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Summary Reporting System

National Incident-Based Reporting System

Training Guide for Hate Crime Data Collection

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Uniform Crime Reporting

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TRAINING GUIDE FOR HATE CRIME DATA COLLECTION

Purpose and Scope

The material in this training guide is intended to assist law enforcement agencies in the task of establishing a hate crime training program for their personnel. It provides suggested model reporting procedures, as well as training aids for sensitizing street officers to the hate crime problem. Further training material can be obtained from the organizations listed in Appendix A, captioned "Organizations Offering Information Concerning Anti-Bias Education." Assistance in these matters may also be requested from the nearest regional office of the Community Relations Service (CRS) of the Department of Justice (DOJ). (See Appendix D for list of regional CRS/DOJ offices.)

The FBI's Uniform Crime Reporting (UCR) Program is grateful to all who have assisted in gathering the enclosed materials. A special note of thanks is given to the New York City Police Department, the Boston Police Department, and the Baltimore County Police Department for their guidance, suggestions, and assistance in matters that relate specifically to law enforcement concerns.

Gratitude is also expressed to the DOJ Civil Rights Division, Criminal Section, and to CRS for their assistance and resources.

The Nature of Hate Crime

Ronald Dworkin, Ph.D., in his work entitled *Taking Rights Seriously*, stated that "justice as fairness rests on the assumption of a natural right of all men and women to equality of concern and respect, a right they possess not by virtue of birth or characteristics or merit or excellence, but simply as human beings." Dr. Dworkin's words reflect the Constitutional protections which are guaranteed to all Americans. And yet, there are those who are victimized, sometimes subtly and other times very overtly, for no reason other than the color of their skin, the religion they profess, the heritage of their parents, the disability they possess, or their sexual orientation. It is most unsettling to the victims because there is nothing they can do to alter the situation, nor is there anything that they should be expected to change. Not only is the individual who is personally touched by these offenses victimized, but the entire class of individuals residing in the community is affected.

For these reasons, law enforcement officers must be particularly skillful in responding in such a way that the trauma of the victim and the community is not exacerbated by a lack of sensitivity in the law enforcement response. Like rape victims, victims of hate crimes suffer possible serious and long-lasting traumatic stress which could be increased by an inappropriate law enforcement response.

Federal Hate Crime Legislation

In response to a growing concern about such crimes, the President, on April 23, 1990, signed into law the "Hate Crime Statistics Act of 1990" (hereafter "Act"; see Appendix B). The Act requires

the Attorney General to establish guidelines and collect, as part of the UCR Program, data "about crimes that manifest evidence of prejudice based on race, religion, sexual orientation, or ethnicity, including where appropriate the crimes of murder, non-negligent manslaughter; forcible rape; aggravated assault, simple assault, intimidation; arson; and destruction, damage or vandalism of property." Hate crime data collection was required by the Act to begin in calendar year 1990 and continue for 4 succeeding years. Responsibilities of the Attorney General under the Act were delegated to the Director of the FBI. The FBI's Uniform Crime Reporting (UCR) Program was assigned the task of developing the procedures for and managing the implementations of the collection of hate crime data. Although the Act mandated data collection for 5 years, the FBI considers the collection of hate crime statistics to be a permanent addition to the UCR Program. In September 1994, the Violent Crime Control and Law Enforcement Act amended the Hate Crime Statistics Act to add disabilities, both physical and mental, as factors that could be considered a basis for hate crimes.

Procedures for Reporting to the FBI's UCR Program

The FBI's UCR Program had followed the progress of this legislation closely for several years, anticipating the possibility that the FBI would be given the task of collecting and publishing such data. Discussions were held with representatives of state and local law enforcement agencies which had already embarked on hate crime data collection programs. Contacts were also made with private organizations which had expressed interest in seeing a national hate crime statistical program established, e.g., the National Institute Against Prejudice & Violence, the Anti-Defamation League of B'nai B'rith, the National Association for the Advancement of Colored People (NAACP).

Sampling Approach

As a result of such contacts, the UCR Program considered two alternative approaches to collecting hate crime data. One approach would be to conduct, on a sampling basis, a nationwide, in-depth analysis of suspected bias-motivated incidents. This approach would require approximately 800 participating law enforcement agencies to identify and track cases suspected of involving bias motivation through the investigatory and prosecutory processes, and then report comprehensive data about the offenses that were determined to have been motivated by hatred.

Under this approach, considerable resource commitment would be required on the part of each participating agency. Considering the fiscal constraints currently being experienced at all levels of government, the participating agencies would most likely need substantial federal funding not only to implement their reporting systems, but to support their ongoing operation. It has been projected that the federal funds required would be quite extensive, perhaps exceeding \$12 million annually.

Another major drawback to the sampling approach is that it would not provide statistically significant breakdowns of local, state, or regional data, despite the valid and important national picture it would present of hate crime. In discussions with Congressional staff members and representatives of groups pursuing hate crime legislation, the UCR Program staff proposed the sampling approach as the one which would achieve the most valid national assessment of hate crime activity. However, the sampling approach proposal was negatively received because of its cost and its inability to generate meaningful geographical breakdowns of hate crime data.

Adopted Approach

The other approach considered for collecting hate crime data, and the one which was adopted, incorporates hate crime data into the already established nationwide UCR Program. This approach is particularly attractive because it does not require major resource commitments on the part of the individual agencies, and it provides statistically significant geographical data breakdowns.

Another reason this approach was attractive is the fact that the FBI is in the process of upgrading the UCR Program from a “tally” system, known as the “Summary Reporting System (SRS),” to a “unit-record” system, known as the “National Incident-Based Reporting System (NIBRS).” NIBRS collects much more comprehensive data on the victims, offenders, and the circumstances of crime. It only requires the addition of a single new data element to NIBRS to provide the capability for flagging criminal incidents as bias motivated.

Agencies not yet participating in NIBRS and those participating but not ready to implement the data element submit their data on Quarterly Hate Crime Reports. A sample of the Quarterly Report is enclosed as Appendix C. The form requires the entry of a limited amount of information, i.e., the incident number, type of offense, type of bias motivation, type of victim, location type, number of offenders, and the offender’s race. The Quarterly Report is submitted in addition to the regular reporting forms.

See the publication *Hate Crime Data Collection Guidelines* for additional information regarding the procedures to be used in reporting hate crime data to the national UCR Program.

Use of the Enclosed Training Modules

Three learning modules are included in this training guide for use in instruction of law enforcement personnel on hate crime matters. The modules are in no way exhaustive or exclusive of either what can be taught or the way the material should be taught. Rather, they are intended merely as a suggested approach to such instruction. In order to obtain the most benefit from the materials, an agency should tailor them to meet its unique needs. The reader may also be interested in the model training programs produced by the International Association of Chiefs of Police (IACP) and the National Organization of Black Law Enforcement Executives (NOBLE). This training information is available by contacting these organizations directly.

Learning Module One

“Learning Module One: The Social Psychology of Prejudice” is directed at the very heart of bias-related criminal behavior, namely, motivation. As an introduction to the social psychology of prejudice, it directs the student to look at the relationship of bias to stereotypical beliefs, prejudicial attitudes, and discriminatory behavior. It encourages the student to examine some of the major psychological motivations underlying prejudice as well as various social contexts which encourage or impede particular behaviors. The purpose of this module is twofold. First, it gives the student some understanding of how and why prejudice develops. Second, it increases the sensitivity of the student to the impact of hate crimes on the victim and the community.

Learning Module Two

“Learning Module Two: Bias-Motivated Crimes—Definitions & Procedures” provides definitions of terms law enforcement officers need to know in dealing with hate crime. Also included is a suggested law enforcement “model” hate crime reporting system that can be adapted for use in large, medium, or small law enforcement agencies.

The most important aspect of the model concerns the two-tier reviewing process. The purpose of the two-tier procedure is to ensure that suspected bias-motivated incidents undergo two levels of review within the reporting agency. Under the model system, the officer who responds to the incident is responsible for determining whether there is any indication that the offender was motivated by bias. If so, the responding officer should designate the incident as a “Suspected Bias Crime” and pass it on for review by a second officer (or unit) possessing greater expertise in hate crime matters. This latter officer or unit has the responsibility for making the final decision as to whether the incident constitutes a hate crime. It is only after the incident has undergone the second review and is determined to be a hate crime that it is ready to be reported as such to the national UCR Program.

Learning Module Three

“Learning Module Three: Case Study Exercises of Possible Bias-Related Crimes” gives the student officer the opportunity to apply his/her newly gained knowledge of hate crime matters to hypothetical cases. The student is to read each case scenario and (1) classify the type of offense(s) involved in the incident; (2) classify the incident as either an “Unbiased Incident” or a “Suspected Bias Incident”; and (3) provide reasons for his/her decisions.

Conclusion

The enactment of federal legislation requiring the collection and publication of nationwide hate crime statistics underscores the emphasis now being placed on hate crime. National statistics will result in greater awareness and understanding of the true dimensions of the problem nationwide; and that, in turn, will result in further benefits. Those charged with the enforcement of the law will be better able to quantify their resource needs and do a better job of directing available resources to the areas where they will have the most effectiveness. Likewise, community service organizations and groups will be better able to respond to the needs of the victims.

