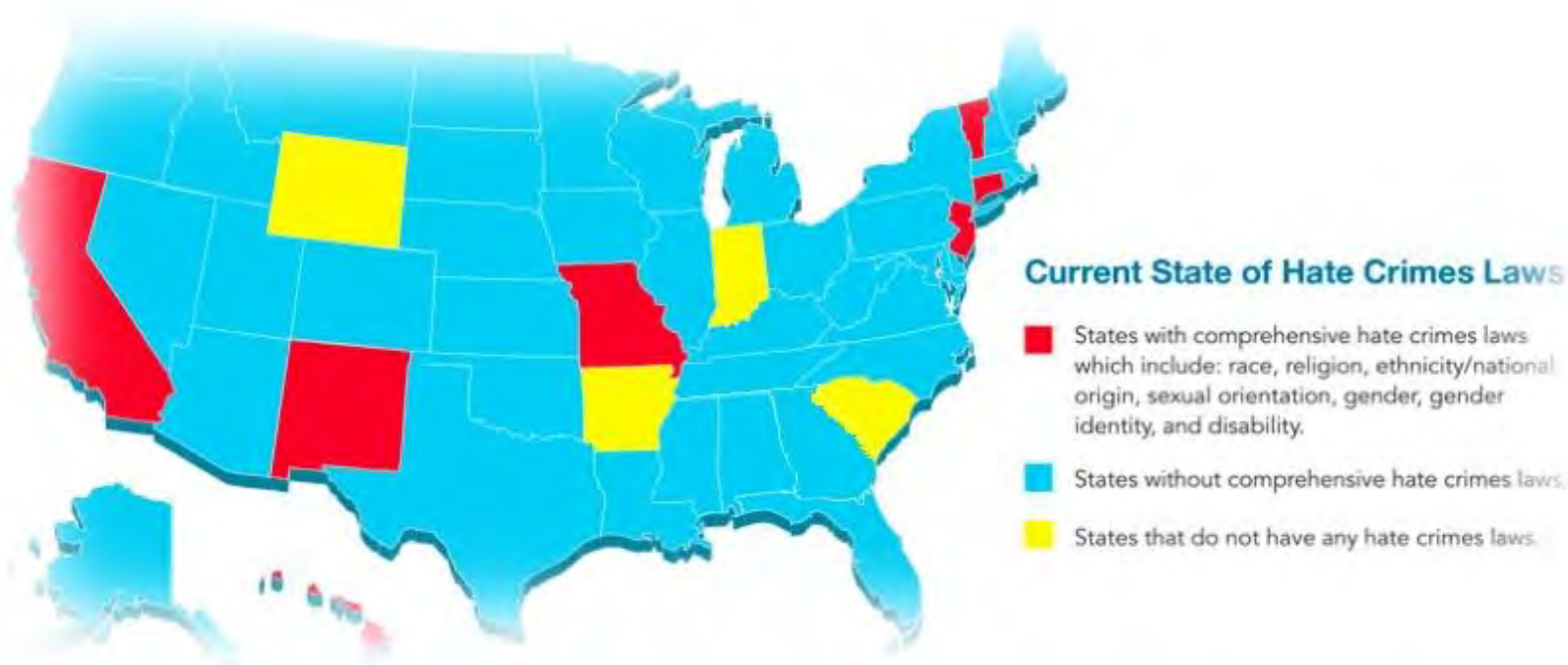
- ADL is the leading organization in the fight against hate crimes
- ADL created the first model hate crimes legislation
- ADL has been involved in responding to 1000s of hate crimes



50 States Against Hate

46 states and D.C. have laws concerning hate crimes.

4 states do not—Arkansas, Indiana, South Carolina, Wyoming



Hate Crimes Coalition



WHAT IS A HATE CRIME?

A hate crime is

- Criminal act
- Against person or property
- Victim is intentionally selected
- Because of the victim's *actual or perceived*:
 - Race
 - Religion
 - National origin
 - Gender
 - Gender
 - identity
 - Sexual orientation
 - Disability



Penalty enhancement

- Hate crime penalty enhancement statutes are in place in 45 states and the District of Columbia
- Under these laws, a perpetrator can face more severe penalties for committing a bias-motivated crime



Immutable Characteristics

- Race
- Color
- National Origin
- Religion
- Disability
- Gender
- Sexual Orientation
- Gender Identity



Bias-motivated crime versus bias-motivated incident

Bias-motivated crime

Criminal act

Person or property

Victim is intentionally selected

Because of the victim's *actual or perceived* race, religion, national origin, gender, gender identity, sexual orientation, or disability

