

# Investigation of Hate Crimes

---

March 2021

The IACP Law Enforcement Policy Center creates four types of documents: Model Policies, Considerations Documents, Concepts & Issues Papers, and Need to Know one-page summaries. Typically, for each topic, either a Model Policy or a Considerations Document is created, supplemented with a Concepts & Issues Paper. This file contains the following documents:

- **[Model Policy](#)**: Provides police agencies with concrete guidance and directives by describing in sequential format the manner in which actions, tasks, and operations are to be performed.
- **[Concepts & Issues Paper](#)**: Designed to provide context and background information to support a Model Policy or Considerations Document for a deeper understanding of the topic.

# Model Policy

Updated: March 2021

## Investigation of Hate Crimes

### I. PURPOSE

The purpose of this policy is to establish guidelines for identifying and investigating hate crimes and hate incidents and assisting targeted or victimized individuals and communities.<sup>1</sup> Swift and comprehensive action from police can reinforce not only that crimes inspired by hate and prejudice will not be tolerated, but also that the policing community stands with the victim(s), target(s), and/or associated groups that are being criminally targeted. Creating an atmosphere of police support and action will encourage victims to report hate crimes, help stabilize and heal the community as well as aid in the physical and psychological community recovery essential for victims and targets of hate crimes.

### II. POLICY

This agency shall employ all necessary resources and vigorous law enforcement action to identify and investigate hate crimes and to support the prosecution of hate crime perpetrators. Any acts or threats of violence, property damage, harassment, intimidation, or other crimes or incidents motivated in whole or in part by hate and improper bias and designed to infringe upon the rights of individuals are viewed very seriously by this agency and will be given high priority. Also, recognizing the particular fears and distress typically suffered by victims and targets of hate crimes, the potential for reprisal and escalation of violence, and the far-reaching negative consequences of hate crimes and hate incidents on the community, this agency shall be mindful of and responsive to the safety concerns of victims and their families and the broader community.

In addition to collecting data on hate crimes, this agency should develop a standard system for detecting, collecting data, analyzing, investigating, and reporting hate incidents that might not rise to the level of a hate crime but that are, in whole or in part, directed against individuals because of race, color, religion, national origin, ethnicity, gender, sexual orientation, gender identity/expression, or disability.

---

<sup>1</sup> To assist in implementing guidelines, agencies with fewer officers or capacities should consider developing partnerships with local agencies, universities, and community stakeholders, or seeking additional resources.

### III. DEFINITIONS<sup>2</sup>

*Bias:* A preformed opinion or attitude toward a group of persons based on their race, color, religion, national origin, disability, sexual orientation, ethnicity, gender, or gender identity/expression.

*Cultural competency:* A set of congruent behaviors, attitudes, and policies that come together in a system, an agency, or among professionals and enable that system, the agency, or those professions to work effectively in cross-cultural situations. The five essential elements for an agency to increase its competency include (1) valuing diversity, (2) having the capacity for cultural self-assessment, (3) being conscious of culture's dynamics, (4) having institutionalized cultural knowledge, and (5) developing adapted services to reflect understanding of diversity.<sup>3</sup>

*Disability:* A physical or mental impairment, whether temporary or permanent, that is due to conditions that are congenital or acquired by heredity, accident, injury, advanced age, or illness. This, however, does not detract from an individual's other abilities.<sup>4</sup>

*Ethnic group:* A group of persons whose members identify with each other through a common heritage, often consisting of a shared language, culture, and/or ideology that stresses common ancestry.<sup>5</sup>

*Gender:* The social norms and expectations of men and women in terms of their roles, behaviors, activities, and attributes. Gender interacts with, but is distinct from, biological sex.<sup>6</sup>

*Gender expression:* External manifestations and appearance of one's gender identity, usually expressed through one's behavior, clothing, haircut, body characteristics, or voice and grooming habits, which may or may not conform to socially defined behaviors and characteristics typically associated with being either masculine or feminine.<sup>7</sup>

*Gender identity:* an individual's inner sense of self as male, female, a blend of both, or neither. Gender identity can be the same or different as their sex assigned at birth.<sup>8</sup>

*Hate crime:* A crime in which the defendant intentionally selects a victim, or in the case of a property crime, the property that is the object of the crime, in whole or in part because of the actual or perceived race, color, religion, national origin, ethnicity, gender, gender identity, disability, or sexual orientation of any person.<sup>9</sup>

<sup>2</sup> Most definitions are based on the FBI's *Hate Crime Data Collection Guidelines and Training Manual*, [www.fbi.gov/file-repository/ucr-ucr-hate-crime-data-collection-guidelines-training-manual-v2.pdf/view](http://www.fbi.gov/file-repository/ucr-ucr-hate-crime-data-collection-guidelines-training-manual-v2.pdf/view).

<sup>3</sup> Terry L. Cross et al., "Chapter II: The Cultural Competence Continuum," in *Towards a Culturally Competent System of Care* (Washington, DC: National Institute of Mental Health, Child and Adolescent Service System Program, 1989), <https://spu.edu/~media/academics/school-of-education/Cultural%20Diversity/Towards%20a%20Culturally%20Competent%20System%20of%20Care%20Abridged.ashx>

<sup>4</sup> ADA National Network, "What Is the Definition of Disability under the ADA?" <https://adata.org/faq/what-definition-disability-under-ada>.

<sup>5</sup> See also James Peoples and Garrick Bailey, *Humanity: An Introduction to Cultural Anthropology*, 9th ed. (Belmont, CA: Wadsworth, 2010).

<sup>6</sup> Mary Manandhar et al., "Gender, Health and the 2030 Agenda for Sustainable Development," *Bulletin of the World Health Organization* 96, no. 9 (September 2018): 589–664, [www.ncbi.nlm.nih.gov/pmc/articles/PMC6154065/pdf/BLT.18.211607.pdf](http://www.ncbi.nlm.nih.gov/pmc/articles/PMC6154065/pdf/BLT.18.211607.pdf).

<sup>7</sup> Human Rights Campaign (HRC), "Sexual Orientation and Gender Identity Definitions," [www.hrc.org/resources/sexual-orientation-and-gender-identity-terminology-and-definitions](http://www.hrc.org/resources/sexual-orientation-and-gender-identity-terminology-and-definitions).

<sup>8</sup> HRC, "Sexual Orientation and Gender Identity Definitions," [www.hrc.org/resources/sexual-orientation-and-gender-identity-terminology-and-definitions](http://www.hrc.org/resources/sexual-orientation-and-gender-identity-terminology-and-definitions).

<sup>9</sup> Matthew Shepard and James Byrd, Jr., Hate Crimes Prevention Act of 2009, 18 U.S.C. § 249. In the United States, most states and the District of Columbia have hate crime laws. Consult state/provincial statutes for relevant definitions and crime categories. A listing of state laws in the United States is available at [www.adl.org/media/13726/download](http://www.adl.org/media/13726/download) and <https://www.adl.org/adl-hate-crime-map>. See also U.S. Department of Justice, "Hate Crimes: Laws and Policies," [www.justice.gov/hatecrimes/laws-and-policies](http://www.justice.gov/hatecrimes/laws-and-policies), and National Association for the Advancement of Colored People (NAACP), *State-by-State Hate Crime Laws*, at <https://www.naacp.org/wp-content/uploads/2017/09/Hate-Crimes-laws-by-state.pdf>.

*Hate Incident:* Actions by an individual or group that, while motivated by hate or improper bias, do not rise to the level of a criminal offense.<sup>10</sup> This may involve biased or prejudiced comments, imaging, or other messaging to another individual based on race, religion, national origin, gender, gender identity, sexual orientation, disability, or age.<sup>11</sup>

*Hate Group:* An organization whose ideology, goals, or activities are primarily or substantially based on a shared antipathy, hostility, or hatred toward certain people based on their personal characteristics such as race, color, religion, ethnicity, nationality, national origin, gender, and/or sexual identity. The mere presence of biased members in a group or organization is typically not enough to qualify it as a hate group; the group itself must have some hate-based orientation/purpose. The mere existence of a hate group is not necessarily criminal. For example, in the United States, however hateful the ideology and beliefs of hate groups and their members, the First Amendment protects their non-criminal speech and association rights.<sup>12</sup>

*Improper Bias:* Bias applied in such a way as to be negatively prejudicial or unjustly discriminatory toward a particular group of people.

*National Origin:* A person's real or perceived ethnic background related to birthplace, ancestry, culture, or language.<sup>13</sup>

*Race:* A group of persons who possess common physical characteristics, for example, color of skin, eyes, and/or hair; facial features, and so forth, which are genetically transmitted by descent and heredity and that distinguish them as a distinct division of humankind.

*Religious Group:* 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. Examples include religious groups such as Catholic, Jewish, Protestant, Muslim, Sikh, and Hindu as well as other belief-based groups such as atheist or agnostic.

*Sexual Orientation:* Classification of a person's physical, romantic, sexual, or emotional attraction to others. Examples include homosexual, bisexual, heterosexual, and asexual, among others.<sup>14</sup>

## IV. PROCEDURES

Officers shall conduct a thorough, prompt, and complete investigation in all suspected hate crimes and assist the prosecutor. Evidence related to all hate incidents should be thoroughly documented.

### A. Preparation

1. Investigators shall make every effort to become familiar with organized hate groups operating or influencing hate activities in the community.
2. Ensure the reporting forms include a readily available means to indicate whether there is preliminary information or evidence suggesting the event may be a hate crime or incident.
3. Identify individuals or agencies that may provide support and assistance to victims. These may include clergy, or a departmental chaplain, as well as community service agencies that provide victim assistance, shelter, food, clothing, childcare, or other related services.

<sup>10</sup> In some jurisdictions, civil laws may protect victims of hate incidents. It may be possible for legal entities to pursue these cases, and agencies should encourage and assist victims in doing so.

<sup>11</sup> Anti-Defamation League, *Information and Resources for Responding to Hate* (2016), [www.adl.org/media/13637/download](http://www.adl.org/media/13637/download).

<sup>12</sup> See *Snyder v. Phelps*, 562 U.S. 443 (2011). In the United States, hate groups are tracked by the Southern Poverty Law Center, Anti-Defamation League, and the FBI.

<sup>13</sup> United States Department of Justice (USDODJ), "Federal Protections Against National Origin Discrimination," [www.justice.gov/crt/federal-protections-against-national-origin-discrimination-1](http://www.justice.gov/crt/federal-protections-against-national-origin-discrimination-1).

<sup>14</sup> HRC, "Sexual Orientation and Gender Identity Definitions," [www.hrc.org/resources/sexual-orientation-and-gender-identity-terminology-and-definitions](http://www.hrc.org/resources/sexual-orientation-and-gender-identity-terminology-and-definitions).

## B. Communications Personnel Procedures

Communications personnel shall follow standard procedures and, specifically to hate crimes, should:

1. Instruct the caller to leave the scene unaltered.<sup>15</sup>
2. Advise the victim to reach a safe location accessible to responding officers.
3. Request that the caller be available for further contact by law enforcement.
4. Document information that may indicate the presence of hate or improper bias.