As hate crime offenders are brought to justice and victims regain their sense of personal safety and respect, justice will be served because it can then be truly said that the rights of individuals under the Constitution will be theirs “not by virtue of birth or characteristics or merit or excellence, but simply as human beings.”

LEARNING MODULE ONE: The Social Psychology of Prejudice

MODULE DESCRIPTION:

An introduction to the social dynamics of prejudice with an emphasis on its relationship to stereotypical beliefs, prejudicial attitudes, and discriminatory behavior.

COURSE OBJECTIVES:

- *The student will be able to define and describe the following terms: prejudice, stereotype, discrimination, racism, sexism, ingroup, outgroup, conformity, institutional supports, social categorization.
- *The student will be able to understand the distinction between institutional prejudice and personal prejudice.
- *The student will be able to understand and explain ways in which stereotypes can influence memory for and perceptions of events.
- *The student will be familiar with common stereotypes of specific minority groups and will be able to differentiate those stereotypes from accurate descriptions of the minority groups.
- *The student will be able to identify the principal psychological motivations underlying prejudice.

GENERAL COURSE OUTLINE:

I. The Social Dynamics of Prejudice

A. Prejudice: How It Affects the Way We Think and the Way We Act

B. What Is Prejudice?

Term Defined

C. How Does Prejudice Come About?

The ABC's of Attitude

1. Affect
2. Behavior
3. Cognition

D. How Is Prejudice Related to Stereotype?

E. How Are Prejudice and Discrimination Related?

From Thoughts to Action

F. What Are the Social Sources of Prejudice?

1. Principle 1: Unequal Status Breeds Prejudice
2. Principle 2: Social Definition of Who You Are

G. How Is Prejudice Maintained?

H. What Are the Emotional Bases of Prejudice?

Frustration and Aggression: The Scapegoat Theory

I. What Are the Cognitive Sources of Prejudice?

1. Cognitive Shorthand
2. Ingroup and Outgroup Applied to Cognitive Processes
3. Generalization

J. What Are the Cognitive Consequences of Stereotypes?

1. Interpretation of Events
2. Memories of Events

K. Summation and Conclusions

EXTENDED COURSE OUTLINE:

PREJUDICE: HOW IT AFFECTS THE WAY WE THINK AND THE WAY WE ACT

Consider within the following scenarios how prejudice and discrimination affect the thoughts, feelings, and behavior of the individuals involved:

Several members of a gay student university organization publicized that the motto for a particular day on the university campus would be: "If you are gay, wear blue jeans today." On that particular day, many individuals who usually wore jeans dressed in trousers, skirts, or slacks. The point made by the gay student association: that attitudes toward gays are such that many would rather give up their customary manner of dressing rather than be taken for being gay or being aligned with the gay group.

Mary and Jim had been dating for several weeks. They had many similar interests and enjoyed sharing as much time as possible with one another. Wanting to develop a stronger bond between them, they began sharing more about themselves. During one such encounter, Mary confided to Jim that she was currently under a doctor's care for severe depression. Although Jim said nothing to Mary, he was quite shocked at this revelation. While Jim knew little to nothing about depression, he was sure Mary would never be a "normal" person. He decided to reevaluate their relationship. Subsequently, Mary stopped hearing from Jim. She was unable to reach him and her calls were never answered.

Following the conclusion of World War II, a Canadian social scientist simultaneously mailed to 100 Ontario resorts copies of two letters requesting reservations for the same date. One letter was signed Mr. Lockwood, a name that does not denote ethnicity, and the other was signed Mr. Greenberg, a name frequently considered by many to be ethnically Jewish. Ninety-three percent of the resorts offered accommodations to Mr. Lockwood, and only 36 percent offered accommodations to Mr. Greenberg.

WHAT IS PREJUDICE?

Prejudice is defined as an unreasonable and unjustifiable negative attitude toward a group and its individual members. Prejudice involves prejudgment. It biases one against an individual or group based solely on membership in a particular group.

HOW DOES PREJUDICE COME ABOUT?

Prejudice is an attitude. An attitude comes about as a result of a combination of feelings, behaviors, and beliefs--what is referred to as the ABC of attitudes:

- A Affect (feelings)
- B Behavioral tendency (inclination to act)
- C Cognition (beliefs)

Prejudice is evident in all three examples above. In the second example, because Mary revealed a mental disability, Jim changed his feeling (A) toward her. By deciding not to date her anymore, he behaved (B) in a discriminatory manner, believing (C) her incapable of leading any kind of normal life.

HOW IS PREJUDICE RELATED TO STEREOTYPE?

The beliefs out of which prejudicial feelings grow are called stereotypes. To stereotype is to generalize. It is a shorthand way of thinking. It simplifies the way one processes information or material. For example, the following are stereotypes: Italians are members of the Mafia; Professors are absent-minded; Deeply religious people are very conservative and lack innovative thinking; Heavy people are jolly; People on welfare are lazy; Blondes are more fun.

The problem with stereotypes is that they are frequently inaccurate and are overgeneralized. For example, I am told that I am going to be introduced to Pat who is completing a program in nursing. When Pat comes into the room, I am surprised to see a young man who is named Patrick. My stereotype of nurse includes female--not male. Although many nurses are, in fact, female, not all are.

HOW ARE PREJUDICE AND DISCRIMINATION RELATED?

While prejudice is an attitude, discrimination is a behavior. Generally, discriminatory behavior is the result of a prejudicial attitude. However, this is not always the case. One's behavior is, in large measure, a product of one's beliefs. Individuals generally act consistently with their inner values and convictions. However, there are other more external motivating factors which also influence an individual's behavior. Some of these external factors result from particular societal influences distinct from one's own beliefs. In other words, just as not every prejudicial attitude or belief results in a hostile action, not every discriminatory practice is the result of personal prejudice. There are examples of racism and sexism that result not so much from an active, hostile personal prejudice as from specific institutional practices that discriminate. These exist even where there is no actual intent on the part of a specific person to discriminate against a group. Consider the law enforcement agency that has as part of its physical requirements, a minimum and maximum height requirement: no less than 5' 10", no more than 6' 3". If these height requirements were not specifically related to the normal, everyday demands of the job, but intended to exclude certain nationalities as well as women, they would be discriminatory: racist and sexist. Even if this discrimination was not intended, the allegation of discrimination could be made. And so racism could be defined in two ways: It is the individual's prejudicial attitude and discriminatory behavior toward people of a given race, or it is an institutional practice, even if not motivated by prejudice, that subordinates people of a given race. Likewise sexism can be viewed in the same fashion. It can be either the individual's prejudicial attitude and discriminatory behavior toward people of a given sex, or an institutional practice, even if not motivated by prejudice, that subordinates people of a given sex.

WHAT ARE THE SOCIAL SOURCES OF PREJUDICE?

There are several interrelated factors within the social environment which help to explain how prejudice is produced and maintained. Let us look at two of these principles.

PRINCIPLE 1: UNEQUAL STATUS BREEDS PREJUDICE

Approximately 30 years ago, sociologist Helen Mayer Hacker noted how stereotypes of blacks and women were a major factor in the social oppression of these groups. Her research determined that blacks as well as women were seen as being inferior in intelligence, emotionally primitive, and contented with their subordinate role in society and relationships. Blacks were regarded as inferior to whites and women were seen as the weaker of the two sexes. Unequal status as a group results in unequal treatment as an individual.

PRINCIPLE 2: SOCIAL DEFINITION OF WHO YOU ARE

How one is defined within a social setting—one's race, religion, sex, academic major—suggests both who you are, as well as who you are not. The wall that encircles "us" and keeps "us" in, also excludes "them" and keeps "them" out. And so, just being placed within a particular social group may promote what is called an ingroup bias. Ingroup is defined as a group of people who share a sense of belonging within the group and a feeling of common identity within that group. Outgroup then is defined

as a group that is perceived by one as distinctively different from or apart from one's ingroup. If, on a regular basis, one's contacts include only members from one's own ingroup, the ingroup bias becomes reinforced. The result of this continued and exclusive contact with one's ingroup tends to intensify the loyalty to the particular ingroup as well as to distance one from members of perceived outgroups. The stereotypes that one once had concerning particular outgroups are now intensified and exaggerated.

One begins to perceive oneself as qualitatively different from members of these outgroups. From this perception of "feeling" different comes patterns of actions and thoughts which further separate one from members of the outgroups.

HOW IS PREJUDICE MAINTAINED?

Once one has developed a prejudicial stance, particularly if it is reinforced by social structure, the prejudice is maintained, in large measure, by its own social inertia. If prejudice has become accepted within the society, many people will conform to the commonly accepted social position. This has been, for example, one way in which the shameful social acceptance of slavery has been explained. The actions of such people are not motivated so much by their need to hate and harm, but are motivated by their need to be accepted within society. There is a message of hope in this, however. If a good deal of this social prejudice is not deeply ingrained in one's personality, as new norms develop and change, prejudice can indeed diminish.