Bias-motivated incident

Non-criminal act

Person or property

Victim is intentionally selected

Because of the victim's *actual or perceived* race, religion, national origin, gender, gender identity, sexual orientation, or disability

Bias-motivated incidents

Non-criminal activity motivated by hatred, prejudice or bigotry

Examples:

- **Hate speech**
- **Hate rallies**
- **Display of offensive materials on one's property**
- **Posting of hate materials that does not damage property**



Hate crimes have a double impact

- Impact on individual victims
- Impact on the community



Impact on individual victim

- Hated for individual characteristics
- Powerless to prevent repeat crime
- No negotiating power

2x as likely to cause physical injury

4x as likely to lead to hospitalization



Impact on community

- Polarizing effect on groups
- Increased tensions
- Retaliatory crimes
- Police attention diverted
- Negative effect on public image of the community



The special impact of bias-motivated crimes

“Bias motivated crimes are more likely to provoke retaliatory crimes, inflict distinct emotional harms on their victims, and incite community unrest.”

**Chief Justice William Rehnquist,
United States Supreme Court
Wisconsin v. Mitchell, 508 U.S. 476 (1993)**



Common Hate Crime Myths

- Hate Crime laws do not criminalize thought
 - Difficult Crimes to Prove: Need Admissible Evidence of Bias Motive
 - Must have an underlying crime



Common Hate Crime Myths

- Hate Crime laws do not give special treatment to special classes of victims
- Anyone can be a victim or perpetrator
 - **19%** Race-Based Hate Crimes: **White**
 - **13%** Religious-Based Hate Crimes: **Christian**
 - **47%** Gender-Based Hate Crimes: **Males**
 - **1%** Sexual-Orientation-Based Hate Crimes: **Heterosexuals**



Federal Hate Crime Laws - 18 U.S.C. §249

The Matthew Shepard & James Byrd Jr. Hate Crimes Prevention Act (2009)

■ Elements:

- Willfully Cause Bodily Injury, or Attempted Bodily Injury (firearm, dangerous weapon, or explosive or incendiary device); and
- Because of Actual or Perceived Race, Color, Religion, National Origin, Gender, Sexual Orientation, Gender Identity, or Disability of Any Person

■ Punishment:

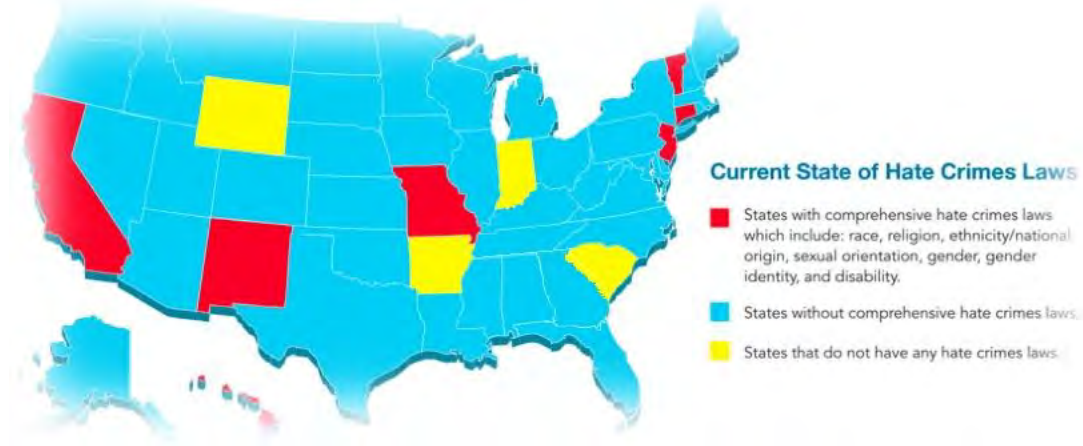
- 10 Years Injury, or Life (Death or Attempt to Kill; Offense of Kidnapping, Aggravated Sexual Abuse, or Attempt of Either)



HB 426: Georgia's Hate Crimes Law

Penalty enhancement for bias motivated crimes based on actual or perceived race, color, religion, national origin, sexual orientation, gender, mental disability or physical disability.

- Misdemeanor: 3-12 months, \$5k max
- Felony: 2 years min



HATE CRIME DATA

Federal Hate Crimes Statistics Act

- Requires the Attorney General to collect data on crimes committed because of the victim's race, religion, disability, sexual orientation, or ethnicity.
- Since 1992, the FBI has published an annual report on hate crime statistics.