## C. Initial Response Procedures

The safety and well-being of victims is paramount when responding to incidents involving hate crimes, as is the security and preservation of the crime scene. Coordination between the responding officer(s) and investigator(s) is also important as the information gathered during initial response can impact case solvability.

Initial responding officers shall follow this agency's standard protocol for responding to a crime. Officers shall:

1. Ensure the victim is safe. Obtain medical attention, if necessary.
2. Ensure the victim has access to support. This may include family members or close acquaintances, clergy or a departmental chaplain, or community service agencies that provide victim assistance.<sup>16</sup>
3. Collect evidence that may indicate the commission of a hate crime, such as:
  - a. Physical evidence, for example: hate literature, spray paint cans, and symbolic objects used by hate groups, such as swastikas and crosses.
  - b. Digital evidence, such as texts, social media posts, emails, blog posts, websites, etc.
  - c. Language used by the perpetrator, such as words used immediately before, during, or following the incident.
4. Notify and brief a supervisor on actions taken thus far.
5. Ensure statements made by suspects are documented or recorded. Capture exact language where possible.
6. Document any injuries and the emotional state of the victim(s).
7. Identify prior hate or improper bias-motivated occurrences in the immediate area or against the same victim or target.
8. Assist investigators in complying with any hate crime data collection reporting requirements, as needed.<sup>17</sup>

## D. Supervisory Responsibilities

The supervisor shall do the following:

1. Notify the chief executive or their designee and other appropriate personnel in the chain of command.
2. Provide updated information on the status of the investigation and the community impact within 48 hours.

---

<sup>15</sup> The initial reaction may be to remove offensive markings, etc. However, these are crucial to the investigation and should be documented as evidence.

<sup>16</sup> See the IACP Law Enforcement Policy Center documents on Response to Victims of Crime available at [www.theiacp.org/resources/policy-center-resource/victims](http://www.theiacp.org/resources/policy-center-resource/victims).

<sup>17</sup> For example, in the United States there are state and federal reporting requirements. A listing of state laws in the United States is available at [www.adl.org/media/13726/download](http://www.adl.org/media/13726/download) and <https://www.adl.org/adl-hate-crime-map>.



3. Ensure the victim has been connected with appropriate support services.
4. Communicate with concerned community-based organizations, civic groups, and religious institutions regarding the suspected or confirmed hate crime or incident.
5. Make an initial determination as to whether the incident shall be classified as a hate crime or hate incident for crime-reporting purposes.

## E. Investigators' Responsibilities

Investigators should recognize the importance of hate crime and hate incident data. Working closely with responding officers, investigators shall thoroughly document all hate crimes and should thoroughly document all hate incidents. The designated investigator assigned to alleged hate crimes and hate incidents shall follow this agency's standard protocol for responding to a crime scene. In particular, investigators shall do the following:

1. Determine the primary elements of the crime and obtain the information necessary to complete the hate crime data collection requirements.<sup>18</sup>
2. Recognize the potential need for additional investigatory resources, and request such assistance where necessary (examples could include a translator or a digital evidence investigator).
3. If evidence of improper bias motivation, or improper bias indicators cannot be physically removed (e.g., painted words or signs on a wall), the owner of the property shall be contacted to do all that is possible to ensure that the physical evidence is removed as soon as possible once it has been photographed. The investigator shall follow up to ensure that this is accomplished in a timely manner.
4. Work closely with the prosecutor's office to ensure that an adequate case is developed for prosecution.
5. Coordinate the investigation with other units of this agency, as well as other local and regional intelligence operations in order to identify any patterns, organized hate groups, and suspects potentially involved in the offense.
6. Make a determination based on evidence and facts as to whether the incident shall be classified as a hate crime or hate incident for UCR reporting purposes.<sup>19</sup> Should new evidence surface, adjust the determination, as needed.
7. Request additional resources from local, state, or federal agencies as necessary and available.<sup>20</sup>
8. Take steps to ensure that appropriate assistance is being provided to hate crime or incident victims, including but not limited to, providing ongoing information to the victim about the status of the criminal investigation; and contacting the victim periodically to determine whether they are receiving adequate and appropriate assistance.

---

<sup>18</sup> Under the Hate Crime Statistics Act of 1990, as amended by the Matthew Shepard and James Byrd, Jr., Hate Crimes Prevention Act (HCPA), the FBI's UCR Program now collects and reports statistics on hate crimes directed at individuals because of race, religion, disability, sexual orientation, ethnicity, gender, or gender identity—as well as hate crimes committed by and directed against juveniles.

<sup>19</sup> Should new evidence later surface that requires adjustment to this determination, the incident can be adjusted. For more information, see [https://ucr.fbi.gov/additional-ucr-publications/ucr\\_handbook.pdf](https://ucr.fbi.gov/additional-ucr-publications/ucr_handbook.pdf).

<sup>20</sup> Under the HPCA, at the request of a state, local, or tribal law enforcement agency, the attorney general may provide technical, forensic, prosecutorial, or any other form of assistance in hate crime investigations or prosecutions.

## F. Community Relations and Crime Prevention

Hate crimes are viewed in the community not only as a crime against the targeted victim(s), but also as a crime against the victim's identity group as a whole. To this end, this agency's community relations function should perform the following:

1. Assess the impact of the hate crime or incident on the community. Acknowledge the harm done.
2. Continue to provide assistance to the victim, including protecting their privacy and that of their family as much as possible. Connect victims and targets to other experts and resources, where available.
3. Work with the community after such crimes or incidents to help reduce fears, stem possible retaliation, prevent additional hate crimes or incidents, and encourage any other previously victimized individuals to step forward and report those crimes or incidents, especially if an upward trend has been identified.<sup>21</sup>
4. If appropriate, meet with neighborhood groups, residents in targeted communities, and other identified groups as soon as possible to address fears; explain the agency's serious treatment of such incidents; reduce the potential for counter-violence and reprisals; and provide safety, security, and crime prevention information.
5. Engage the media as soon as possible as partners in restoring victimized communities through sensitive and accurate reporting, being mindful of victim privacy and security. Information regarding hate crimes or incidents should be prepared for the media in an accurate and timely manner. Requests for help from the community via the media and/or social media, should also be explored.
6. In the immediate aftermath of an alleged hate crime, ensure that comments from the department to the media or general public do not prematurely rule out improper bias motivation. Emphasize more generally that hate and discrimination have no place in your community.<sup>22</sup>
7. Conduct public meetings or forums designed to address the community-wide impact of hate crimes, hate incidents, and improper bias in general.
8. Establish liaisons with formal community-based organizations and leaders to mobilize resources that can be used to assist victims and prevent future hate incidents and crimes.
9. Expand, where appropriate, preventive programs such as hate, improper bias, and crime reduction seminars for school children.

## G. Hate Incident and Hate Crime Data Collection and Reporting

This agency shall do the following:

1. Collect and track hate incident data.
2. Maintain data and submit a monthly report on all hate crime occurrences (including digital or technology-based hate incidents) to the appropriate crime analysis center or central repository. In the U.S., this includes a monthly report to the FBI or other federal repository on all hate crime

<sup>21</sup> This is particularly important among marginalized minority groups who may be less likely to report hate crimes to the police, including members of LGBTQ+ communities and new immigrants. It is important to remember that all victims of hate crimes, *regardless of immigration status*, are entitled to full protection under the law.

<sup>22</sup> IACP & Lawyers' Committee for Civil Rights Under Law, *Action Agenda for Community Organizations and Law Enforcement to Enhance the Response to Hate Crimes* (2019), 6, [www.theiacp.org/sites/default/files/2019-04/IACP\\_Hate%20Crimes\\_Action%20Agenda.pdf](http://www.theiacp.org/sites/default/files/2019-04/IACP_Hate%20Crimes_Action%20Agenda.pdf).



occurrences, in accordance with guidelines established pursuant to the federal Hate Crime Statistics Act.<sup>23</sup>

3. Share reports internally to inform agency employees of trending patterns in hate crimes and hate incidents.
4. Make information, records, and statistics collected available to any appropriate agency and to the public, including in open data released on other crimes, subject to all confidentiality requirements otherwise imposed by law.<sup>24</sup> Data may include hate incident and hate crime data and may pertain to physical or digital/technology-based hate crimes.
5. Ensure data is analyzed for trends and risk assessment.
6. Develop a tracking mechanism or add to an existing records management system (RMS) a function which allows personnel to indicate whether or not there is evidence that suggests the existence of a hate crime or incident prior to submitting documentation and as part of the review process.

## H. Training

Agencies should ensure that all employees including communications personnel and other non-sworn staff who interact with the community, volunteers, and victim/community advocates are provided with initial and ongoing training. This training may include information regarding:

1. What constitutes a hate crime and/or hate incident.
2. Recognizing indications of hate crime and/or incident (physical and/or digital).
3. Procedures for interacting with victims and witnesses of hate crimes and/or incidents.
4. The impact of hate crimes and hate incidents on victims and the importance of investigation.
5. Cultural competency, including fair and equitable policing, individual rights and liberties, and the role of policing in a diverse society.<sup>25</sup>

---

<sup>23</sup> For more information and guidelines for submitting hate crime data, see the Criminal Justice Information Services (CJIS) Division Uniform Crime Reporting (UCR) Program, *Hate Crime Data Collection Guidelines and Training Manual* (Law Enforcement Support Section and Crime Statistics Management Unit, 2015), [www.fbi.gov/file-repository/ucr/ucr-hate-crime-data-collection-guidelines-training-manual-02272015.pdf/view](http://www.fbi.gov/file-repository/ucr/ucr-hate-crime-data-collection-guidelines-training-manual-02272015.pdf/view), and Hate Crime Statistics at <https://www.fbi.gov/services/cjis/ucr/hate-crime>.

<sup>24</sup> Police Foundation, *Releasing Open Data on Hate Crimes: A Best Practices Guide for Law Enforcement Agencies* (2018), [www.policefoundation.org/wp-content/uploads/2018/01/PF\\_Releasing-Open-Data-on-Hate-Crimes\\_Final.pdf](http://www.policefoundation.org/wp-content/uploads/2018/01/PF_Releasing-Open-Data-on-Hate-Crimes_Final.pdf).

<sup>25</sup> This includes the knowledge and understanding necessary to work effectively with individuals from a variety of backgrounds, including people from different racial, ethnic, cultural, religious, and socioeconomic backgrounds; individuals with various disabilities; individuals across a range of sexual orientations and gender identities; and other groups. In the United States, this could also include constitutional policing and the role of policing in a democratic society. USDOJ, Community Relations Service (CRS), *Understanding Bias: A Resource Guide*, [www.justice.gov/crs/file/836431/download](http://www.justice.gov/crs/file/836431/download).

Every effort has been made by the IACP Law Enforcement Policy Center staff and advisory board to ensure that this document incorporates the most current information and contemporary professional judgment on this issue. However, law enforcement administrators should be cautioned that no model policy can meet all the needs of any given law enforcement agency. In addition, the formulation of specific agency policies must take into account local political and community perspectives and customs, prerogatives, and demands; often divergent law enforcement strategies and philosophies; and the impact of varied agency resource capabilities, among other factors. Readers outside of the United States should note that, while this document promotes procedures reflective of a democratic society, its legal basis follows United States Supreme Court rulings and other federal laws and statutes. Law enforcement administrators should be cautioned that each law enforcement agency operates in a unique environment of court rulings, state laws, local ordinances, regulations, judicial and administrative decisions, and collective bargaining agreements that must be considered and should therefore consult their agency's legal advisor before implementing any policy.