WHAT ARE THE EMOTIONAL BASES OF PREJUDICE?

Since prejudice is not easily dismissed by a logical approach, researchers have looked for an emotional basis to prejudice. None of the following explanations completely answer how and why prejudice develops. However, they give some insight into some of the dynamics that seem to perpetuate prejudicial attitudes. The first one to examine is frustration and aggression: The scapegoat theory. When the cause of one's frustration is too difficult (for both emotional and intellectual reasons) to deal with, one often redirects the resultant hostility outward. This phenomenon, called displaced aggression, may have been, for example, part of the motivation which led to the lynchings of some black people in the South. During that time in U.S. history, there was a tendency for more lynchings to occur when the cotton price was exceptionally low and economic frustration was exceptionally high.

Targets for one's personal or society's collective displacement of anger vary. After World War I when Germany experienced economic chaos, Jews were treated as the source of Germany's problems. The result was that the Germans persecuted the Jews. Throughout various periods in European and American history, frustrations and anxieties were taken out on witches. In more recent times, some have attacked the Asian population. The explanation for doing so is that the Asians are responsible for current economic hard times. As interesting and compelling as this theory may be, the scapegoat theory of prejudice remains incomplete. It does not answer all questions concerning bias and prejudice. For example, it does not explain why only particular groups are regarded as scapegoats within society and others are not. Aggression is not always displaced. When able, individuals prefer to retaliate against the perceived source of their frustration, rather than some displaced or symbolic object.

WHAT ARE THE COGNITIVE SOURCES OF PREJUDICE?

Recent research concerning cognitive psychology has suggested that social conditioning is not the only reason bias and prejudice exist. Nor do they exist only because they serve some emotional function, such as displacing and projecting one's hostilities on others. They also exist as by-products of the normal thinking processes. Stereotypes are not always the result of consciously evil intentions. Sometimes they result from an attempt to simplify the complex information or complex material one is exposed to in the external world. It is a way of developing, in a sense, a cognitive shorthand approach to the complexities in the world. One way, of course, to simplify complex issues is to develop categories in which one can organize the information by clustering objects into various groups. Once these categories are developed, one can both more easily think about them and recall information about them. To the degree that the individuals within a particular group are alike, one then predicts some of their individual behaviors. For example, behavioral and personality profiles are developed from "typical" behaviors of "drug runners" or "hijackers" which enable law enforcement officers potentially to detect these individuals in a crowd. Such are the positive aspects of generalization, categorization, or stereotyping. However, there are also negative aspects to such kinds of cognitive shorthand or categorization and stereotyping. One can generalize too much and make erroneous statements about an entire group from the behaviors of a few. An individual can fit part of a particular profile—but not actually be the target of the operation.

GENERALIZATION: A SHORTHAND WAY OF THINKING

When individuals are asked to picture in their minds certain objects, for example, apples, chairs, pencils, an interesting phenomenon occurs. When those objects are mentioned, there is a tendency to generalize a particular object within a group as being more like other similar objects in the group than they actually are. So for example, when the word "apples" is mentioned, most people would think of many similar apples—all of these apples looking very much alike: large, red, well-shaped apples. When the word "chairs" is mentioned, most people would think of very similar kinds of chairs—a specific kind of chair—rather than different kinds of chairs. When the word "pencils" is mentioned, most people would think of all yellow pencils or all blue pencils or all lead pencils. So it is when people are assigned to groups: police officer, criminal, student. When these groups are mentioned, one tends to exaggerate what the objects have in common with each other within the group as well as to exaggerate the dissimilarities that exist among the objects outside the group. Simply by dividing individuals into groups, one can create a sense that members of a group, who are different from one's own group, are all alike. In social psychology, it is also a well-established principle that people tend to get along with and like individuals who are perceived to be like themselves and tend to mistrust and dislike individuals they perceive to be dissimilar. This could provide a basis for one of the principles already discussed, namely, ingroup bias.

What is interesting about ingroup and outgroup psychology is that people tend to see greater similarity among individuals in the outgroup than they do of individuals within the ingroup. In other words, one thinks of people who belong to the category "outgroup" as very similar to one another; and yet within one's own ingroup, one recognizes greater variety and differences among the members. Members of any group other than one's own are perceived as less diverse from each other and much more similar to one another than the members of one's own group. When students are shown faces of a few white and a few black individuals and then asked to pick these individuals out of a photographic lineup, they tend to recognize more accurately the faces of their own racial group. People outside their own ingroup tend to appear more similar to one another within that particular group.

WHAT ARE THE COGNITIVE CONSEQUENCES OF STEREOTYPES?

It has already been mentioned that prejudice is prejudgment, and it is known from experience that prejudgment is part of everyday experience. What are the consequences of this inevitability? Prejudgments direct one's interpretations of events that occur within society. They also affect memories of what one recalls to have taken place. First, let us look at how stereotyping directs interpretations.

It is difficult to change an opinion which one develops concerning another individual. If, for example, one has an opinion concerning another individual, no matter what the other person does, his or her action is frequently interpreted within the framework of the individual's opinion (or stereotype) of him or her. For example, if someone categorized another person as generally unfriendly, perhaps even an attempt at genuine friendliness by that person would be misinterpreted as either superficial cordiality or as having some exterior motive attached to the apparent friendly gestures. Whenever a member of a particular group behaves as one expects him or her to behave, belief concerning that person and that group is confirmed. However, when a member of a group behaves in a way which is inconsistent with what is considered to be appropriate behavior for that group, the behavior may be explained away as due to special circumstances. The behavior may be misinterpreted. In this case, it would leave the prior belief intact.

Not only do prejudgments or stereotypes affect the way one interprets the world, and in fact, the way one interprets one's own behavior, but prejudgments or stereotypes also affect the way which one recalls incidents in one's own memory.

Having placed a person in a stereotyped group, when one recalls information about that person or about that group, one tends to frame what is recalled as being consistent with one's bias or prejudice regarding that group or that individual within that group. Stereotypes bias judgments of individuals. The positive aspect of all this is that once one allows oneself to get to know a person as distinct from a group, the stereotypes seem to have minimal impact on the way one both perceives the person as well as interacts with that person. Fortunately, what an individual is able to do on a one-to-one situation is to place the stereotypes aside and to evaluate the person as a distinct individual. A particularly effective means of breaking down stereotypes, prejudices, and biases is to interact with an individual of a particular group on a one-to-one basis, thus shattering the kinds of stereotypical beliefs that may have been held about members of a particular outgroup.

WHAT CAN WE SAY THEN IN SUMMING UP?

Prejudice is comprised of various aspects. It consists of an intermingling of social, emotional, and cognitive ingredients. David Myers has shown in his work *Social Psychology* that in some way society itself is a breeding ground for prejudices. Once they are created, society maintains these prejudices in a variety of ways. For example, groups within society that enjoy high economic standing—and hence, equally high social standing—will often justify their social superiority with a variety of prejudicial beliefs. They may, perhaps, believe that a caste system within society is nature's way of separating the "good seed" from the "bad seed." Other social groupings create ingroup biases also. Special conditions required for acceptance into an "ingroup" can create a sense of "us" against "them." These special conditions include race, religion, disability, ethnicity, regional origin, or educational background, to name only a few. Once

these separations and distinctions are created, social inertia becomes sufficient to maintain them. Institutional supports, such as the media, can maintain and encourage these attitudes as well.

Researchers have looked also at the emotional aspects of prejudice. When one is unable to attain a certain status within society—or to attain particular goods which others are perceived to possess—frustration results. This frustration can develop into anger and hostility which is then directed toward a group which is perceived to be responsible for one's inability to achieve the position or goods sought. This phenomenon is referred to as the Scapegoat Theory.

Another explanation given for the development of prejudice is an "inferiority complex." Specifically, this refers to the individual who, because of an inability to deal with feelings of personal inadequacy, develops a sense of superiority toward others. As a result, anyone who is different from the group is less than adequate—as seen through the eyes of the members of the ingroup.

Another perspective on prejudice has been offered by the cognitive psychologists. Stereotypes, from the cognitive psychological perspective, come about naturally through the normal mental processes in which a person engages. It is one of the ways by which the mind breaks down and synthesizes complex material into smaller units or categories. In other words, stereotyping is a kind of mental shorthand.

By developing this mental shorthand and placing people and objects into categories, the mind tends to organize perceived similarities into the same group. This mental inclination to categorize is also the reason why anyone who stands out from a group is seen as very distinctive and unlike members of the ingroup. Hence, anyone perceived to be unlike ourselves becomes very noticeable.