Criminal Justice Information
Services (CJIS) Division
Uniform Crime Reporting (UCR) Program



Hate Crime Data Collection Guidelines And Training Manual

Version 2.0

Document Date: 2/27/2015

Prepared by:

Law Enforcement Support Section (LESS)
Crime Statistics Management Unit (CSMU)

Hate Crime Statistics

- 2020 – 7,569 hate crimes reported nationally, up 6% from 7,314 in 2019
 - 12 Year High

<u>Categories</u>	<u>2020</u>	<u>2019</u>
– Race/Eth/Anc	65% (4939)	54% (3,963)
– Religion	15% (1174)	21% (1,521)
• Anti-Jewish	57% (676)	62% (953)
• Anti-Muslim	9% (104)	11% (176)
– Sexual Orient.	14% (1051)	16% (1,195)
– Gender Identity	3% (236)	2.7% (198)
– Disability	1% (83)	2.1% (157)
– Gender	0.9% (71)	0.9% (69)
– Multiple Bias	3% (205)	3% (211)

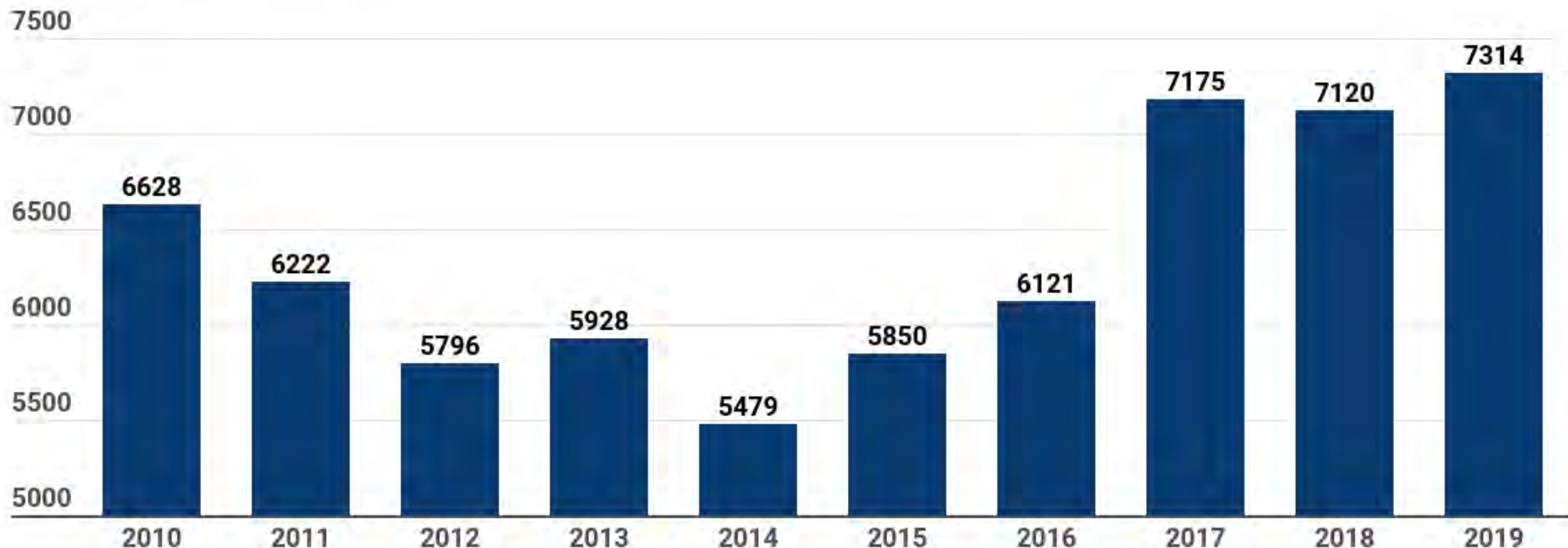


Total Hate Crimes

2010-2019 FBI HATE CRIMES DATA



There were 7,314 reported hate crimes in 2019.