© Copyright 2021. Departments are encouraged to use this model policy to establish one customized to their agency and jurisdiction. However, copyright is held by the International Association of Chiefs of Police, Alexandria, Virginia U.S.A. All rights reserved under both international and Pan-American copyright conventions. Further dissemination of this material is prohibited without prior written consent of the copyright holder.

# Concepts & Issues Paper

Updated: March 2021

## Investigation of Hate Crimes

### I. INTRODUCTION

#### A. Purpose of Document

This paper is designed to accompany the Model Policy on Investigation of Hate Crimes established by the IACP Law Enforcement Policy Center. This paper provides essential background material and supporting documentation to provide greater understanding of the developmental philosophy and implementation requirements for the model policy. This material will be of value to law enforcement executives in their efforts to tailor the model policy to the requirements and circumstances of their communities and their law enforcement agencies.

#### B. Background

Hate crimes and hate incidents have a unique impact on victims as well as the community. They are not just assaults, property damage, or violations of civil rights; hate crimes specifically target a class of individuals within the community. As such, they not only affect the targeted victim, but also have far-reaching effects on large segments of the communities in which they take place. These incidents have the potential to fuel the existing underlying prejudices and fears that trigger the crimes in the first place, thus continuing the cycle of hatred, prejudice, and improper bias.<sup>1</sup> Police response to hate crimes poses a powerful opportunity to influence public perception. Appropriate response to hate crimes and hate incidents is important to improving and sustaining perceived validity of the agency and may be especially impactful among marginalized groups within the community.

The prevalence and broad impact of hate crimes and incidents (see [Appendices C-E](#)) makes them a major concern for all law enforcement agencies, requiring a strong law enforcement response to ensure that perpetrators are aware that hate crimes and incidents are not tolerated and will be thoroughly investigated.

---

<sup>1</sup> The term “bias” is defined as a preformed opinion or attitude toward a group of persons based on their race, religion, national origin, disability, sexual orientation, ethnicity, gender, or gender identity/expression. “Improper bias” relates to negative prejudice and unjust discrimination and is used interchangeably with hate throughout this document.

### C. Definitions

A hate crime is defined as a criminal offense against a person or property motivated in whole or in part by an offender's improper bias against a race, color, national origin, religion, disability, sexual orientation, ethnicity, gender, or gender identity.<sup>2</sup>

Legally, a *hate crime* is any crime enumerated in a hate crime statute in which a perpetrator is subject to an enhanced penalty because the crime was motivated by improper bias, as defined by the statute. These criminal acts become hate crimes only when the perpetrator intentionally selects the victim or property on the basis of a personal characteristic, or if they place a potential victim in reasonable fear of physical injury. Arson, aggravated assault, and vandalism exemplify such crimes.

*Hate incidents* are those actions by an individual that, while motivated by improper bias, do not rise to the level of a criminal offense. Hate incidents should not be disregarded. Even though they do not rise to the level of a crime, they should be documented and tracked as they are often precursors to hate crimes. Agencies should develop policies and procedures related to hate incidents. These could include tracking and publishing hate incident data to identify and analyze trends that enable agencies to develop and implement evidence-based policies to combat improper bias-motivated crimes.

### D. Smaller Agencies/Agencies with Fewer Resources

Agencies who have a small number of employees and/or do not have access to many resources serve communities that are not immune from hate crimes and incidents and may face greater challenges in combating them. For example, agencies may face staffing challenges when attempting to conduct longer annual trainings. However, smaller agencies can tailor their training needs to effectively mirror the training of the larger agencies by developing training programs that officers can do during their shifts or during roll call.<sup>3</sup>

At the same time, smaller departments can offer unique strengths. For example, they often have the opportunity to positively engage with a larger proportion of the communities they serve, whether through formal roundtables or advisory boards or informal community events. Smaller agencies can be responsive to the unique community needs in the aftermath of a hate incident or hate crime. Because of the potentially devastating impact of one hate incident or crime, an effective, rapid, thorough response can not only build trust with respect to a department's commitment to thoroughly investigate hate crimes but also strengthen relationships necessary to respond to other crimes.

In smaller agencies, one individual should be assigned the responsibility for reviewing suspected hate crimes or incidents and making the final reporting decision as to the existence or nonexistence of an improper bias motivation (although this individual may work as part of a specialized hate crime unit, if the need exists and resources allow for it). This procedure is important for accurate statistical reporting of such incidents on the local and national levels. Smaller agencies should consider partnering with neighboring or larger agencies, community stakeholders, and/or government partners in order to provide and/or attain necessary resources to identify and combat hate crimes and incidents.<sup>4</sup>

---

<sup>2</sup> Federal Bureau of Investigation, *What We Investigate: Hate Crimes*, [www.fbi.gov/investigate/civil-rights/hate-crimes](http://www.fbi.gov/investigate/civil-rights/hate-crimes).

<sup>3</sup> See IACP and the Lawyers' Committee for Civil Rights (Lawyers' Committee), *Action Agenda for Community Organizations and Law Enforcement to Enhance the Response to Hate Crimes*, [www.theiacp.org/sites/default/files/2019-04/ICAP\\_Hate%20Crimes\\_Full%20Report.pdf](http://www.theiacp.org/sites/default/files/2019-04/ICAP_Hate%20Crimes_Full%20Report.pdf).

<sup>4</sup> See IACP and Lawyers' Committee, *Action Agenda for Community Organizations and Law Enforcement to Enhance the Response to Hate Crimes*, [www.theiacp.org/sites/default/files/2019-04/ICAP\\_Hate%20Crimes\\_Full%20Report.pdf](http://www.theiacp.org/sites/default/files/2019-04/ICAP_Hate%20Crimes_Full%20Report.pdf).

## E. Agencies in Jurisdictions without Hate Crime Laws

Some agencies may receive guidance for responding to hate crimes by the hate crime laws in their jurisdictions. For example, there may be clear-cut guidelines on what constitutes a hate crime, or standardized reporting requirements. Agencies in jurisdictions without hate crime laws face additional challenges in responding and collecting data.<sup>5</sup>

Agencies in such jurisdictions should consider deriving guidance from the laws and policies of neighboring jurisdictions and should seek legal counsel when developing policies and procedures. Moreover, they should report hate crime and incident data to the appropriate national repository, such as the Federal Bureau of Investigation in the United States.

Moreover, agencies in jurisdictions without hate crime laws should note that where national or federal hate crime laws exist, they apply even in jurisdictions without local hate crime laws. Agencies should ensure that their employees receive training to recognize and investigate hate crimes under federal or national law. For example, in the United States, agencies in states without a hate crime law still regularly identify hate incidents and hate crimes, participating in investigations and prosecutions with their federal counterparts.<sup>6</sup>

## II. PROCEDURES

### A. Goals

Agencies should develop goals for investigating hate crimes and incidents that acknowledge their prevalence and give priority to their resolution. All investigations of suspected and confirmed hate crimes should be thorough and prompt. Where possible, prosecutors should be engaged early in a hate crimes investigation to help navigate the complex legal and practical issues that may arise. Agencies may choose to engage in joint training on hate crimes with prosecutors to understand the challenges in effectively investigating and prosecuting these cases.<sup>7</sup> Officers thoroughly documenting evidence related to all hate incidents is critical to this process.

Agencies, in general, and investigators, in particular, should become familiar with organized hate groups. Being aware of the groups' operation in or influence on hate activities in the community can help agencies connect incidents and improper bias motivation.

In responding to suspected or confirmed hate crimes and incidents, agencies should make efforts to ensure that every victim receives the necessary care and attention they need. For example, agencies should be prepared to assist a victim who is targeted because they are deaf and/or hard of hearing.<sup>8</sup> Translation services should also be made available for non-English-speakers. A trauma-informed approach should guide agency interactions with victims and with the members of communities who may share some aspect of their identity with the person who was targeted for hate.<sup>9</sup>

---

<sup>5</sup> Consult federal and state/provincial statutes for relevant definitions and crime categories. A listing of state laws in the United States is available at [www.adl.org/media/13726/download](http://www.adl.org/media/13726/download) and <https://www.adl.org/adl-hate-crime-map>. See also U.S. Department of Justice, "Hate Crimes: Laws and Policies," [www.justice.gov/hatecrimes/laws-and-policies](http://www.justice.gov/hatecrimes/laws-and-policies), and NAACP, *State-by-State Hate Crime Laws*, at <https://www.naacp.org/wp-content/uploads/2017/09/Hate-Crimes-laws-by-state.pdf>.

<sup>6</sup> For an example of a nonpartisan review from a state without a hate crime law, see *Examining Hate Crime in the Equality State*, [www.usccr.gov/files/2020-07-23-WY-SAC-Hate-Crimes-Report.pdf](http://www.usccr.gov/files/2020-07-23-WY-SAC-Hate-Crimes-Report.pdf).

<sup>7</sup> IACP and Lawyers' Committee, *Action Agenda for Community Organizations and Law Enforcement to Enhance the Response to Hate Crimes*, 21, [www.theiacp.org/sites/default/files/2019-04/IACP\\_Hate%20Crimes\\_Full%20Report.pdf](http://www.theiacp.org/sites/default/files/2019-04/IACP_Hate%20Crimes_Full%20Report.pdf).

<sup>8</sup> For example, the Metropolitan Police Department of Washington, DC, has a Deaf and Hard of Hearing Liaison Unit. See "Deaf and Hard of Hearing Liaison Unit," <https://mpdc.dc.gov/node/139002>.

<sup>9</sup> See the IACP Law Enforcement Policy Center documents on Response to Victims of Crime available at [www.theiacp.org/resources/policy-center-resource/victims](http://www.theiacp.org/resources/policy-center-resource/victims).

## B. Communications Personnel

Communications personnel play a crucial role in the response to hate crimes and incidents. As the safety and well-being of victims is paramount in hate crime or incident response, call takers should encourage the victim to move to a safe location that is accessible to responding officers and ensure that the caller is available for further contact by law enforcement.

In addition to standard response procedures, communications personnel should instruct callers to leave the scene as they found it. A well-intentioned caller may want to remove inflammatory markings or other offensive material, but this evidence is crucial to the investigation. During the call, communications personnel should document information, including that heard in the background, that may indicate the presence of hate or improper bias, such as the use of racial slurs.

## C. Initial Response Procedures

Law enforcement officers, investigators, and supervisors have important roles to play in response to hate incidents and crimes. Through careful and effective response, police officers can reinforce the message that hate crimes and incidents will be investigated promptly and aggressively, thus enhancing the likelihood that the perpetrators will be apprehended and successfully prosecuted.