Because the mind tends to filter one's experiences through established stereotypes, one tends to confirm existing beliefs. This occurs even where there is little actual evidence in the environment to support the conclusions the individual eventually draws. Consequently, stereotypes are difficult to alter or remove. However, all is not lost; stereotypes and biases can be changed to some degree. The best method to change existing stereotypes about groups of people is to get to know particular individuals within that "outgroup." Stereotypes are at their highest level of resistance to change when judging a personally unknown individual as well as judging groups of personally unknown people. Consequently, the best instrument to attack a stereotype is personal contact and personal knowledge of an individual member of a perceived "outgroup." However, it would be simplistic to suggest that personal contact alone will eradicate all prejudice from every individual. Because prejudice results from so many factors, there is no simple remedy. However, as Myers suggests, if, for example, unequal status breeds prejudice, then one should seek to create cooperative equal-status relationships; if discriminatory behavior breeds prejudice, then one should mandate nondiscrimination. If some social institutions support prejudice, then pull out those supports. If the outgroups seem more unlike one's group than they actually are, make efforts to personalize their members.

Although prejudice does exist and, to some degree, will always exist, one can and should minimize the negative effects of prejudice and bias.

The author relied most heavily in Learning Module One on the material of Dr. David G. Myers as found in Chapter 12 of his work, *Social Psychology*, (2nd edition), New York: McGraw Hill, 1987. Examples, content material, and quotations are taken from this reference.

Suggested Readings

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LEARNING MODULE TWO: Bias-Motivated Crimes — Definitions & Procedures

MODULE DESCRIPTION:

Provides: (1) a suggested “model” approach to reporting hate crimes; (2) definitions of hate crime terminology; and (3) criteria for determining whether a hate crime has occurred.

COURSE OBJECTIVES:

- *The student will be able to define: Bias/Hate Crime; Ethnicity/National Origin Bias; Hate Group; Racial Bias; Disability Bias; Sexual-Orientation Bias; Bisexual; Gay; Heterosexual; Homosexual; Lesbian; Religious Bias; Responding Officer; and Second Level Judgment Officer/Unit.
- *The student will be able to explain the “two-tier” process for reporting hate crimes.
- *The student will be able to list the types of criteria used to make a determination of whether a crime was bias motivated.

CAVEAT:

The training material presented herein represents a composite of suggested procedures from law enforcement officers and administrators who have already established hate-crime reporting systems within their departments. Since the material is designed for use in training new as well as experienced officers, some of it is basic and some portrays what an experienced officer normally does.

DEFINITIONS:

Bias - A preformed negative opinion or attitude toward a group of persons based on their race, religion, disability, ethnicity/national origin, or sexual orientation.

Bias Crime - A criminal offense committed against a person or property which is motivated, in whole or in part, by the offender's bias against a race, religion, disability, ethnicity/national origin, or sexual-orientation. Also known as “Hate Crime.”

[**Note:** Even if the offender was mistaken in his/her perception that the victim was a member of the group he or she was acting against, the offense is still a bias crime because the offender was motivated, in whole or in part, by bias against the group.]

Bisexual - [adjective] Of or relating to persons who experience sexual attraction toward, and responsiveness to, both males and females; [noun] a bisexual person.

Disability Bias - A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments/challenges, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age, or illness.

Disabled - [adjective] Of or relating to persons who have physical or mental impairments/challenges, whether temporary or permanent, due to conditions that are congenital or acquired by heredity, accident, injury, advanced age, or illness; [noun] a disabled person.

Ethnicity/National Origin Bias - A preformed negative opinion or attitude toward a group of persons of the same race or national origin who share common or similar traits, languages, customs, and traditions, e.g., Arabs, Hispanics, etc.

Gay - [adjective] Of or relating to males who experience a sexual attraction toward, and responsiveness to, other males; [noun] a homosexual male.

Hate Crime - Same as "Bias Crime."

Hate Group - An organization whose primary purpose is to promote animosity, hostility, and malice against persons belonging to a(n) race, religion, disability, ethnicity/national origin, or sexual-orientation which differs from that of the members of the organization, e.g., the Ku Klux Klan, American Nazi Party, etc.

Heterosexual - [adjective] Of or relating to persons who experience a sexual attraction toward, and responsiveness to, members of the opposite sex; [noun] a heterosexual person.

Homosexual - [adjective] Of or relating to persons who experience a sexual attraction toward, and responsiveness to, members of their own sex; [noun] a homosexual person.

Lesbian - [adjective] Of or relating to females who experience a sexual attraction toward, and responsiveness to, other females; [noun] a homosexual female.

National Incident-Based Reporting System (NIBRS) - A unit-record reporting system which is being implemented to replace the traditional UCR Summary Reporting System (SRS). NIBRS provides for expanded collection and reporting of offenses, arrests, and their circumstances.

Racial Bias - A preformed negative opinion or attitude toward a group of persons who possess common physical characteristics, e.g., color of skin; eyes and/or hair; facial features; etc., genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind, e.g., Asians, blacks, whites, etc.

Religious Bias - A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being, e.g., Catholics, Jews, Protestants, atheists, etc.

Responding Officer - The first law enforcement officer on the scene of an alleged bias incident. This officer may have witnessed the incident take place, may have been called to the scene by the

victim or a witness, or may have received the assignment from a superior officer or dispatcher. This officer is responsible for determining whether a "Suspected Bias Incident" has occurred.

Second Level Judgment Officer/Unit - The officer or unit within the law enforcement department who has received in-depth training in bias-related incidents and is tasked with making the final determination whether a hate crime has occurred.

Sexual-Orientation Bias - A preformed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their own sex or members of the opposite sex, e.g., gays, lesbians, heterosexuals, etc.

Summary Reporting System (SRS) - The traditional tally system which has been used since 1930 to collect UCR data.

SUPPLEMENTARY OFFENSE DEFINITIONS:

Agencies which do not submit their hate crime data through the National Incident-Based Reporting System (NIBRS), i.e., those who submit Quarterly Hate Crime Reports to the FBI, should use the following definitions for reporting hate crime data on Simple Assault, Intimidation, and Destruction/Damage/Vandalism of Property:

Simple Assault - An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

Intimidation - To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

Destruction/Damage/Vandalism of Property - To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

[**Note:** This offense does not include destruction or damage to property caused by the crime of Arson.]

PROCEDURES:

The following is a suggested two-tier procedure for handling hate crime collection within an agency. It includes:

(1) the officer on the scene of an alleged bias crime making an initial determination that bias motivation is "suspected"; and

(2) a second officer or unit with more expertise in bias crime matters making the final determination of whether a hate crime has actually occurred.

Two-Tier Decisionmaking Process

The FBI's UCR Program examined hate crime collection procedures and forms currently in use at various law enforcement agencies across the country. It found that most law enforcement agencies which collect hate crime data employ a two-tier decisionmaking process. The first level is the law enforcement officer who initially responds to the alleged hate crime incident, i.e., the "Responding Officer" (or "First Level Judgment Officer"). It is the responsibility of the Responding Officer to determine whether there is any indication that the offender was motivated by bias. If there is, he/she is to designate it as a "Suspected Bias Incident" and forward the case file to a "Second Level Judgment Officer/Unit." In smaller agencies this is usually a person specially trained in hate crime matters, while in larger agencies it may be a special unit.

It is the task of the Second Level Judgment Officer/Unit to review carefully the facts of the incident and make the final determination of whether a hate crime has actually occurred. If so, the incident is to be reported to the national UCR Program as a bias-motivated crime.

Responding Officer's Responsibilities

Law enforcement's response to an alleged hate crime begins no differently than to any other crime. The Responding Officer must quickly evaluate what has happened and take any necessary action to stabilize the situation. After that has been done, there are two unique areas of concern which should be recognized by an officer responding to an alleged hate crime: (1) sensitivity to the needs of the victim; and (2) the elements of a bias crime.

First, the Responding Officer should be sensitive to the effects of a bias crime on the victim. A victim of any crime may feel isolated from others, fearful that the occurrence will happen again, and angry that he/she has become a victim. However, there is a deeper level of isolation, fear, and anger that the victim of hate crime feels. This individual has been chosen from the rest of the population to be victimized for no other reason than his/her race, religion, disability, ethnicity/national origin, or sexual orientation. There is nothing this person can do; indeed, there is nothing he/she ought to do to change his/her race, religion, disability, ethnicity, or sexual orientation. And yet, it is because of these very innate qualities that he/she was victimized. This type of personal experience can result, many times, in a feeling of loss of control over one's life. By recognizing these dynamics, the Responding Officer can address the special needs of the victim, thereby placing him/her at some ease and thereby making it easier to elicit from him/her necessary information concerning the alleged offense. Another task of the Responding Officer is to determine whether additional resources are needed on the scene, such as community affairs/relations representatives, mental/physical health professionals, and/or the clergy. At a minimum, the victim should be referred to appropriate social and legal services.

Second, the Responding Officer must be knowledgeable of the elements of a bias-related crime. As set forth in this document, a bias crime is a criminal offense committed against a person or

property which is motivated by the offender's bias against the victim's race, religion, disability, ethnicity or national origin, or sexual orientation. At the level of the Responding Officer, if there is any indication that the offender was motivated by bias, the incident should be classified as a Suspected Bias Incident.