FBI Hate Crimes Data

FBI Hate Crimes Data
(2019)

Key Nationwide Trends

↑18%

Gender-identity-based crimes

↑9%

Anti-Latinx crimes

↑14%

Anti-LGBTQ+ crimes

27%

Of all hate crimes are anti-Black

20%

Of all hate crimes are religion based

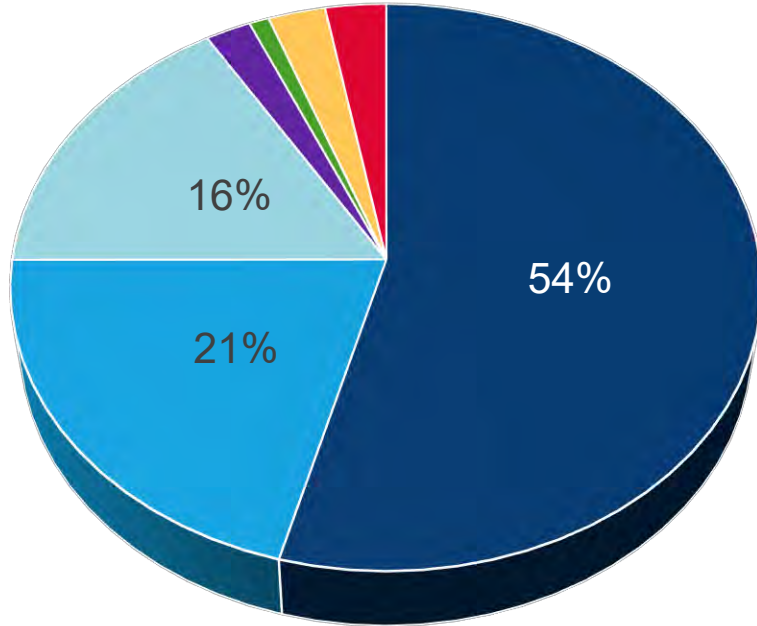
Religion Based Crimes

- 60% anti-Jewish
- 13% anti-Muslim
- 3% anti-Sikh
- 3% anti-Catholic

Source: FBI Uniform Crime Reporting Program
(2019)

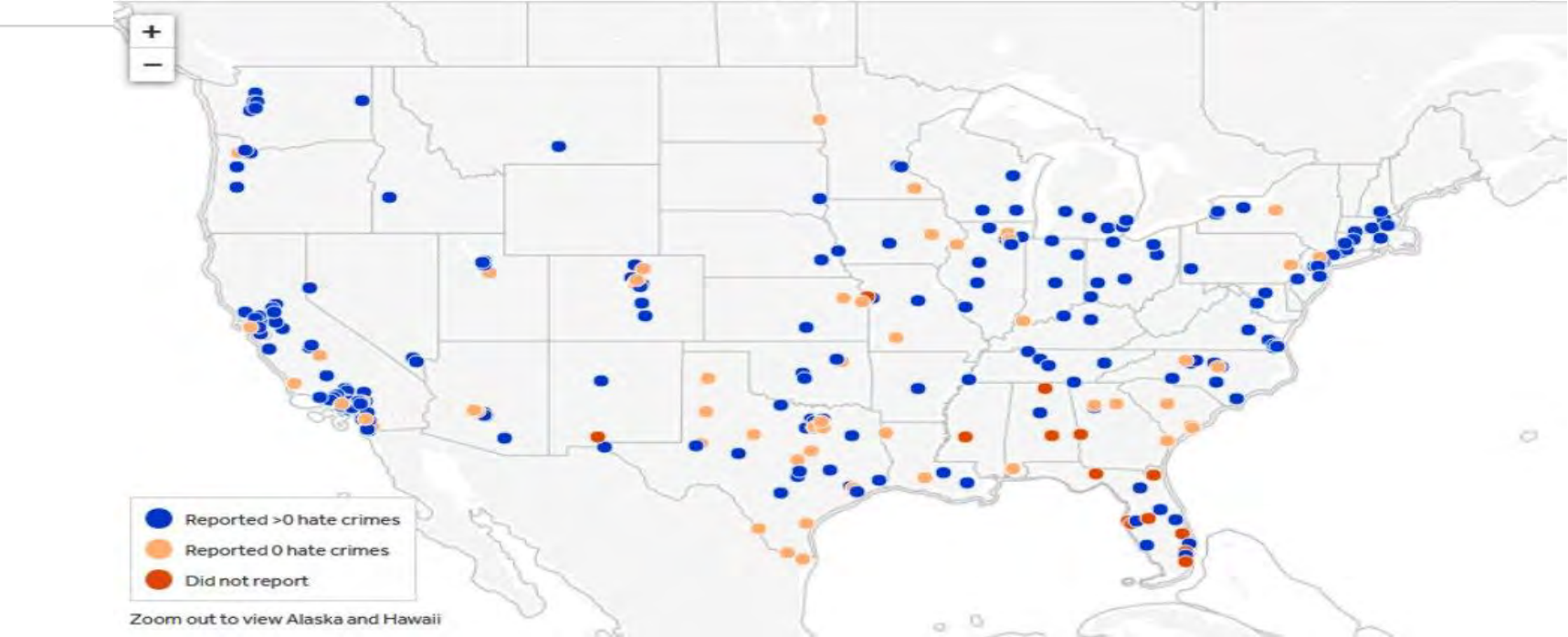
FBI Hate Crime Statistics

2019 Hate Crimes



Bias Motivation	Incidents
Race/Ethnicity/Ancestry	3,963
Religion	1,521
Sexual Orientation	1,195
Disability	157
Gender	69
Gender Identity	198
Multiple-Bias Incidents	211
TOTAL	7,314