Many aspects of the initial police response to a suspected hate crime are like those in other crime response procedures. These include securing the crime scene, stabilizing the victim(s), requesting medical assistance if necessary, and identifying witnesses and perpetrators. However, there are some unique elements of these tasks that officers should be aware of in order to perform these and other preliminary tasks with maximum effectiveness. For example, because of the special nature and community impact of these crimes and incidents, agency leadership and supervisory personnel should be alerted when suspected hate crimes and/or incidents occur.

Stabilizing hate crime scenes may be more difficult where violence has been employed or the threat of violence has been made against individuals. Under these circumstances, victims, friends, neighbors, and sympathizers often have a tendency to congregate at the crime scene. Under these conditions, first responders should request supervisory assistance together with backup to be used in crowd control and related capacities.<sup>10</sup> Tensions often run high in these situations and talk or threats of retaliation or reprisals may be encountered. Protection of the crime scene and the safety of officers in these situations can be problematic without additional law enforcement personnel. However, scene preservation is of paramount importance.

Hate crimes and incidents require a conscious response that strives to protect and assist the victim, acknowledges the elements of hate or improper bias, and carefully preserves potential evidence at the scene. In addition to following all agency crime scene response procedures, officers should maintain an awareness of the nature of the crime in looking for and collecting evidence. Preservation and collection of evidence at the crime scene should be given high priority. If there are many individuals at the scene, the risks of interference with evidence collection or contamination of evidence is increased. The need to photograph and collect physical evidence is an immediate concern and may involve such items as hate literature, cans of spray paint, graffiti, threatening letters, and symbolic objects of hate groups such as swastikas or crosses. If the evidence cannot be physically collected and/or moved, for example in the case of graffiti, then the appropriate level of command should attempt to notify building property owners regarding the need for complete removal as soon as possible after being photographed for evidence.<sup>11</sup>

<sup>10</sup> See the IACP Law Enforcement Policy Center documents on Crowd Management available at [www.theiacp.org/resources/policy-center-resource/crowd](http://www.theiacp.org/resources/policy-center-resource/crowd).

<sup>11</sup> In the United States, the ADL has compiled a database to assist law enforcement with recognizing hate symbols and tattoos; see Anti-Defamation League, "Hate on Display: Hate Symbols Database," [www.adl.org/combating-hate/hate-on-display](http://www.adl.org/combating-hate/hate-on-display).



The preliminary investigation should concentrate on developing any information concerning suspected perpetrators, identifying witnesses to include those who are no longer at the crime scene, establishing whether the victim(s) received any threats prior to the occurrence or were previously the targets of any hate-related incidents, and determining whether the neighborhood has experienced any hate incidents or crimes in the recent past. If a suspect or perpetrator made any statements, including those made to the victim(s), the exact wording should be recorded in as much detail as possible.

**Victim Assistance.** Officers should also assist the victim during the response, as they may be experiencing injuries, emotional stress, and a sense of personal violation. Moreover, victims may fear for the safety of themselves and their families from renewed attacks or retaliation if they cooperate with law enforcement—or they may focus anger and hatred toward real or presumed perpetrators with the notion of seeking revenge. The actions that responding officers take can have a lasting impact on the victims and the relationship of the law enforcement agency to the victim's community.<sup>12</sup>

Officers should strive to de-escalate the situation, provide support to victims, and observe and document the physical injuries and objective emotional state of the victim as potential evidence. To ensure the victim is as comfortable as possible and the investigation is thorough, officers may need to request the assistance of a translator, community relations officer, or victim advocate, as well as make reasonable accommodations for victims with a range of disabilities. In some cases, it may be best to assist the victim and their family by contacting a close family member or friend, social caseworker, or religious leader to provide the support that they need and to assist in gathering information.

Officers should ask the victims if they know or suspect the identity of the perpetrator(s) of the crime and why they were victimized. When soliciting information regarding the motivation for the crime, such as a victim's culture, religion, sexual orientation, disability, race, color, national origin, or gender identity or expression, officers should be tactful and professional. Officers should consult the needs and desires of the victim regarding accurate and appropriate terminology to use during the discussion.<sup>13</sup> For example, agencies should instruct responding officers and communications and dispatch personnel to inquire how all callers, victims, witnesses, and suspects would like to be addressed and referred to in reports and what pronouns they use for themselves, regardless of what is listed on legal identification documents. Officers should not make assumptions or judgments regarding information received, nor should they allow personal beliefs to affect their objectivity. Officers should also avoid the use of stereotyped or biased terms and criticism of the victim's behavior.<sup>14</sup>

While a final determination of whether a crime is a hate crime can be made only by an informed and trained officer based on the totality of information gathered during the investigation, the perception of the victim is important with respect to building a case, identifying trends, and understanding the likely impact of a hate incident on victims and the communities from which they come.

Initial responding officers should document the incident thoroughly on designated agency report forms, noting any particular hate crime indicators. One way to encourage this is to ensure that the forms responding officers use when responding to a crime scene include a readily available section that requires the officers to indicate whether or not there is preliminary information or evidence that suggests the presence of a hate crime or incident. To evaluate a perpetrator's motives, officers should consider whether they exhibit signs of improper bias.

---

<sup>12</sup> For more information, see IACP Law Enforcement Policy Center documents on Response to Victims available at [www.theiacp.org/resources/policy-center-resource/victims](http://www.theiacp.org/resources/policy-center-resource/victims).

<sup>13</sup> For more information on responding compassionately and effectively to LGBTQ+ individuals and communities, see IACP's Responding to Sexual Violence in LGBTQ+ Communities resource at [www.theiacp.org/sites/default/files/all/i-IACPRespondingtoSexualViolenceinLGBTQCommunities2017.pdf](http://www.theiacp.org/sites/default/files/all/i-IACPRespondingtoSexualViolenceinLGBTQCommunities2017.pdf).

<sup>14</sup> For more information, see the IACP Law Enforcement Policy Center documents on Bias-Free Policing available at [www.theiacp.org/resources/policy-center-resource/bias-free-policing](http://www.theiacp.org/resources/policy-center-resource/bias-free-policing).

## D. Supervisory Responsibilities

Supervisors play an essential role in recognizing potential hate crimes and incidents. The elements of hate or improper bias might not be immediately visible in the initial crime response; supervisors are the next line of defense in ensuring these elements are acknowledged. This is essential because hate crimes and incidents impact both victims and the broader community.

Supervisors' immediate duties include ensuring that victims are provided with sufficient assistance. Supervisors should communicate with concerned community-based organizations, civic groups, and religious institutions about the status of the suspected or confirmed hate crime or incident.<sup>15</sup> These, as well as family members or close acquaintances, clergy or an agency chaplain, and community service agencies may be able to provide additional assistance to the victim, such as shelter, food, clothing, or childcare.

All appropriate personnel in the chain of command should be immediately notified when a potential hate crime has been identified, and updated information on the status of the investigation and the impact on the community should be provided within 48 hours. Efforts should be made to ensure that all relevant facts are documented on an incident or arrest report, and supervisors should make an initial determination as to whether the incident should be classified as a hate crime or incident for improper bias crime reporting purposes.

## E. Designated Investigators' Responsibilities

In the event of an alleged hate crime or incident, designated investigators should be focused on safeguarding the community and victims, as well as taking additional investigatory measures. The investigating officer should ensure that continuous contact is maintained with the victim. Lack of information about case status can be one of the greatest sources of anxiety for victims. Those who have been subjected to hate crimes may be particularly sensitized to law enforcement's response to their needs, both at the time of and immediately following the offense, as well as during the ongoing investigation. Additionally, members of the victim's racial, religious, national, or ethnic origin; sexual orientation, gender, or gender identity/expression; or disability group may be keenly observant of law enforcement's response to the victim and the crime. Police contact with community leaders among the victim's community group, coupled with meetings with members of that group where necessary, can help to alleviate many potential fears and misgivings about the law enforcement response. It will also give the agency the opportunity to identify any other unreported incidents of a similar nature. Studies show that when the community believes police will effectively respond to their problems, they are more likely to report crime.<sup>16</sup>

In terms of the investigation, personnel should work closely with the prosecutor's office to ensure that an adequate case is developed. Investigative personnel should coordinate with other units in the agency as well as other local and regional intelligence operations to identify any patterns, organized hate groups, and suspects potentially involved in the hate crime or incident. If necessary and available, additional resources from the federal government should be requested.<sup>17</sup>

---

<sup>15</sup> For example, see U.S. Department of Justice, "Community Relations Service," [www.justice.gov/crs](http://www.justice.gov/crs).

<sup>16</sup> National Organization of Black Law Enforcement Executives (NOBLE), *A Law Enforcement Guidebook for Responding to Racial and Religious Violence* (Landover, MD: NOBLE, October 1985), [www.ncjrs.gov/pdffiles1/Digitization/102420NCJRS.pdf](http://www.ncjrs.gov/pdffiles1/Digitization/102420NCJRS.pdf).

<sup>17</sup> Under the Hate Crime Statistics Act of 1990, as amended by the HCPA, the FBI's UCR Program collects and reports statistics on hate crimes directed at individuals because of race, religion, disability, sexual orientation, ethnicity, gender, or gender identity—as well as hate crimes committed by and directed against juveniles. The UCR Program transitioned from a Summary Reporting System (SRS) to the National Incident-Based Reporting System (NIBRS) as of January 2021. For more information, see Federal Bureau of Investigation, "UCR Technical Specifications, User Manuals, and Data Tools," <https://www.fbi.gov/services/cjis/ucr/data-documentation>; "NIBRS User Manual," <https://www.fbi.gov/file-repository/ucr/ucr-2019-1-nibrs-user-manua-093020.pdf/view>; and "30 Questions and Answers About NIBRS Transition," <https://www.fbi.gov/file-repository/ucr/30-faqs-about-nibrs-transition-oct-2018.pdf/view>.

Investigators should make a determination based on evidence and facts as to whether the incident should be classified as a hate crime or hate incident. Where possible, to ensure consistency in judgment, a single point of contact should be specially assigned the responsibility of reviewing suspected hate crime incidents and making the final decision as to the existence or nonexistence of improper bias motivation. This is important for accurate statistical reporting of such crimes/incidents on the local, state/provincial, and national levels.

It is often difficult to accurately identify hate-motivated crimes.<sup>18</sup> Generally, no single factor is sufficient to make this determination. Rather, it is often the result of cumulative information that supports this finding. It is not enough, for example, to determine that the perpetrator was biased against the victim's racial, religious, ethnic, sexual orientation, gender, gender identity/expression, or disability group. A hate crime occurs only when the offender was motivated, in whole or in part, to act criminally on account of that improper bias. In sorting out the facts of a particular situation, an investigator may wish to seek answers to the following types of questions:

- Were the offender and the victim of different racial, religious, ethnic, or national origin; sexual orientation, gender, or gender identity/expression; or disability groups?
- Would the incident have taken place if the victim and offender were part of the same groups?
- Were oral comments, written statements, or gestures made by the offender that indicates their improper bias? (For example, the offender shouted a racial epithet at the victim.)
- Were improper 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 that indicate improper bias used (e.g., the offender wore a white sheet with a hood covering their face) or left behind by the offender (e.g., a burning cross was left in front of the victim's residence)?
- Was the victim visiting a neighborhood where previous hate crimes had been committed against other members of their group and/or where tensions remain high against their group?
- Have similar incidents occurred in the same locality or at about the same time, and are the victims all of the same racial, religious, ethnic, or national origin; sexual orientation/expression, gender, or gender identity/expression, or disability group as those targeted in these incidents?
- Was the victim engaged in activities or an event promoting their personal identity?
- Did the incident coincide with a holiday, historical event, religious event, celebration, etc., relating to a date that is perceived to be of significance to a particular group (e.g., Rosh Hashanah)?
- Was the offender previously involved in a similar hate crime or a member of a gang organized around shared personal characteristics, including a school-based gang?
- 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 group and the offender's group?
- Is this incident similar to other known and documented cases of improper bias, particularly in this area? Does it fit a similar modus operandi to these other incidents?
- Has the victim been previously involved in similar situations?
- Are there other explanations or motivations for the incident, such as economic gain?
- Did the offender have some understanding of the impact their actions would have on the victim?