The types of factors to be considered by the Reporting Officer in making a determination of whether the incident is a Suspected Bias Incident are:

- * Is the motivation of the alleged offender known?
- * Was the incident known to have been motivated by racial, religious, disability, ethnic, or sexual-orientation bias?
- * Does the victim perceive the action of the offender to have been motivated by bias?
- * Is there no clear other motivation for the incident?
- * Were any racial, religious, disability, ethnic, or sexual-orientation bias remarks made by the offender?
- * Were there any offensive symbols, words, or acts which are known to represent a hate group or other evidence of bias against the victim's group?
- * Did the incident occur on a holiday or other day of significance to the victim's or offender's group?
- * What do the demographics of the area tell you about the incident?

If these or other factors indicate that the offender may have been motivated by bias, the incident should be classified as a Suspected Bias Incident and sent on to the Second Level Judgment Officer/Unit for review. While the mere utterance of a racial epithet by the offender does not provide sufficient basis to report a crime as a Suspected Bias Incident, it, combined with other factors indicating bias, could do so. For the purpose of first-level bias crime reporting, the old adage of "when in doubt, check it out" should be followed—i.e., questionable cases should be referred to the Second Level Judgment Officer/Unit for resolution.

Second Level Judgment Officer's/Unit's Responsibilities

The second tier in the decisionmaking process is where the final decision is made regarding whether an offense was bias motivated. Therefore, the people who make final decisions must be specially trained to the point of being "experts" on bias matters. The Responding Officer had merely to determine whether there was any indication that the offense was motivated by bias. On the other hand, the Second Judgment Officer/Unit must carefully sift through the facts using more stringent criteria to determine whether the incident was, in fact, a hate crime.

The second level of review can be a specially trained officer, investigator, supervisor, or specially established hate crime unit. This does not mean that every agency must establish a "Special Hate Crime Unit." Given the fiscal constraints prevalent throughout most of the law enforcement community, such a proposition would be an unreasonable requirement. However, what is suggested is that somewhere in the agency's already established crime reporting review process, someone should be specifically tasked with the responsibility of reviewing Suspected Bias Incidents and making the final decision as to the existence or nonexistence of bias motivation.

During the second review, the Second Level Judgment Officer/Unit should have time to consider carefully the findings of the Responding Officer and perhaps even conduct interviews of the victims and witnesses if necessary. For an incident to be reported as a hate crime, sufficient objective facts must be present to lead a reasonable and prudent person to conclude that the offender's actions were motivated, in whole or in part, by bias. While no single fact may be conclusive, positive answers to the types of questions listed below are supportive of a finding of biased motivation. But an important distinction should be made. The mere fact that the offender is biased against the victim's race, religion, disability, ethnic/national origin, and/or sexual orientation does not mean that a hate crime was involved. Rather, the offender's criminal act must have been motivated, in whole or in part, by his/her bias.

The Second Level Judgment Officer/Unit should seek answers to the following types of questions before making the final determination of whether an incident was motivated by bias:

- * Is the victim a member of a target racial, religious, disability, ethnic/national origin, or sexual-orientation group?
- * Were the offender and the victim of different race, religion, ethnicity/national origin, or sexual-orientation? For example, the victim was black and the offenders were white.
- * Would the incident have taken place if the victim and offender were of the same race, religion, disability, ethnicity/national origin, or sexual orientation?
- * Were biased oral comments, written statements, or gestures made by the offender which indicate his/her bias? For example, the offender shouted a racial epithet at the victim.
- * Were bias-related drawings, markings, symbols, or graffiti left at the crime scene? For example, a swastika was painted on the door of a synagogue.
- * Were certain objects, items, or things which indicate bias used, e.g., the offenders wore white sheets with hoods covering their faces, a burning cross was left in front of the victim's residence?
- * Is the victim a member of a racial, religious, disability, ethnic/national origin, or sexual-orientation group which is overwhelmingly outnumbered by other residents in the neighborhood where the victim lives and the incident took place? This factor loses significance with the passage of time, i.e., it is most significant when the victim first moved into the neighborhood and becomes less significant as time passes without incident.

- * Was the victim visiting a neighborhood where previous hate crimes were committed against other members of his/her racial, religious, disability, ethnic/national origin, or sexual-orientation group and where tensions remained high against his/her group?
- * Have several incidents occurred in the same locality, at or about the same time, and were the victims all of the same race, religion, disability, ethnic/national origin, or sexual-orientation?
- * Does a substantial portion of the community where the crime occurred perceive that the incident was motivated by bias?
- * Was the victim engaged in activities promoting his/her race, religion, disability, ethnicity/national origin, or sexual orientation? For example, the victim is a member of the NAACP, participates in gay rights demonstrations, etc.
- * Did the incident coincide with a holiday relating to, or a date of particular significance to, a race, religion, disability, ethnic/national origin, or sexual-orientation, e.g., Martin Luther King Day, Rosh Hashanah?
- * Was the offender previously involved in a similar hate crime or is he/she a member of a hate group?
- * Were there indications that a hate group was involved? For example, a hate group claimed responsibility for the crime or was active in the neighborhood.
- * Does a historically established animosity exist between the victim's and offender's groups?
- * Is this incident similar to other known and documented cases of bias, particularly in this area? Does it fit a similar modus operandi to these other incidents?
- * Has this victim been previously involved in similar situations?
- * Are there other explanations for the incident, such as a childish prank, unrelated vandalism, etc.?
- * Did the offender have some understanding of the impact his/her actions would have on the victim?

The Second Level Judgment Officer/Unit should respond to the scenes of large bias incidents, such as race riots, demonstrations, etc. When doing so, a determination should be made whether additional resources should be called to the scene, such as police tactical units, community affairs/relations representatives, mental/physical health professionals, and/or the clergy.

It is important to note that only after the Second Level Judgment Officer/Unit has made a decision that the crime was bias motivated should it be reported to the FBI's UCR Program.

**LEARNING MODULE THREE:
Case Study Exercises of Possible Bias-Related Crimes**

MODULE DESCRIPTION:

Provides the student officer with hypothetical case scenarios to practice his/her knowledge gained from Learning Modules One and Two.

COURSE OBJECTIVES:

The student will be able to evaluate a hypothetical case and

- * classify the offenses involved in the incident;
- * classify the incident as either an “Unbiased Incident” or a “Suspected Bias Incident”; and
- * give the reasons for his/her decision.

RULES FOR THE EXERCISE SESSION:

The student officer is to read the hypothetical cases and (1) classify the offense(s) involved in each incident; (2) classify the fact situations as either an “Unbiased Incident” or a “Suspected Bias Incident”; and (3) give reasons for his/her bias classification decisions.

EXERCISE CASES:

Exercise (1): At 7:30 a.m., Wednesday, August 3, Officers Groves and Miller received a radio call to respond to Morning Resting Place, a Jewish cemetery. The radio call informed the officers that they would be met by Mr. Sherin, the head groundskeeper, who reported that overnight thieves entered the cemetery. Arriving on the scene, the officers were told that copper gutters had been stolen from the main building during the night.

Crime Classification: [Larceny/Theft]

Bias Classification: [Unbiased Incident]

Reasons: [There were no obvious signs of a bias incident. Generally, theft is not a bias-motivated offense, except where religious articles are singled out for stealing.]

Exercise (2): Deputy Sheriff Medaris received a radio call to go to an apartment and interview an individual complaining of threats made over the telephone. Upon arriving at the apartment, the complainant, a white male, informed Deputy Medaris that he is gay and that over the last two weeks he has received repeated telephone calls from a person who stated that the complainant had been seen going into “gay bars,” and therefore, he would have to be “beat up.”

Crime Classification: [Intimidation]

Bias Classification: [Suspected Bias Incident]

Reasons: [Threats were made to harm the victim physically because of his sexual orientation.]

Exercise (3): As Officer McManus was walking his “beat,” his attention was drawn to two individuals who were engaged in a shouting match. As the officer approached, he overheard the two men, one white and the other black, shouting obscenities at each other. The argument concerned a parking space to which each believed he was entitled. As the argument continued, a racial epithet was shouted by one of the men. At this point, Officer McManus arrived at the scene and quieted the men. What appeared to have happened was that one of the drivers had gotten to the parking space first but did not use his turn signal to indicate he was waiting to pull into the parking space. The second driver, coming upon what appeared to be an unoccupied parking space, proceeded to maneuver his car around the first driver’s car and into the space. The argument then began.

Crime Classification: [None]

Bias Classification: [Unbiased Incident]

Reasons: [The argument only involved the issue of which driver deserved to get the parking space. One of the questions one should ask in investigating alleged bias incidents is: “Would the incident have taken place if both the victim and offender were of the same race, religion, ethnic origin, or sexual orientation? If the answer is “Yes,” it is an “Unbiased Incident.”]

Exercise (4): While driving by in his police car, Officer Magaro noticed an individual, who later identified himself as Mr. Maunu attempting to scrub some painted words and markings off his car, which was parked outside the apartment building where he lives. Officer Magaro asked Mr. Maunu what happened to his car. Mr. Maunu explained that he had moved into the neighborhood three weeks ago and unknown persons had repeatedly painted his car and the door of his apartment with anti-black symbols and slogans. Mr. Maunu said he did not understand why this was happening to him because he is not black and he had immigrated to the United States from India.