ADL Hate Crime Map

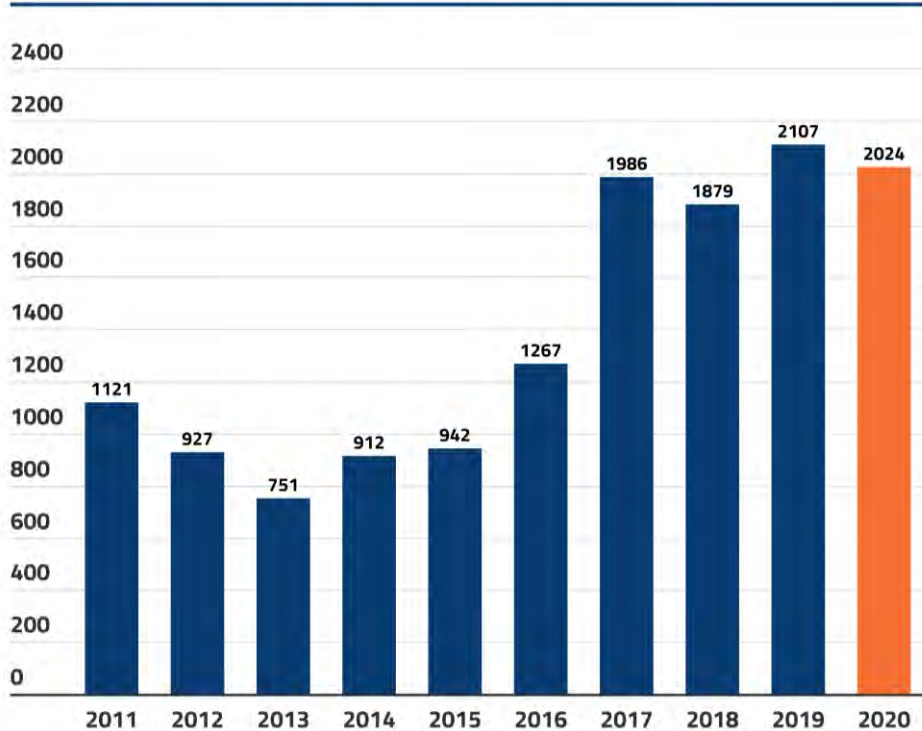


Anti-Semitism Persists Today



Audit of Antisemitic Incidents

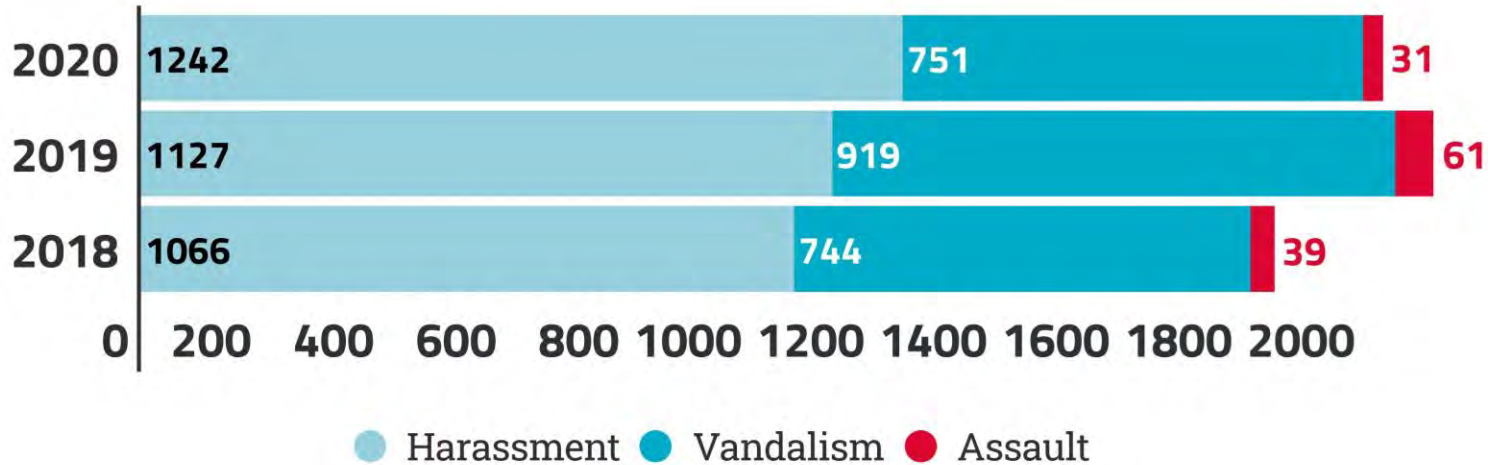
Antisemitic Incidents: U.S.
Over the Last Decade | 2011-2020