The presence of any of the factors mentioned above do not confirm that the incident was a hate crime or incident but might indicate the need for further investigation into motive. Victims and perpetrators can appear to be from the

<sup>18</sup> The IACP and the Lawyers' Committee for Civil Rights Under Law created an action agenda that includes actions law enforcement agencies can take to enhance their ability to effectively identify and investigate hate crimes, as well as actions they can take to enhance their work with prosecutors. *Action Agenda for Community Organizations and Law Enforcement to Enhance the Response to Hate Crimes* (2019), [www.theiacp.org/sites/default/files/2019-04/IACP\\_Hate%20Crimes\\_Action%20Agenda.pdf](http://www.theiacp.org/sites/default/files/2019-04/IACP_Hate%20Crimes_Action%20Agenda.pdf).

same race, ethnicity, nationality, gender, gender identity or expression, disability status, sexual orientation, or religion. It is the perpetrator's perception of the victim (whether accurate or not) and improper bias motivating their criminal behavior that constitutes a hate crime, rather than externally apparent differences.<sup>19</sup>

If the designated investigator determines that a hate crime or incident has occurred, the investigator should determine all the primary elements of the crime or incident and obtain the information necessary to fulfill all reporting requirements. In the event of a hate incident, the importance of hate incident data should be recognized, and all hate incidents should be thoroughly documented.

## F. Hate Incident and Hate Crime Data Collection and Reporting

Collecting, analyzing, and reporting hate crime and incident data are critical to accurately identifying the underlying reasons for these incidents so that they can be adequately addressed on enforcement and prosecutorial levels and perhaps prevented in the future.<sup>20</sup> Agencies should comply with hate crime data collection reporting requirements, such as the United States federal and state reporting requirements and should attempt to collect hate incident data.<sup>21</sup>

Every agency should develop a standard system for collecting, analyzing, and reporting incidents and/or crimes that are, in whole or in part, directed against individuals because of race, color, national origin, religion, ethnicity, gender, sexual orientation, gender identity/expression, or disability. Law enforcement investigations of hate crimes should seek to determine the primary elements of the event and obtain the information necessary to complete hate crime data collection requirements. The elements needed consist of the following:<sup>22</sup>

- Offense type
- Offender motivation
- Location
- Victim type and number of victims
- Offender information – Include the offender's race, if known, and the number of offenders. Indicate if any known offenders are under the age of 18.

Agencies might also consider collecting additional information, such as:

- **Person(s) Targeted:** Name, address, telephone number, personal background.
- **Object Targeted:** Details on the type of premises, building, or institution against which the offense was committed. For instance, public property; private property; or premises primarily used for religious, educational, residential, memorial, charitable, or cemetery purposes, or for assembly by persons of a particular race, color, national origin, religion, sexual orientation, gender, gender identity/expression, disability, or ethnicity.
- **Time and Date:** The time and date the offense was reported, as well as the time and date the offense took place.

<sup>19</sup> The decision of law enforcement officials whether to classify a crime as a hate crime and the separate decision of a local prosecutor whether or not to bring hate crime charges can be complicated. The ADL and the Cook County, Illinois, State's Attorney's Office developed a Frequently Asked Questions document to address some of the basic legal and practical considerations involved in labeling and charging a hate crime; see Anti-Defamation League and Cook County Hate Crimes Prosecution Council, *Hate Crimes Data Collection and Prosecutions: Frequently Asked Questions*, [www.adl.org/sites/default/files/documents/assets/pdf/combating-hate/HateCrimesFAQ.pdf](http://www.adl.org/sites/default/files/documents/assets/pdf/combating-hate/HateCrimesFAQ.pdf).

<sup>20</sup> For rationale on the importance of hate crime laws and more comprehensive hate crime reporting, see *In the Name of Hate: Examining the Federal Government's Role in Responding to Hate Crimes* (Washington, DC: United States Commission on Civil Rights, November 2019), [www.usccr.gov/pubs/2019/11-13-In-the-Name-of-Hate.pdf](http://www.usccr.gov/pubs/2019/11-13-In-the-Name-of-Hate.pdf).

<sup>21</sup> For example, see the National Incident-Based Reporting System (NIBRS) at [www.fbi.gov/services/cjis/ucr/nibrs](http://www.fbi.gov/services/cjis/ucr/nibrs).

<sup>22</sup> See U.S. Department of Justice, *Training Guide for Hate Crime Data Collection*, at <https://risp.ri.gov/documents/UCR/trainingd99.pdf>.

- **Means of Attack:** The instrument, tool, device, or method by which the person or property was attacked or damaged.
- **Trademark:** The mode of operation or individual identifying characteristics of the improper bias incident that may serve to distinguish the offense from others committed in a similar fashion. This element is helpful in connecting a suspect if a series of incidents have occurred, and these investigative elements can be crucial in developing an operating pattern and in identifying participation of organized hate groups.

It is a best practice for every agency to submit monthly reports on all hate crime occurrences to the appropriate state/provincial crime analysis center or central repository—and, for agencies in the United States, to the Federal Bureau of Investigation, in accordance with guidelines established pursuant to the Hate Crime Statistics Act.<sup>23</sup> Further, agencies should make information, records, and statistics collected available to any appropriate agency and to the public, including in open data released on other crimes, subject to all confidentiality requirements otherwise imposed by law.<sup>24</sup> Data may include hate incident and hate crime data. Agencies should also ensure that data is analyzed for trends and risk assessment.

In addition to hate crime data, which often falls under reporting requirements, agencies should make a concentrated effort to collect hate incident data. While hate incidents might not rise to the level of a crime, they still have a strong effect on the victim and the community as a whole. By collecting and analyzing hate incident data, agencies can get insight into patterns of hate and improper bias in their communities, prevent hate crimes, and improve community-police relations and the safety and quality of life for every individual within the community.

One challenge to the accurate reporting and collection of data is the necessity for officers to determine offender motivation. It can be difficult to ascribe motivation to offenders until they are apprehended, and the evidence of potential hate or improper bias is not always immediately visible to responders. One method to assist in identifying hate crimes and incidents is to develop a system or add to an existing records management system a function that requires personnel to indicate whether or not there is evidence that suggests the existence of a hate crime or incident prior to submitting documentation and as part of the review process. This system should allow for the reporting of cases where there may be a mixed motive that includes an improper bias motivation. Under federal guidelines in the United States, for example, a crime should be reported as an improper bias crime “if investigation reveals sufficient objective facts to lead a reasonable and prudent person to conclude that the offender’s actions were motivated, in whole or in part, by improper bias.”<sup>25</sup>

Another problem in the collection of statistical information is that many do not report hate crimes to law enforcement. Reasons for this include:

- Fear of revictimization or retaliation by the perpetrators;
- Feelings of humiliation or shame about being victimized;
- Fear of having privacy compromised;
- Uncertainty about the responsiveness and concern of law enforcement and the justice system;
- Mistrust or cultural fears of dealing with law enforcement;
- Language barriers;

<sup>23</sup> See U.S. Department of Justice, *Training Guide for Hate Crime Data Collection*, at <https://risp.ri.gov/documents/UCR/trainingd99.pdf>, and Federal Bureau of Investigation, “NIBRS User Manual,” at <https://www.fbi.gov/file-repository/ucr/ucr-2019-1-nibrs-user-manua-093020.pdf/view>.

<sup>24</sup> Police Foundation, *Releasing Open Data on Hate Crimes: A Best Practices Guide for Law Enforcement* (2018), [www.policefoundation.org/wp-content/uploads/2018/01/PF\\_Releasing-Open-Data-on-Hate-Crimes\\_Final.pdf](http://www.policefoundation.org/wp-content/uploads/2018/01/PF_Releasing-Open-Data-on-Hate-Crimes_Final.pdf).

<sup>25</sup> U.S. Department of Justice, FBI, Criminal Justice Information Services (CJIS) Division Uniform Crime Reporting (UCR) Program, *Hate Crime Data Collection Guidelines and Training Manual*, v.2.0, §2.1, 4 (2015), <https://ucr.fbi.gov/hate-crime-data-collection-guidelines-and-training-manual.pdf>.



- Fear of being deported on the part of undocumented immigrants; and
- For lesbian, gay, bisexual, or transgender people, a fear that their sexual orientation will be made known.<sup>26</sup>

## G. Community Relations and Crime Prevention

**Prevention.** There are a number of actions that should be taken to address hate crimes and hate incidents and the community's reaction to them and to help redirect community energies into constructive actions and strategies. Most of these measures are beyond the scope and purpose of this document. However, as examples, law enforcement agencies may want to consider the following:

- Establish a policy of bias-free policing throughout the agency.<sup>27</sup>
- Adopt an oath of honor and a public declaration of the agency's vision.<sup>28</sup>
- Sponsor and participate in community events and activities that promote diversity, tolerance, bias reduction, and conflict resolution.
- Collaborate with community organizations, schools, and other public agencies to develop coordinated approaches to hate crime prevention and response.
- Tailor prevention strategies toward individuals who are at risk of becoming victims or perpetrators, such as youth.
- Engage the media as partners in preventing improper bias-motivated incidents and crimes and ensure that comments from the agency to the media do not rule out improper bias motivation prematurely. Emphasize more generally that hate and discrimination have no place in the community.
- Collect and publish hate incidents and hate crimes data to indicate that this is a priority for the agency.

While individuals have a right to certain liberties and freedoms, agencies should not dismiss or diminish the significance of indications of hate and improper bias within their communities. In the United States, the First Amendment protects the right to noncriminal speech and association, which can include ideology motivated by hate or improper bias. However, organizations whose rhetoric or literature targets groups of individuals for discrimination and abuse can create an atmosphere that breeds more aggressive acts. Respecting the rights of individuals while also promoting safety and security in the community can be a difficult role for law enforcement to balance, and police must be careful in making the determination between freedom of expression and hate crimes or incidents. Law enforcement and community indifference to hate-oriented groups and their doctrines of prejudice can inadvertently send the message that the community will not take a stand against them. In the minds of perpetrators, it may even imply that their behavior is condoned by other individuals or organizations within the community. Alternatively, when law enforcement makes clear that it recognizes the harm these actions have on a community and asks people to report incidents, leaders send a message that builds trust with communities targeted for hate.