Crime Classification: [Destruction/Damage/Vandalism of Property]

Bias Classification: [Suspected Bias Incident]

Reasons: [Although Mr. Maunu is not black, it is the perception of the offenders that he is a member of a minority against which they are biased. Even when offenders erroneously target the victims, their offenses are still “suspected bias incidents” because the offenders are motivated by bias.]

Exercise (5): During the midnight tour, Deputy Sheriff Hennessey was patrolling his assigned watch area. Shining his cruiser light on various business establishments, he noticed one building had been spray painted. The graffiti included racial epithets used against Asians and threats against the owners of a Chinese restaurant which is located in the building. The Deputy knows the Chinese owners are the only Asians in that business district. No other buildings were spray painted.

Crime Classification: [Destruction/Damage/Vandalism of Property]

Bias Classification: [Suspected Bias Incident]

Reasons: [The offenders apparently were motivated by their bias against Asians. This is evidenced by their use of Asian epithets and the fact that no other business in the area was spray painted.]

Exercise (6): At 11 p.m. Officers Riley and Florence responded to the scene of a reported house arson. Their investigation revealed that the target of the arson was a group home for persons with psychiatric disabilities who were in transition back into the community. Apparently, neighbors had expressed many concerns about the group home and were angry that the house was located in their community. Shortly before the fire was reported, a witness heard a white male state, “I’ll get rid of those ‘crazies.’ I’ll burn them out.”

Crime Classification: [Arson]

Bias Classification: [Anti-Mental Disability]

Reasons: [The suspect apparently committed the crime of arson primarily because of his bias against persons with psychiatric disabilities. The witness heard a statement that supports the bias motivation finding.]

Appendix A

Organizations Offering Information Concerning Anti-Bias Education

The descriptions following the below-listed organizations were written by the respective groups. Each group was requested to furnish the FBI with a statement that would clearly and accurately describe its mission and the type of resources it could extend to both law enforcement in particular and to the community in general.

American-Arab Anti-Discrimination Committee
Suite 500
4201 Connecticut Avenue, NW
Washington, D.C. 20008
202/244-2990
202/244-3196 (fax)

The American-Arab Anti-Discrimination Committee (ADC) is a service organization that is non-sectarian and non-partisan and is committed to defending the rights and promoting the heritage of Arab-Americans. ADC offers advocacy in cases of defamation, legal action in cases of discrimination and counseling in matters of immigration. ADC has published a series of reports on anti-Arab hate crimes.

American Citizens for Justice, Inc.
Suite 121
19111 W. Ten Mile Road
Southfield, MI 48075
810/352-1020
810/398-7859 (fax)

The American Citizens for Justice, Inc. is an organization which seeks to eradicate racism, harassment, and discrimination against Asian Pacific Americans and other minority and ethnic groups through legal consultation, monitoring anti-Asian violence, advocacy, community education, and the Vincent Chin Justice scholarship.

American Jewish Committee
Suite 1201
1156 15th Street, NW
Washington, D.C. 20005
202/785-4200
202/785-4115 (fax)

The American Jewish Committee (AJC) is an organization which was created to protect the rights of Jews the world over and to combat bigotry and anti-Semitism. The AJC has published *Skinheads: Who They Are & What to Do When They Come to Town* and *Bigotry on Campus: A Planned Response*.

American Psychological Association
750 First Street, NE
Washington, D.C. 20002-4242
202/336-6062
202/336-6063 (fax)

The American Psychological Association is the Nation's largest organization of psychologists in both academic and service delivery settings. Psychologists are an important source of information about the biases which motivate hate crimes. Assistance and services to individuals suffering the adverse mental health consequences of prejudice and hate-motivated violence are also offered by psychologists. Skilled psychologists also conduct law enforcement training focusing on understanding the causes and effects of hate-related criminal behavior.

Anti-Defamation League
823 United Nations Plaza
New York, NY 10017
212/490-2525
212/867-0779 (fax)

The Anti-Defamation League (ADL) is a human relations organization with thirty-one regional offices across the country. ADL is dedicated to promoting intergroup cooperation and interfaith understanding. Over the past decade, ADL has become a leading resource in crafting responses to hate violence, including model hate crime legislation, a 17-minute hate crime training video, a handbook of existing hate crime policies and procedures at both large and small police departments, and a general human relations training program for law enforcement designed to examine the impact of discrimination, while promoting better cultural awareness and increased appreciation for diversity.

**Asian Pacific American Legal Center
of Southern California**
Suite 302
1010 South Flower Street
Los Angeles, CA 90015-1428
213/748-2022
213/748-0679 (fax)

The Asian Pacific American Legal Center (APALC) is working with the city of Los Angeles to improve its response to crimes of hate violence. Through the Los Angeles City Human Relations Commission, APALC has participated in the implementation of the Hate Violence Monitoring Order of the Los Angeles Police Department. The program will streamline the tracking of hate violence and will train officers who will be assigned to investigate and properly follow up on hate violence cases.

Cambodian Network Council
713 D Street, SE
Washington, D. C. 20003
202/546-9144
202/546-9147 (fax)

The Cambodian Network Council was organized to serve and educate refugees on their rights in America. Educational programs, refugee funding, and community empowerment are its basic functions. Some of the Council's affiliates address hate crimes.

Center for Democratic Renewal
P.O. Box 50469
Atlanta, GA 30302
404/221-0025

The Center for Democratic Renewal (CDR) is a national clearinghouse of information on the white supremacist movement. CDR provides training to law enforcement agencies, schools, churches, and community organizations. Over 40 publications are available, including the resource manual, *When Hate Groups Come to Town*, and the bimonthly newsletter, *The Monitor*.

Committee Against Anti-Asian Violence
191 East 3rd Street
New York, NY 10009
212/473-6485

The Committee Against Anti-Asian Violence (CAA AV) was founded in 1986 to organize Asian communities in the New York City area to combat racist violence and police brutality. Through community education and organizing efforts, CAA AV strives to develop leadership within the Asian communities to speak out and effect change in public policies, the police department, and the criminal justice system.

Japanese American Citizens League

1765 Sutter Street
San Francisco, CA 94115
415/921-5225
415/931-4671 (fax)

The Japanese American Citizens League (JACL) is a national non-profit, educational, human and civil rights organization representing Americans of Japanese ancestry. JACL is headquartered in San Francisco and has 113 chapters, 5 regional offices, and an advocacy office in Washington, D.C. JACL monitors incidents of anti-Asian violence, provides assistance in specific cases, offers a handbook on responding to anti-Asian violence, and participates in seminars on hate crimes.

Justice Research and Statistics Association

Suite 445
444 N. Capitol Street, NW
Washington, D.C. 20001
202/624-8560
202/624-5269

The Justice Research and Statistics Association (JRSA), formerly the Criminal Justice Statistics Association, is a national non-profit organization for state Statistical Analysis Center directors and other justice system professionals who use or conduct research to support public policy development. JRSA provides a clearinghouse of information on criminal justice issues and projects being carried out in the states, including hate crimes; training in the latest computer technology for records management, data analysis, and forecasting criminal justice populations; and reports on the latest research being conducted by local, state, and federal agencies.

Klanwatch

Southern Poverty Law Center
400 Washington Avenue
Montgomery, AL 36104
334/264-0286
334/264-8891 (fax)

Klanwatch, a project of the Southern Poverty Law Center, monitors hate crimes and hate groups throughout the Nation. Klanwatch publishes *The Intelligence Report*, a bimonthly review of hate crimes and activities of white supremacist groups for law enforcement agencies, and provide seminars for community organizations.

Los Angeles County Human Relations Commission
Room 1184
320 West Temple
Los Angeles, CA 90012
213/974-7611
213/687-4251 (fax)

The Los Angeles County Human Relations Commission is one of the oldest and largest Human Relations Commissions. The Commission addresses hate crimes by responding directly to them; disseminating information to law enforcement agencies, the media, community-based and governmental organizations; supporting efforts on hate crime reporting; and helping to produce a Hate Crime Victims' Rights video. Hate crimes are surveyed in Los Angeles County schools and hate crime statistics are gathered and combined into a yearly report to the Board of Supervisors.

Mexican American Legal Defense and Educational Fund
Suite 410
1518 K Street, NW
Washington, D.C. 20005
202/628-4074
202/393-4206 (fax)

The Mexican American Legal Defense and Educational Fund (MALDEF) is a national civil rights organization founded in 1968 to promote and protect civil rights, and specifically, to conduct litigation and advocacy work on behalf of Hispanic Americans. MALDEF primarily focuses on Hispanic immigration issues. Its national headquarters is located in Los Angeles; regional offices are in San Francisco, San Diego, Chicago, and Washington, D.C.

National Association for the Advancement of Colored People
4805 Mount Hope Drive
Baltimore, MD 21215
410/358-8900
410/764-7357 (fax)

The National Association for the Advancement of Colored People (NAACP) was formed in 1909 in New York City. The Association has grown to over 2,200 chapters nationwide, including branches in Germany and Japan, and has over 500,000 members. The principal objective of the NAACP is to ensure the political, educational, social, and economic equality of minority group citizens among the citizens of the United States. The NAACP is committed to achievement through non-violence and relies upon the press, the petition, the ballot, and the courts.