More
than
DOUBLE
in
5 years

Antisemitic Incidents: U.S.

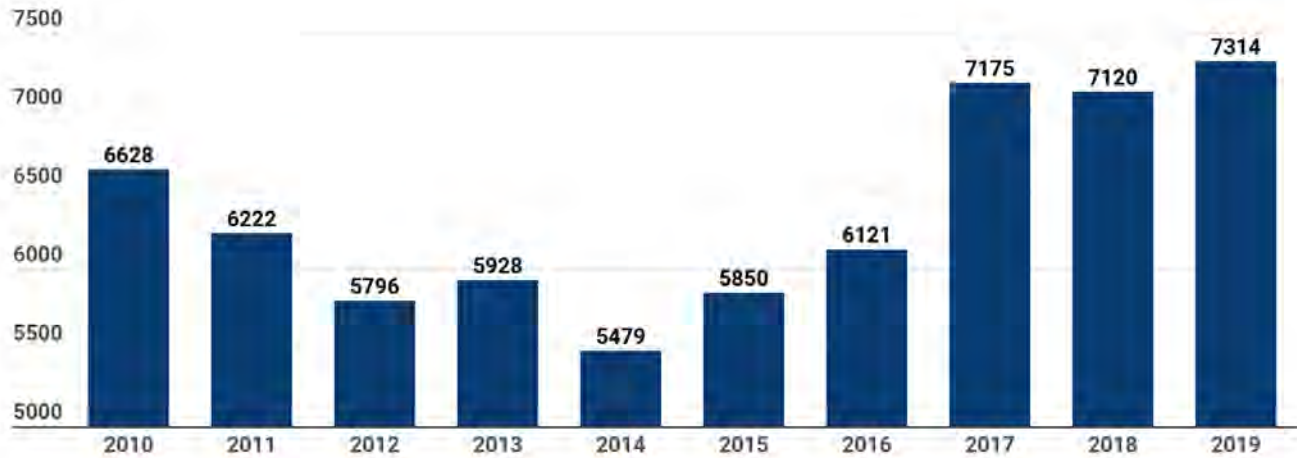
2018-2020 Incident Comparisons



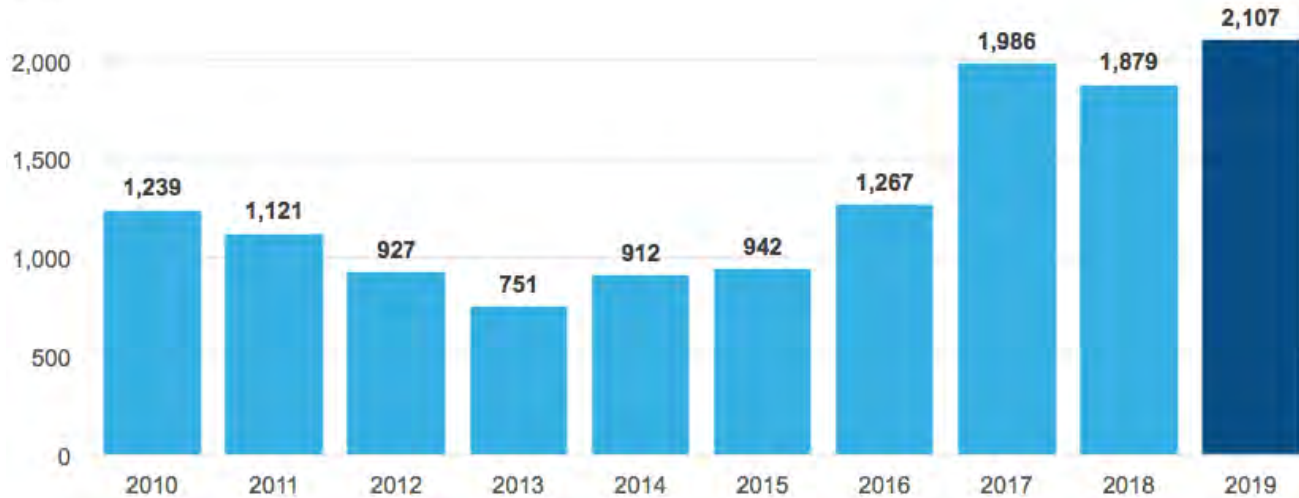
2020 Total: 2,024

4% decrease from 2,107 incidents in 2019.