---

<sup>26</sup> A 2019 report by the Organization of Chinese Americans, *Responding to Hate Crimes: A Community Action Guide*, 3rd ed. ([www.ocanational.org/s/Hate-Incident-Community-Action-Guide-1.pdf](http://www.ocanational.org/s/Hate-Incident-Community-Action-Guide-1.pdf)) and studies by the National Organization of Black Law Enforcement Executives (NOBLE) and others have revealed that some of the most likely targets of hate violence are the least likely to report these crimes to law enforcement. In addition to cultural and language barriers, some immigrant victims, for example, fear reprisals or deportation if incidents are reported. Many new Americans come from countries in which residents would never call law enforcement—especially if they were in trouble. Gay, lesbian, and transgender victims facing hostility; discrimination; and, possibly, family pressures, may also be reluctant to come forward to report these crimes. These issues present a critical challenge for improving law enforcement response to hate violence.

<sup>27</sup> See the IACP Law Enforcement Policy Center documents on Bias-Free Policing at [www.theiacp.org/resources/policy-center-resource/bias-free-policing](http://www.theiacp.org/resources/policy-center-resource/bias-free-policing).

<sup>28</sup> See the IACP Law Enforcement Oath of Honor at [www.theiacp.org/resources/the-oath-of-honor](http://www.theiacp.org/resources/the-oath-of-honor) and the IACP Law Enforcement Code of Ethics at [www.theiacp.org/resources/law-enforcement-code-of-ethics](http://www.theiacp.org/resources/law-enforcement-code-of-ethics).



Working with victims and groups who share the personal characteristics of the victim in a constructive and professional manner to counter these threats is an important undertaking for individual law enforcement officers and the law enforcement agency as a whole.

**Response.** Communities view hate crimes and incidents as being directed not only at targeted victim(s), but also against the victim's entire identification group. Agencies should measure the impact of the hate crime or incident on the community as a whole and should direct their response to the entire community.

Efforts to respond holistically start with providing continued support to the victim, including protecting their privacy and that of their family as much as possible. Agencies may establish liaisons with formal community-based organizations and leaders to mobilize resources that can be used to assist victims and prevent future hate incidents and crimes.

From there, agencies should work with segments of the larger community to help reduce fears, stem possible retaliation, prevent additional hate crimes or incidents, and encourage any other previously victimized individuals to step forward and report those crimes or incidents, especially if an upward trend has been identified.<sup>29</sup> Above all, in the most serious crimes, agencies should meet with neighborhood groups, residents in target communities, and other identified groups as soon as possible to allay fears; emphasize the agency's concern over this and related incidents; reduce the potential for counter-violence and reprisals; and provide safety, security, and crime prevention information. Public meetings or forums designed to address the community-wide impact of hate crime, hate incidents, and violence in general may also be conducted.

An additional way to restore victimized communities is engaging the media as partners as soon as possible to provide sensitive and accurate reporting.<sup>30</sup> Information regarding hate crimes or incidents should be prepared for the media in an accurate and timely manner. In the immediate aftermath of an alleged hate crime, ensure that comments from the agency to the media or general public do not prematurely rule out improper bias motivation. Emphasize more generally that hate and discrimination have no place in the agency's community.<sup>31</sup> Note that members of the community may also request help via the media and/or social media; agencies should monitor these media and provide assistance wherever possible.

## H. Training

Police response to hate crimes influences public perception and is important to improving and sustaining perceived validity. Agencies should ensure that all employees, including communications personnel and other non-sworn staff who interact with the community, volunteers, and victim/community advocates are provided with initial and ongoing training.<sup>32</sup> This training may include information regarding:

- Recognizing what constitutes a hate crime and/or hate incident;
- Recognizing indications of hate crime and/or incident;
- Information on hate groups or ideologies;
- Understanding procedures for interacting with victims and witnesses of hate crimes and/or incidents;

---

<sup>29</sup> This is particularly important among marginalized minority groups who may be less likely to report hate crimes to the police. It is important to remember that all victims of hate crimes, *regardless of immigration status*, are entitled to full protection under the law.

<sup>30</sup> See the IACP Law Enforcement Policy Center documents on Media Relations available at [www.theiacp.org/resources/policy-center-resource/media-relations](http://www.theiacp.org/resources/policy-center-resource/media-relations).

<sup>31</sup> IACP/Lawyers' Committee, *Action Agenda for Community Organizations and Law Enforcement to Enhance the Response to Hate Crimes* (2019), [www.theiacp.org/sites/default/files/2019-04/ICAP\\_Hate%20Crimes\\_Action%20Agenda.pdf](http://www.theiacp.org/sites/default/files/2019-04/ICAP_Hate%20Crimes_Action%20Agenda.pdf).

<sup>32</sup> For example, the Collaborative Reform Initiative Technical Assistance Center (CRI-TAC) can provide customized training. See [www.theiacp.org/projects/collaborative-reform-initiative-technical-assistance-center-cri-tac](http://www.theiacp.org/projects/collaborative-reform-initiative-technical-assistance-center-cri-tac).

- The impact of hate crimes and hate incidents on victims and the importance of investigation;
- Understanding cultural competency including bias-free policing<sup>33</sup> and the role of policing in a diverse society.<sup>34</sup>

---

<sup>33</sup> For more information, see IACP Law Enforcement Policy Center documents on Bias-Free Policing available at [www.theiacp.org/resources/policy-center-resource/bias-free-policing](http://www.theiacp.org/resources/policy-center-resource/bias-free-policing).

<sup>34</sup> This includes the knowledge and understanding necessary to work effectively with individuals from a variety of backgrounds, including people from different racial, ethnic, cultural, religious, and socioeconomic backgrounds; individuals with various disabilities; individuals across a range of sexual orientations and gender identities; and other groups. In the United States, this could also include constitutional policing and the role of policing in a democratic society. See *Understanding Bias: A Resource Guide*, [www.justice.gov/crs/file/836431/download](http://www.justice.gov/crs/file/836431/download).

## APPENDIX A: CANADA'S CRIMINAL CODE: INCIDENTS MOTIVATED BY HATRED

While Canada's Criminal Code does not directly mention hate crimes, it acknowledges that incidents can be motivated by hatred, and takes this into consideration when determining the appropriate sentence. Section 718.2 of the code notes that a sentence may be increased for mitigating circumstances, such as "evidence that the offence was motivated by improper bias, prejudice or hate based on race, national or ethnic origin, language, color, religion, sex, age, mental or physical disability, sexual orientation, or gender identity or expression, or on any other similar factor."<sup>35</sup> Additionally, Section 318 lists advocating genocide toward any identifiable group as an offense.<sup>36</sup> Sections 319(1) and 319(2) mention public incitement and willful promotion of hatred as offenses.<sup>37</sup> The definition of a crime or act that is motivated by hate or improper bias varies across Canada, and incidents are evaluated on a case-by-case basis. Agencies should seek legal counsel to assist them in effectively responding to incidents and crimes involving hate in their jurisdictions.

---

<sup>35</sup> Criminal Code (R.S.C., 1985, c. C-46). Section 718.2. Justice Laws Website. <https://laws-lois.justice.gc.ca/eng/acts/C-46/section-718.2.html>.

<sup>36</sup> R.S.C., 1985, c. C-46. § 318 (1). Justice Laws Website. <https://laws-lois.justice.gc.ca/eng/acts/C-46/section-318.html>.

<sup>37</sup> R.S.C., 1985, c. C-46. § 319. Justice Laws Website. <https://laws-lois.justice.gc.ca/eng/acts/C-46/section-319.html>.

## APPENDIX B: UNITED STATES' HATE CRIME STATUTES

Further understanding of hate crimes can be found in the context of hate crime statutes. Such laws in the United States date to the Ku Klux Klan Act enacted by Congress in 1871. Since that time, federal and state legislators have recognized hate crimes as dangerous to society and have passed numerous pieces of legislation designed to target enforcement efforts against perpetrators of such acts.

In addition, as of 2020, the federal government, 46 states, and the District of Columbia and Puerto Rico have enacted statutes that provide enhanced penalties for hate crimes.<sup>38</sup> Hate crime definitions often encompass violence against individuals or groups, as well as crimes against property, such as arson or vandalism, particularly those directed against community centers or houses of worship. Agencies should consult their legal counsel for definitions of hate crimes in their jurisdictions. It should be noted that the vast majority of hate crime prosecutions are brought by state and local officials.

Hate crime prosecutions on the federal level frequently contain violations of one or more other crimes, such as the use of a firearm in the commission of a felony or obstruction of justice.<sup>39</sup> State laws, similarly, provide for enhanced penalties when an underlying crime, such as assault, trespass, or destruction of property can be proved beyond a reasonable doubt to have been motivated by hate. Additionally, victims of hate crimes may also be able to pursue civil action under federal and some state statutes for both damages and injunctive relief.

On the federal level, Section 241 of Title 18<sup>40</sup> makes it unlawful for two or more persons to conspire to injure, oppress, threaten, or intimidate an inhabitant of the United States in the free exercise or enjoyment of a right or privilege secured by the Constitution or laws of the United States. This statute requires only that a conspiracy be proven and does not require an act to take place in furtherance of that conspiracy. It also protects all inhabitants of the United States, whether or not they are citizens. An undocumented immigrant even if they have entered the country illegally, would also receive the benefits and protection of this statute. Under the federal code, in order to invoke this statute, the perpetrators of the crime must be motivated by a desire to interfere with the rights of one of the victims.

The statute defining federally protected activities, 18 U.S.C. § 245, is one of the two primary federal criminal civil rights statutes for improper bias-based violence cases that do not involve housing. Section 245 prohibits the use of force or threats of force against individuals because of their race, color, religion, or national origin while those individuals are engaged in federally protected activities. This includes interference in the right to enroll in public school or college; the right to participate in any benefit, service, or program administered by a state; employment by any private employer or state or local agency; travel in or use of a facility of interstate commerce; and enjoyment of goods or services of any place of public accommodation.

For example, one of the federally protected activities is enrolling in or attending public school or college. In a hypothetical case that may at first appear to involve a violation of this right under section 245, a group of white youths and a group of black youths attending the same school engaged in a brawl on school property. Investigation found that the dispute between them, though racially motivated to a degree, grew out of an argument at football practice between a white youth and a black youth. Was the brawl a violation of federally protected activity? It depends on the nature of the argument. In such a scenario, if the motive for the fight had nothing to do with attendance or enrollment at a public school, then it would not be a federal violation, despite its occurrence on school property and racial motivation. This

---

<sup>38</sup> In the United States, most states and the District of Columbia have hate crime laws. Consult state/provincial statutes for relevant definitions and crime categories. A listing of state laws in the United States is available at [www.adl.org/media/13726/download](http://www.adl.org/media/13726/download) and <https://www.adl.org/adl-hate-crime-map>. See also U.S. Department of Justice, "Hate Crimes: Laws and Policies," [www.justice.gov/hatecrimes/laws-and-policies](http://www.justice.gov/hatecrimes/laws-and-policies), and NAACP, *State-by-State Hate Crime Laws*, at <https://www.naacp.org/wp-content/uploads/2017/09/Hate-Crimes-laws-by-state.pdf>.