National Conference of Christians and Jews
71 Fifth Avenue
New York, NY 10003
212/807-8440
212/727-0166 (fax)

The National Conference of Christians and Jews (NCCJ) was founded in 1927 to combat racism and religious bigotry, to improve communications between different American communities, and to "build bridges of mutual respect." NCCJ uses a combination of methods to achieve its goals including: education, leadership, professional intervention with trained human relations specialists, group meetings, and group dialogues.

National Gay & Lesbian Task Force
2320 17th St, NW
Washington, D.C. 20009-2702
202/332-6483
202/332-0207 (fax)

The National Gay & Lesbian Task Force (NGLTF) is a civil rights organization dedicated to building a movement to promote freedom and full equality for all lesbians and gay men. Its Anti-Violence Project was initiated in 1982 to promote an appropriate official response to anti-gay violence, improve the treatment of lesbians and gay men by the criminal justice system, and assist local communities in organizing against prejudice and violence. NGLTF reports annually on anti-gay/lesbian violence, victimization, and defamation.

National Immigration Forum
Suite 220
220 I Street, NE
Washington, D.C. 20002
202/544-0004
202/544-1905 (fax)

The Forum is a membership organization which focuses on immigration policy and coordinates appeals to the Immigration and Naturalization Service. Membership includes ethnic groups, labor unions, state and local governmental agencies, and local coalitions. The Forum recently created a Task Force on Race and Ethnic Relations.

National Urban League
Suite 600
1111 14th Street, NW
Washington, D.C. 20005
202/898-1604

The National Urban League is a non-profit, non-partisan community-based organization headquartered in New York City with 113 affiliates in 34 states and the District of Columbia. Its Research Department, located in Washington, D.C., conducted a study entitled "Interracial Violence and Community Conflict: A Study in Symbolic and Competitive Racism." The main objective of this study was to analyze the interrelationships between socio-economic and demographic characteristics and the incidence of interracial violence and conflict.

New York City Gay & Lesbian Anti-Violence Project
647 Hudson Street
New York, NY 10014
212/807-0197

The New York City Gay and Lesbian Anti-Violence Project (AVP), a crime victim assistance agency founded in 1980, is the City's primary resource for lesbian and gay survivors of domestic violence, sexual assault, bias assault, and other forms of criminal victimization. In 1990, AVP became the first organization in the country to specifically respond with a full range of services to HIV/AIDS-related violence. All services are free and confidential.

Organization of Chinese Americans
Suite 707
1001 Connecticut Avenue, NW
Washington, D.C. 20036
202/223-5500
202/296-0540 (fax)

The Organization of Chinese Americans (OCA) is a national non-profit, non-partisan civic organization advocating for the welfare of Chinese Americans. OCA has an internal task force on anti-Asian violence. It monitors court cases and is involved with specific cases by acting as legal counsel and providing financial resources. OCA materials include a quarterly newsletter, which offers updates on cases, and a new major publication on hate crimes.

People for the American Way
Suite 400
2000 M Street, NW
Washington, D.C. 20036
202/467-4999
202/293-2672 (fax)

People for the American Way (People For) is a non-profit, non-partisan organization dedicated to the defense of constitutional liberties. Through its work on hate crimes, censorship and civil rights, People For works to combat intolerance in America. Publications include *Hate in the Ivory Tower*, a report on hate crimes and incidents on college campuses, and *Democracy's Next Generation II*, a report on youth attitudes on race.

Police Executive Research Forum
Suite 930
1120 Connecticut Avenue, NW
Washington, D.C. 20036
202/466-7820
202/466-7826 (fax)

The Police Executive Research Forum (PERF) is a national association of progressive police executives from large- and medium-sized jurisdictions dedicated to improving police services. PERF has been a leading law enforcement advocate of hate crime data collection since 1987, when it became one of the first national police associations to endorse the Hate Crime Statistics Act. In an effort to help promote understanding and reduce tensions between persons of different races, religions, ethnicities, and sexual orientations, PERF offers a cultural differences training curriculum for law enforcement officials.

APPENDIX B
LEGISLATION

99TH CONGRESS
1ST SESSION

H. R. 2455

IN THE SENATE OF THE UNITED STATES

JULY 23 (legislative day, JULY 16), 1985

Received; read twice and referred to the Committee on the Judiciary

AN ACT

To provide for the collection of data about crimes motivated by racial, religious, or ethnic hatred.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Hate Crime Statistics
5 Act".

6 **SEC. 2. ACQUISITION OF DATA AND REPORTS.**

7 Under the authority of section 534 of title 28, United
8 States Code, the Attorney General shall acquire data, for the
9 calendar year 1986 and each of the succeeding 4 calendar
10 years, about crimes which manifest racial, ethnic, or religious

1 prejudice, including where appropriate the crimes of homi-
2 cide, assault, robbery, burglary, theft, arson, vandalism, tres-
3 pass, and threat. The Attorney General shall publish annual-
4 ly a summary of such data.

5 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

6 There is authorized to be appropriated, for fiscal year
7 1986 and each of the succeeding 4 fiscal years, such sums as
8 may be necessary to carry out this Act.

Passed the House of Representatives July 22, 1985.

Attest: BENJAMIN J. GUTHRIE,
Clerk.

PUBLIC LAW 103-322 — SEPT. 13, 1994

108 STAT. 2131

Subsection (b)(1) of the first section of the Hate Crime Statistics Act (28 U.S.C. 534 note) is amended by inserting “disability,” after “religion.”

Approved September 13, 1994.

PUBLIC LAW 104-155 — JULY 3, 1996

Subsection (b)(1) of the first section of the Hate Crime Statistics Act (28 U.S.C. 534 note) is amended by striking “for the calendar year 1990 and each succeeding 4 calendar years,” and by inserting “for each calendar year.”

Approved July 3, 1996.

APPENDIX C

**QUARTERLY HATE CRIME REPORT
HATE CRIME INCIDENT REPORT
INSTRUCTIONS FOR PREPARING REPORTS**

QUARTERLY HATE CRIME REPORT Offenses Known to Law Enforcement

Summary Page

Form Approved
OMB No. 1110-0015
Approved through 5/31/97

This report is authorized by Title 28, Section 534, U.S. Code, and the Hate Crime Statistics Act of 1990. Your cooperation in using this form to report hate crimes known to your department will assist the FBI in compiling comprehensive and accurate data regarding incidence and prevalence of Hate Crime throughout the Nation. Please submit this report on a quarterly basis, by the 15th day after the close of the quarter, to Federal Bureau of Investigation, Criminal Justice Information Services Division, Attention: Uniform Crime Reports/Module E-3, 1000 Custer Hollow Road, Clarksburg, WV 26306.

City _____	County _____	State _____
Name of Agency _____		Agency Identifier (ORI) _____
Name of Preparer _____		Title _____
Quarter and Year of Report: January - March <input type="checkbox"/> April - June <input type="checkbox"/> July - September <input type="checkbox"/> October - December <input type="checkbox"/>		
Year _____		
Total number of incidents reported in this quarter _____		
If there were no hate crimes in this quarter, check this box . <input type="checkbox"/>		

Deletion of incident(s) previously reported [Applicable only for deletion of entire incident(s)].

Incident Number	Date of the Incident
	/ / Month Day Year

NOTE: Public reporting for this collection of information is estimated to average .17 hours per response, including the time for reviewing. Send comments regarding this burden estimate or any other aspect of this collection of information including suggestions for reducing this burden to, Federal Bureau of Investigation, CJIS, ATTN: Uniform Crime Reports, 1000 Custer Hollow Road, Clarksburg, WV 26306; and to the Office of Information and Regulatory Affairs, OMB Number 1110-0015, Office of Management and Budget, Washington, D.C. 20503.