Hate Crimes (FBI)



Antisemitic Incidents (ADL)



A QUIZ ABOUT HATE CRIMES

According to the data reported to the FBI in 2017, which category had the largest number of bias crimes?



A. Race/Ethnicity

B. Religion

C. Sexual Orientation

D. Disability

E. Gender

F. Gender Identity

Hate crimes motivated by *religious bias* account for 21.7% of all reported hate crimes in 2017. Which religion was targeted most?

- A. Islam
- ✓ B. Judaism
- C. Christianity (Catholic)
- D. Christianity (Protestant)
- E. Atheism/Agnosticism

**Anti-Jewish bias accounted for
62% of all hate crimes
motivated by religious bias in
2019**



Hate Crime Q & A

Q: All 50 states have hate crime laws

A. True

B. False

Hate Crime Q & A

Q: All 50 states have hate crime laws

A. True

B. *False*

A: Only 46 states and the District of Columbia have hate crimes laws. The following states do not:

- Arkansas
- Indiana
- South Carolina
- Wyoming

Hate Crime Q& A

Q: The weapon most often used by perpetrators of hate crimes is

- A. Guns
- B. Knives
- C. Hands & feet
- D. Solid objects (bats, bottles, etc.)

HATE CRIME Q& A

Q: The weapon most often used by perpetrators of hate crimes is

- A. Guns
- B. Knives
- C. **Hands & feet**
- D. Solid objects (bats, bottles, etc.)

Hate Crime Q & A

Q: Bias crimes are often perpetrated in groups:

A. True

B. False

Hate Crime Q & A

Q: Bias crimes are often perpetrated in groups:

A. True

B. False

Hate Crime Q & A

Q: Organized hate groups are responsible for the majority of hate crimes committed in the U.S.

A. True

B. False

Hate Crime Q & A

Q: Organized hate groups are responsible for the majority of hate crimes committed in the U.S.

A. True

B. *False*

True or false

A hate crime cannot be committed by someone who shares the identity of a victim

FALSE. A hate crime can be committed by someone from the same group, race, religious, sexual orientation, etc. of the victim



True or false

Hate crime laws give special treatment to certain classes of victims

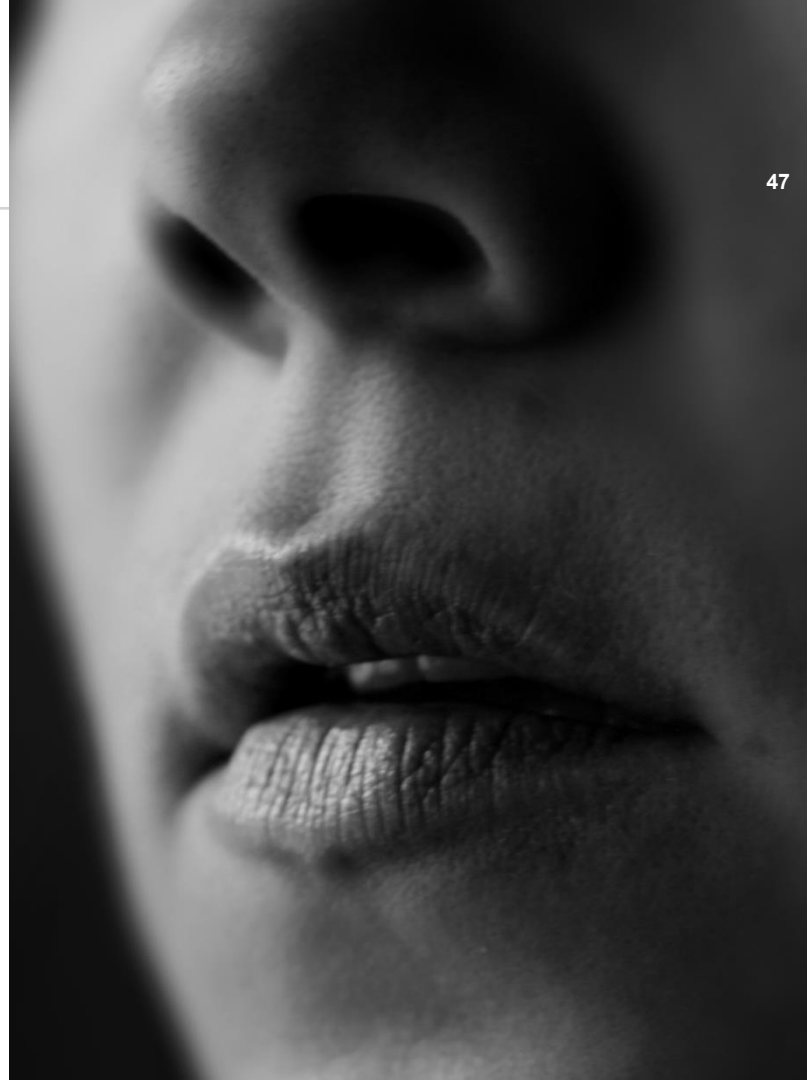
FALSE. Hate crime laws do not give special treatment to certain classes of victims