<sup>39</sup> For example, see information from the FBI at <https://www.fbi.gov/investigate/civil-rights/hate-crimes> and from the DOJ at <https://www.justice.gov/hatecrimes>.

<sup>40</sup> 18 U.S.C. § 241.

example illustrates that it is sometimes difficult to define a violation of this and other federal and state hate crime statutes. The true motivation of a defendant can be very difficult to prove even though criteria have been developed to define hate crime and improper bias.

U.S. law, in 18 U.S.C. § 247, criminalizes attacks on religious property and obstructions of persons who are enjoying the exercise of their religious beliefs. This statute was amended by the Church Arson Prevention Act of 1996 (Public Law 104-155) that covers racially motivated church burnings and bombings, as well as acts of desecration motivated by religious animus when the defendant has traveled in interstate commerce or has used a facility or instrumentality of interstate commerce. In addition, a 2018 amendment to section 247, criminalized bomb threats and other violent threats against religiously affiliated organizations, including schools and community centers.<sup>41</sup>

The criminal portion of the Fair Housing Act of 1968, 42 U.S.C. § 3631, prohibits housing-related violence on the basis of race, color, religion, sex, handicap, familial status, or national origin. The types of violence usually prosecuted under this section include cross burning, fire bombing, arson, gunshots, rock throwing, and vandalism; fact patterns that indicate attempts to intimidate residents into vacating their homes or property. The statute includes sellers, buyers, landlords, tenants, and real estate agents. Federal prosecutors have also used 18 U.S.C. § 248, the Freedom of Access to Clinic Entrances (FACE) Act (Public Law 103-259), to combat violence or interference with any person lawfully exercising or seeking to exercise the First Amendment right of religious freedom at a place of religious worship.

Also on the federal level, in 1994 Congress enacted the Hate Crime Sentencing Enhancement Act.<sup>42</sup> This provision requires the U.S. Sentencing Commission to increase the penalties for crimes in which the victim was intentionally selected because of the actual or perceived race, color, religion, national origin, ethnicity, gender, gender identity, disability, or sexual orientation of any person.

In 2009, Congress enacted the Matthew Shepard and James Byrd, Jr., Hate Crimes Prevention Act (HCPA), which complements existing hate crime laws and eliminates jurisdictional obstacles to federal involvement in these cases.<sup>43</sup> The HCPA provides limited jurisdiction for federal law enforcement officials to investigate and prosecute certain violent hate-motivated crimes in which the victim was attacked because of their actual or perceived race, religion, disability, sexual orientation, ethnicity, gender, or gender identity. In addition, under the HCPA, at the request of a state, local, or tribal law enforcement agency, the U.S. Attorney General may provide technical, forensic, prosecutorial, or any other form of assistance in hate crime investigations or prosecutions. Federal support—through training or direct assistance—can help ensure that hate-motivated violence is effectively investigated and prosecuted.

The HCPA does not punish thought or speech. In fact, the text of the HCPA emphasizes that nothing in the law should be inferred to restrict an individual's freedom of speech. In 1993, in *Wisconsin v. Mitchell*,<sup>44</sup> the U.S. Supreme Court unanimously upheld the constitutionality of the Wisconsin penalty-enhancement statute, effectively removing any doubt that state legislatures may properly increase the penalties for criminal activity in which the victim is intentionally targeted because of their race, religion, disability, sexual orientation, ethnicity, gender, or gender identity. The court found that the penalty enhancement statute did not violate an individual's First Amendment right to free speech, as the statute focuses not on a defendant's prejudices, but rather on the defendant's criminal actions, which were based upon those prejudices.

---

<sup>41</sup> Protecting Religiously Affiliated Institutions Act of 2018, Public Law 115-249, September 28, 2018.

<sup>42</sup> 28 U.S.C. § 994.

<sup>43</sup> 18 U.S.C. § 249, Public Law 111-84, Division E (2009). For a review of the HCPA and state hate crime laws, see "A Guide to State-Level Advocacy Following Enactment of the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act," Human Rights Campaign, <http://www.hrc.org/resources/entry/a-guide-to-state-level-advocacy-following-enactment-of-the-matthew-she>.

<sup>44</sup> *Wisconsin v. Mitchell*, 508 U.S. 476 (1993).

While bigotry cannot be outlawed, hate crime statutes demonstrate an important commitment to confront criminal activity motivated by prejudice.<sup>45</sup>

However, not all states have comprehensive, inclusive coverage of all types of victims.<sup>46</sup> Some state laws also prohibit more specific hate crime–related activities such as the burning of crosses, wearing of masks, and operation of secret societies.

---

<sup>45</sup> For a review of hate crime laws and their rationale, see <https://www.adl.org/media/2143/download>. A comprehensive chart listing all U.S. state statutes on hate and bias crimes is available at <https://www.adl.org/adl-hate-crime-map>. ADL also provides extensive information on hate violence and response to hate crimes on its website at [www.adl.org](http://www.adl.org). The Leadership Conference on Civil and Human Rights also provides resources and links on hate crime analysis and response on its website at [www.civilrights.org](http://www.civilrights.org).

<sup>46</sup> A listing of state laws in the United States is available at <https://www.adl.org/adl-hate-crime-map> and [www.adl.org/media/13726/download](http://www.adl.org/media/13726/download). See also U.S. Department of Justice, “Hate Crimes: Laws and Policies,” [www.justice.gov/hatecrimes/laws-and-policies](http://www.justice.gov/hatecrimes/laws-and-policies), and NAACP, *State-by-State Hate Crime Laws*, at <https://www.naACP.org/wp-content/uploads/2017/09/Hate-Crimes-laws-by-state.pdf>.



## APPENDIX C: HISTORICAL AND RECENT CANADIAN STATISTICS

The total number of police-reported hate crimes rose in Canada from 1,295 in 2014 to 2,073 in 2017. However, 2018 marked the first drop in Canadian hate crimes in 5 years; hate crimes decreased from 2,073 in 2017 to 1,817 in 2018.<sup>47</sup> This appears to be due to a decline primarily in crimes against Muslims.<sup>48</sup> However, as many incidents are not reported to the police, it is unclear what the actual numbers may be.

---

<sup>47</sup> Statistics Canada. Table 35-10-0066-01 Police-reported hate crime, by type of motivation, Canada (selected police services). Available at <https://www150.statcan.gc.ca/t1/tbl1/en/tv.action?pid=3510006601&cubeTimeFrame.startYear=2014&cubeTimeFrame.endYear=2019&referencePeriods=20140101%2C20190101>.

<sup>48</sup> Greg Moreau. (2020, February 26). Police-reported hate crimes in Canada, 2018. Statistics Canada. Available at <https://www150.statcan.gc.ca/n1/pub/85-002-x/2020001/article/00003-eng.htm>.

## APPENDIX D: UNITED STATES HATE CRIME HISTORICAL STATISTICS

Over the years, one of the greatest barriers to confronting and overcoming hate violence on national, state, and local levels has been the lack of firm statistical data on the incidence and nature of those crimes. While several states had implemented programs to capture this information from local authorities, most law enforcement agencies previously had no reporting requirements of this type. On a national level, only the Anti-Defamation League (ADL) collected hate-related crime statistics and, in that case, only as it related to anti-Semitic incidents.

In response to a growing concern about hate crimes, Congress passed, and on April 23, 1990, President George H.W. Bush signed, the Hate Crime Statistics Act (HCSA) of 1990. Guidelines were developed as part of the FBI's Uniform Crime Reporting (UCR) Program<sup>49</sup> to collect 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."<sup>50</sup> In 1994, Congress expanded coverage of the HCSA to require FBI reporting on crimes based on disability. The HCSA amended the HCSA to require FBI reporting on crimes based on gender and gender identity, as well as hate crimes committed by or directed against juveniles.

Many states and the District of Columbia require the collection of hate crime data. Participation in the FBI's national reporting program, which—like the rest of the UCR Program—is voluntary, has increased over the years. As of 2018 (the most current year for which statistics are available), 16,039 law enforcement agencies voluntarily reported 7,120 improper bias-motivated criminal acts to the FBI.<sup>51</sup> This represents some of the highest participation in the HCSA program since its inception. Yet, in spite of the progress that has been made in this reporting effort, measurement and reporting challenges make it impossible to determine, with any degree of certainty, the actual magnitude of hate crimes or whether the rate of these crimes has been rising or falling over the years.<sup>52</sup> Indeed, a major challenge to the accurate reporting of hate crimes is the necessity for officers to determine offender motivation. Understandably, many officers and reporting agencies are reluctant to ascribe improper bias motivation to offenders until incidents can be thoroughly investigated or offenders apprehended. Nevertheless, the FBI suggests a protocol that law enforcement agencies can follow to determine whether improper bias motivation exists.<sup>53</sup> Another major problem in collection of statistical information is that many, if not most, victims do not report hate crimes to law enforcement.

Considering these and other factors, UCR hate crime statistics undoubtedly underrepresent the actual occurrence of these crimes. But, from the data that is available, a basic profile of hate crime motivations can be estimated. Of the 7,036 single improper bias-motivated crimes reported in 2018, 59.6 percent were motivated by racial or ethnic bias, 16.7 percent by sexual orientation bias, 18.7 percent by religious bias, .7 percent by gender bias, 2.2 percent gender identity bias, and 2.1 percent by disability bias.<sup>54</sup>

---

<sup>49</sup> U.S. Department of Justice, FBI, CJIS Division UCR Program, *Hate Crime Data Collection Guidelines and Training Manual*, v.2.0, (2015, February 27), <https://www.fbi.gov/file-repository/ucr/ucr-hate-crime-data-collection-guidelines-training-manual-02272015.pdf/view>.

<sup>50</sup> Hate Crime Statistics Act (1990), <https://www.congress.gov/bill/101st-congress/house-bill/1048/text/enr>.

<sup>51</sup> U.S. Department of Justice, FBI, "Hate Crime Statistics 2018," (2019, November 12). <https://ucr.fbi.gov/hate-crime/2018/resource-pages/hate-crime-summary>.

<sup>52</sup> A November 2005 report by Caroline Wolf Harlow for the Bureau of Justice Statistics entitled *Hate Crime Reported by Victims and Police* extrapolated that there was an annual total of 191,000 hate crimes. If true, this would indicate that the actual level of hate crimes is between 19 to 31 times higher than the level reported for the last 15 years. See Harlow, C. W. *Hate Crime Reported by Victims and Police*. U.S. Department of Justice. <http://www.bjs.gov/content/pub/pdf/hcrvp.pdf>.

<sup>53</sup> U.S. Department of Justice, FBI, CJIS Division UCR Program, *Hate Crime Data Collection Guidelines and Training Manual*, v.2.0, (2015, February 27), <https://www.fbi.gov/file-repository/ucr/ucr-hate-crime-data-collection-guidelines-training-manual-02272015.pdf/view>.

<sup>54</sup> U.S. Department of Justice, FBI, "Hate Crime Statistics 2018: Victims." <https://ucr.fbi.gov/hate-crime/2018/topic-pages/victims>.