HATE CRIME INCIDENT REPORT

Initial Adjustment ORI Date of Incident / /
Month Day Year

Incident No. Page of of Same Incident

UCR Offense		Offense Code	
UCR Code	# of victims	UCR Code	# of victims
#1 <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/>	#4 <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/>	01 Murder	07 Motor Vehicle Theft
#2 <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/>	#5 <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/>	02 Forcible Rape	08 Arson
#3 <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/>	#6 <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/>	03 Robbery	09 Simple Assault
		04 Aggravated Assault	10 Intimidation
		05 Burglary	11 Destruction / Damage / Vandalism
		06 Larceny-Theft	

Location (Check one for Offense #1)

- | | | |
|--|---|--|
| 01 <input type="checkbox"/> Air / Bus / Train Terminal | 14 <input type="checkbox"/> Hotel / Motel / etc. | Enter Location
Code if Different
from Offense #1 |
| 02 <input type="checkbox"/> Bank / Savings and Loan | 15 <input type="checkbox"/> Jail / Prison | |
| 03 <input type="checkbox"/> Bar / Night Club | 16 <input type="checkbox"/> Lake / Waterway | |
| 04 <input type="checkbox"/> Church / Synagogue / Temple | 17 <input type="checkbox"/> Liquor Store | |
| 05 <input type="checkbox"/> Commercial / Office Building | 18 <input type="checkbox"/> Parking Lot / Garage | |
| 06 <input type="checkbox"/> Construction Site | 19 <input type="checkbox"/> Rental Storage Facility | |
| 07 <input type="checkbox"/> Convenience Store | 20 <input type="checkbox"/> Residence / Home | |
| 08 <input type="checkbox"/> Department / Discount Store | 21 <input type="checkbox"/> Restaurant | |
| 09 <input type="checkbox"/> Drug Store / Dr.'s Office / Hospital | 22 <input type="checkbox"/> School / College | |
| 10 <input type="checkbox"/> Field / Woods | 23 <input type="checkbox"/> Service / Gas Station | |
| 11 <input type="checkbox"/> Government / Public Building | 24 <input type="checkbox"/> Specialty Store (TV, Fur, etc.) | |
| 12 <input type="checkbox"/> Grocery / Supermarket | 25 <input type="checkbox"/> Other / Unknown | |
| 13 <input type="checkbox"/> Highway / Road / Alley / Street | | |

#2

#3

#4

#5

#6

Bias Motivation (Check one for Offense #1)

- | | | |
|--|--|---|
| Racial | Religious | Disability |
| 11 <input type="checkbox"/> Anti - White | 21 <input type="checkbox"/> Anti - Jewish | 51 <input type="checkbox"/> Anti - Physical Disability |
| 12 <input type="checkbox"/> Anti - Black | 22 <input type="checkbox"/> Anti - Catholic | 52 <input type="checkbox"/> Anti - Mental Disability |
| 13 <input type="checkbox"/> Anti - American Indian / Alaskan Native | 23 <input type="checkbox"/> Anti - Protestant | Enter Bias Motivation
Code if Different
from Offense #1 |
| 14 <input type="checkbox"/> Anti - Asian / Pacific Islander | 24 <input type="checkbox"/> Anti - Islamic (Moslem) | |
| 15 <input type="checkbox"/> Anti - Multi - Racial Group | 25 <input type="checkbox"/> Anti - Other Religion | |
| Ethnicity / National Origin | 26 <input type="checkbox"/> Anti - Multi - Religious Group | |
| 32 <input type="checkbox"/> Anti - Hispanic | 27 <input type="checkbox"/> Anti - Atheism / Agnosticism | |
| 33 <input type="checkbox"/> Anti - Other Ethnicity/ National Origin
Specify _____ | Sexual | |
| | 41 <input type="checkbox"/> Anti - Male Homosexual | #2 <input type="text"/> <input type="text"/> |
| | 42 <input type="checkbox"/> Anti - Female Homosexual (Lesbian) | #3 <input type="text"/> <input type="text"/> |
| | 43 <input type="checkbox"/> Anti - Homosexual (Gay & Lesbian) | #4 <input type="text"/> <input type="text"/> |
| | 44 <input type="checkbox"/> Anti - Heterosexual | #5 <input type="text"/> <input type="text"/> |
| | 45 <input type="checkbox"/> Anti - Bisexual | #6 <input type="text"/> <input type="text"/> |

Victim Type: For each offense code listed above, check all applicable victim types.

Victim Type:	Offense Code #1	Offense Code #2	Offense Code #3	Offense Code #4	Offense Code #5	Offense Code #6	Offense Code #1	Offense Code #2	Offense Code #3	Offense Code #4	Offense Code #5	Offense Code #6
1 Individual*	<input type="checkbox"/>											
2 Business	<input type="checkbox"/>											
3 Financial Institution	<input type="checkbox"/>											
4 Government	<input type="checkbox"/>											
5 Religious Organization	<input type="checkbox"/>											
6 Society / Public	<input type="checkbox"/>											
7 Other	<input type="checkbox"/>											
8 Unknown	<input type="checkbox"/>											

*Indicate the total number of individual victims involved in the incident.

Number of Offenders (Use "00" for "Unknown")

Suspected Offenders' Race as a Group (Check one)

- | | | |
|----------------------------------|---|---|
| 1 <input type="checkbox"/> White | 3 <input type="checkbox"/> American Indian / Alaskan Native | 5 <input type="checkbox"/> Multi - Racial Group |
| 2 <input type="checkbox"/> Black | 4 <input type="checkbox"/> Asian / Pacific Islander | 6 <input type="checkbox"/> Unknown |

INSTRUCTIONS FOR PREPARING QUARTERLY HATE CRIME AND HATE CRIME INCIDENT REPORT

GENERAL

This report is separate from and in addition to the routine Summary UCR submission and the Hierarchy Rule does not apply. Also, in the Summary UCR system, the offenses of Intimidation and Destruction/Damage/Vandalism of Property are reported only when arrests occur. On this form, all are to be reported when they have been determined to have occurred and are bias-motivated, regardless of whether arrests have taken place. Refer to the Hate Crime Reporting Guidelines for additional information, clarification, and explanation.

SUMMARY PAGE

1. At the end of each calendar quarter, a single Summary Page, along with an individual Incident Report for each hate-motivated incident identified during the quarter (if any), should be jointly submitted. If none occurred, submit only the Summary Page.
2. The Summary Page should be used to identify your agency, to state the number of hate-related incidents being reported for the calendar quarter, and to delete any incidents previously reported which were determined during the reporting period not to be hate related.

HATE CRIME INCIDENT REPORT

3. The Incident Report should be used to report initially a hate-related incident or to adjust information in a previously reported incident.
4. Provide an identifying incident number which preferably will be your "case" or "file" number.
5. Provide codes for all offenses within the incident determined to be hate related and the number of victims for each such offense. In multiple offense incidents, report only those offenses determined to be hate related. Should more than six offenses be involved in one incident, use additional Incident Reports and make appropriate entries in the "page of " portion of the form.
6. Provide the most appropriate location for each hate-related offense.
7. Provide the nature of the hate/bias motivation for each hate-related offense.
8. Provide the victim type for each offense identified within the hate-related incident.
9. Where the victim type is an "individual," indicate the total number of individual victims (persons) involved in the incident irrespective of the number of offenses in which they were involved.
10. Provide the number of offenders, if known, or report that such is unknown.
11. Provide the suspected offender's race, if known. If there was more than one offender, provide the race of the group as a whole.
12. Include on separate paper any additional comments/information you feel will add clarity to the report. (optional)

APPENDIX D

**REGIONAL OFFICES OF THE
COMMUNITY RELATIONS SERVICE
DEPARTMENT OF JUSTICE**

**REGIONAL OFFICES OF THE
COMMUNITY RELATIONS SERVICE
DEPARTMENT OF JUSTICE**

Region I (New England)
Regional Director
Room 1820
99 Summer Street
Boston, MA 02110
(617)424-5715
(617)424-5715 (fax)

Region II (Northeast)
Regional Director
Room 3402
26 Federal Plaza
New York, NY 10278
(212)264-0700
(212)264-2143 (fax)

Region III (Mid-Atlantic)
Regional Director
Room 309
2nd and Chestnut Streets
Philadelphia, PA 19106
(215)597-2344
(215)597-9148 (fax)

Region IV (Southeast)
Regional Director
Room 900
75 Piedmont Avenue, NE
Atlanta, GA 30303
(404)331-6883
(404)331-4471 (fax)

Region V (Midwest)
Regional Director
Suite 420
55 West Monroe Street
Chicago, IL 60603
(312)353-4391
(312)353-4390 (fax)

Region VI (Southwest)
Regional Director
Suite 250
1420 West Mockingbird
Dallas, TX 75247
(214)655-8175
(214)655-8184 (fax)

Region VII (Central)
Regional Director
Room 2411
911 Walnut Street
Kansas City, MO 64104
(816)374-6522
(816)374-6530 (fax)

Region VIII (Rocky Mountain)
Regional Director
Room 650
1244 Speer Boulevard
Denver, CO 80204
(303)844-2973
(303)844-2907 (fax)

Region IX (Western)
Regional Director
Room 1040
211 Main Street
San Francisco, CA 94105
(415)744-6565
(415)744-6590 (fax)

Region X (Northwest)
Regional Director
Room 1898
915 Second Avenue
Seattle, WA 98174
(206)220-6700
(206)220-6706 (fax)

FIELD OFFICES

Community Relations Service
Room 424
51 Southwest First Avenue.
Miami, FL 33130
(305)536-5206
(305)536-7363 (fax)

Community Relations Service
Room 12617
515 Rusk Avenue
Houston, TX 77002
(713)229-2861
(713)229-4862 (fax)

Community Relations Service
Room 608
U.S. Courthouse
213 West Lafayette Boulevard
Detroit, MI 48226
(313)226-4010
(313)226-2568 (fax)

Headquarters

Community Relations Service
Suite 330
5550 Friendship Boulevard
Chevy Chase, MD 20815
(301)492-5995
(301)492-5984 (fax)

U.S. Department of Justice
Federal Bureau of Investigation

1000 Custer Hollow Road
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