True or false?

Hate crimes criminalize free speech or thought

FALSE. Hate crime laws do not criminalize speech or thought. Speech alone does not constitute a hate crime



HATE CRIME INDICATORS



Hate crime indicators

The clues law enforcement looks for to determine if a crime should be investigated as a hate crime, and which help to evaluate a perpetrator's motives.

“Objective facts, circumstances or patterns attending a criminal act(s) which, standing alone or in conjunction with other facts or circumstances, suggest that the offenders actions were motivated in whole, or in part, by any form of bias.”

-Massachusetts Model Protocol for Bias Crime Investigation

Hate crime indicators

- Perceptions of the victim(s) and witnesses about the crime
- Perpetrator's comments, gestures or written statements, during or after the crime, that reflect bias
- Victim and offender members of different racial or ethnic groups
- Past hostility or tension between the two groups
- Similar incidents in the same location or neighborhood to determine whether a pattern exists





Hate crime indicators

51

- Victim engaged in activities promoting his/her group or community
- Incident coincides a holiday, observance or celebration of significance to a certain group or community
- Absence of any other motive, such as economic gain
- Recent news or media coverage of similar incidents

Indicators: Language & Symbols

- Language used before/during/after the crime & graffiti left at the crime scene are key indicators of bias motivation.
- Offenders may utter or leave words, phrases and symbols, including numbers, connected to their beliefs that may be unfamiliar to most people



88



14



23



420

Establishing Motive

- **Beliefs:** What are the suspect's beliefs?
- **Books:** What books do they read?
- **Music:** What music do they listen to?
- **Websites:** What websites do they visit?
- **Posting:** What do they post on social media?
- **Friends:** Who are their friends?
- **Organizations:** What organizations do they belong to?
- **Clothing:** What type of clothing do they wear?
- **Tattoos:** What kind of tattoos do they have?



THE LAW ENFORCEMENT ROLE: REPORTING, RESPONSE, INVESTIGATION

Why Hate Crime Reporting is Important

- Provides police with data to assess effectiveness
- Lets police identify patterns of behavior
- Enables police to identify vulnerable communities
- Provides an opportunity to build community trust
- Demonstrates law enforcement's commitment to transparency



**REPORT
HATE CRIME**

Why victims don't report hate crimes

- Limited English proficiency
- Distrust or fear of police and/or government
- Fear of retaliation
- Don't believe hate crimes are serious
- Don't know it is a hate crime
- Belief that government is anti-immigrant
- Embarrassment or shame at what happened



Approximately 54% of all hate crimes were not reported to police between 2011-2015, according to the Bureau of Justice Statistics

The first to arrive

- Ensure safety of victim, witnesses or perpetrator
- Preserve the crime scene
- Be sensitive to victim trauma
- Identify all witnesses
- Get exact statements from witnesses
- Begin looking for bias indicators
- How officers interact with victims can either reduce or increase trauma and feeling of isolation



Investigation & Interviews

- To minimize trauma: if possible assign only one officer
- Ensure victim safety & discuss any concerns (anonymity)
- Emphasize that you take these matters seriously
- Avoid assumptions
- Ask victim if he/she has any idea what motivated the crime.



Be thorough

- Ask victims to recall in his/her own words the exact words of the offender – **Record Exactly**
- Interview witnesses to document circumstances & motive.
- Photograph any words/symbols which may have been left by the offender.
- Keep victim informed of your actions & why you are doing them.
- Refer victim to support services & community resources





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