These numbers, as reported to the FBI, strongly suggest a serious undercounting of hate crimes in the United States—and the need for more training and education on the importance and utility of hate crime data collection as a tool for law enforcement in preventing these impactful community disturbances and advancing police-community relations.<sup>55</sup>

---

<sup>55</sup> FBI Director James B. Comey addressed this issue in an April 2014 speech to the Anti-Defamation League: “[W]e need to do a better job of tracking and reporting hate crime to fully understand what is happening in our communities and how to stop it. There are jurisdictions that fail to report hate crime statistics. Other jurisdictions claim there were no hate crimes in their community—a fact that would be welcome if true. We must continue to impress upon our state and local counterparts in every jurisdiction the need to track and report hate crime. It is not something we can ignore or sweep under the rug.” (2014, April 28). Anti-Defamation League National Leadership Summit. <https://www.fbi.gov/news/speeches/the-fbi-and-the-adl-working-toward-a-world-without-hate>.

## APPENDIX E: UNITED STATES RECENT TRENDS IN IMPROPER BIAS–MOTIVATED CRIME

Over the last several years, the United States has seen an increase in reported hate crimes targeting both people and property. For the first time, in 2017, the FBI reported a consecutive three-year annual increase in hate crimes, and the largest one-year increase since 2001. The percentage increase was the biggest in 10 years.<sup>56</sup> According to data available from the FBI, in 2019, 15,588 agencies reported 7,314 hate crimes.<sup>57</sup> This total represented a very slight decrease from the previous year, when 7,175 hate crimes were reported. However, in 2018, hate crimes in the form of physical assaults increased over the previous year, accounting for 61 percent of the incidents classified as hate crimes by law enforcement officials. Indeed, personal attacks motivated by improper bias or prejudice, including hate crimes that involved the physical or verbal assault of a person, reached a 16-year high in 2018, with a record number of hate crimes homicides reported (24 murder victims). Homicide victims include the 11 worshipers slain at the Tree of Life Synagogue in Pittsburgh, the deadliest anti-Semitic crime in U.S. history.<sup>58</sup>

In 2018, as in every year for which data is available, race-based hate crimes were the most common type of hate crime. Almost 50 percent of crimes targeting people on the basis of race were directed against African Americans. There was a significant increase in violence against Latinx individuals (13 percent over one year, and 48 percent over five years). As noted below, this reflects a long-standing and increasing trend of violence targeting people who are perceived to be immigrants or who are immigrants. In 2018, hate crimes targeting people on the basis of sexual orientation increased by 8 percent, and anti-transgender hate crimes rose a significant 42 percent. In 2018, there was a 37 percent increase in hate crime incidents committed on the basis of disability, almost tripling the recorded average between 1997, when the FBI started tracking disability-based crimes, and 2017.

Reported hate crimes on the basis of religion decreased overall about 8 percent in 2018 from 2017, but almost 60 percent of religious hate crime attacks targeted Jews and Jewish institutions in 2018. Muslims were the next most frequently targeted group on the basis of religion, with almost 15 percent of crimes targeting Muslims or Muslim institutions. While the number of reported anti-Muslim hate crimes in 2018 and 2017 represented a slight decline from previous years, anti-Muslim hate crimes had been increasing over the previous three years, with a dramatic increase of 67 percent between 2014 and 2015, and a subsequent increase of 19 percent in 2016.<sup>59</sup> Reported attacks against Sikhs also tripled, from 20 incidents in 2017 to 60 in 2018.

Other notable trends over multiple years include a significant increase in acts of intimidation, vandalism, and violence toward Muslims. Following the September 11, 2001, terrorist attacks, the nation witnessed a wave of attacks against Americans and others who appeared to be Muslim, Sikh, Middle Eastern, or South Asian. These incidents, many involving youthful offenders, included vandalism, intimidation, assaults, and several murders at places of worship, schools, neighborhood centers, grocery stores, gas stations, restaurants, and homes. In 2000, out of 8,063 hate crime incidents reported to the FBI, 28 were motivated by an anti-Muslim bias. However, in 2001, that number jumped to 481 out of 9,730 total hate crime incidents. In 2017, out of 7,175 incidents, 273 were motivated by anti-Muslim bias. In addition, hate crimes committed because of the actual or perceived national origin of the victim increased from 911 in 2000 to 2,098 in 2001.

In addition, members of South Asian communities remain frequent targets of hate violence. Over the past few years, there has been substantial evidence that these communities have been targeted for violence and vandalism because of their religious practices, appearance, and apparel—including distinctive beards, turbans, traditional religious symbols on the forehead or head coverings. In response, civil rights and religious groups and members of Congress elevated their call for

<sup>56</sup> U.S. Department of Justice, FBI, 2019 Hate Crimes Statistics, <https://ucr.fbi.gov/hate-crime/2019>.

<sup>57</sup> U.S. Department of Justice, FBI, “Hate Crime Statistics 2018: Incidents and Offenses,” <https://ucr.fbi.gov/hate-crime/2018/topic-pages/incidents-and-offenses>.

<sup>58</sup> ADL Statement on Synagogue Shooting in Pittsburgh, 2018, available at <https://www.adl.org/news/press-releases/adl-statement-on-synagogue-shooting-in-pittsburgh>.

<sup>59</sup> U.S. Department of Justice, FBI, 2017 Hate Crimes Statistics, Victims. <https://ucr.fbi.gov/hate-crime/2017/topic-pages/victims>.

the FBI to collect data on Arab, Sikh, and Hindu victims of hate crimes. The FBI Hate Crime Statistics Act report was the first to include anti-Arab, anti-Sikh, and anti-Hindu hate crimes (and several other religious categories). The updated FBI HCSA training manual includes a section called Special Considerations when Working with Victims from Arab, Hindu, Muslim, Sikh, and South Asian Communities.

One byproduct of the current national policy debate over immigration policy has been a sustained number of violent assaults and attacks on people in the Latinx community, including Latinx Americans whose families have been here for generations. The level of violent attacks against Latinx citizens and immigrants—and those perceived to be immigrants—over the past decade correlates closely with the debate over comprehensive immigration reform and an escalation in the level of anti-immigrant speech on radio, television, and the internet. As noted above, in 2018, there was a significant increase in violence against Latinx individuals (13 percent over one year), continuing a disturbing trend that saw a 48 percent increase over five years.

The ADL and several organizations have documented an increase in anti-immigrant speech and violent assaults committed against these individuals. Concerns around cooperation between local law enforcement and federal law enforcement on immigration issues has further increased fear of reporting of all crimes, including hate crimes. It is important that law enforcement engage these communities and victims of hate crimes, including local community organizations that may work with immigrants, to share information about protections that are available to people who are targeted for hate crimes.<sup>60</sup>

## Increasing Number of Domestic Hate Groups

Several nongovernmental institutions that track the number of hate groups, including white supremacist and white nationalist groups, in the United States are reporting record increases over the last several years. ADL's Hate, Extremism, Anti-Semitism, Terrorism (H.E.A.T.) map details incidents across the country, including many hate incidents including white supremacists and other right-wing extremists.<sup>61</sup> Using data from the H.E.A.T. map, in March 2019, ADL released a report showing that white supremacists propaganda efforts increased 182 percent, up to 1,187 documented distributions in the United States from 421 the previous year. White supremacists targeted neighborhoods and campuses with their leafletting. Racist rallies and demonstrations also increased in 2018, with at least 91 white supremacist rallies or public events up from 76 in 2017.<sup>62</sup> The Southern Poverty Law Center monitors hate groups across the United States, tracking more than 1,600 groups. Their investigative reports offer a broad understanding of organized hate groups in the United States, as well as offering more in-depth assessments of the activities of particular groups. SPLC's hate map identified approximately 1,020 groups in 2018, a record high and the fourth year of hate group growth.<sup>63</sup> SPLC's publications also include the Extremist Files, a database with information about extremist groups and individuals, as well as special studies on white nationalists and their efforts to "infiltrate the mainstream."<sup>64</sup>

## Hate Online

The internet provides extremists with an unprecedented ability to spread hate and recruit followers. Individual racists and organized hate groups now have the power to reach a global audience of millions and to communicate among like-

<sup>60</sup> Lawyers' Committee for Civil Rights Under Law, Stop Hate Project, Information for Immigrant Victims of Hate Crimes and Incidents, <https://lawyerscommittee.org/project/stop-hate-project/>.

<sup>61</sup> ADL, H.E.A.T. Map, [https://www.adl.org/education-and-resources/resource-knowledge-base/adl-heat-map?gclid=CjwKCAiA\\_P3jBRAqEiwAZyWWaEktDR6N2V7KNQWrEmzuyIrlzuOzmHXEo4vTnLIKO6Lq0-Ry4gFn8MhoCzTsQAvD\\_BwE](https://www.adl.org/education-and-resources/resource-knowledge-base/adl-heat-map?gclid=CjwKCAiA_P3jBRAqEiwAZyWWaEktDR6N2V7KNQWrEmzuyIrlzuOzmHXEo4vTnLIKO6Lq0-Ry4gFn8MhoCzTsQAvD_BwE).

<sup>62</sup> ADL, White Supremacists Step Up Off-Campus Propaganda Efforts in 2018. <https://www.adl.org/resources/reports/white-supremacists-step-up-off-campus-propaganda-efforts-in-2018>.

<sup>63</sup> SPLC, Hate Groups Reach Record High, <https://www.splcenter.org/news/2019/02/19/hate-groups-reach-record-high>.

<sup>64</sup> SPLC, Hate and Extremism, <https://www.splcenter.org/issues/hate-and-extremism>.

minded individuals easily, cheaply, safely, and anonymously. Equally troubling, internet users, particularly young people, have never been more exposed and vulnerable to the efforts of these extremists to influence, recruit, and intimidate. Moreover, there is significant evidence that the internet is playing an increasing role in facilitating self-radicalization.

Although hate speech is offensive and hurtful, the First Amendment or other applicable laws usually protect such expression. However, there is a growing trend to use the internet to intimidate and harass individuals on the basis of their race, color, religion, sexual orientation, gender, gender identity, disability, or national origin. When speech contains a direct, credible threat against an identifiable individual, organization, or institution, it becomes criminal conduct. Regardless of the mode of delivery, hate speech containing criminal threats is not protected by the First Amendment in the United States. Existing federal and state hate crime laws make it illegal to target an individual for improper bias-motivated threats, intimidation, or harassment whether sent by mail, over the phone, or over the internet.

Yet, hate crimes perpetrated over the internet present a special challenge for investigators. The ease of posting internet hate messages and threats across state lines can make perpetrators and victims difficult to identify and locate and creates special criminal jurisdictional issues. The internet is vast, and perpetrators of online hate crimes hide behind anonymous screen names, electronically garbled addresses, and websites that can be relocated and abandoned overnight.

It is imperative that law enforcement authorities keep pace with the vast changes brought on by this technology. Particularly important is the need to understand the applicability of existing federal and state statutes to improper bias-motivated criminal acts committed over the internet. Law enforcement officials and prosecutors must respond appropriately to these hate-motivated criminal acts and be prepared to investigate these crimes under those laws.

## Trends in Hate Crimes Reporting by Law Enforcement Agencies

Unfortunately, 2018 also saw a decrease in the number of police departments that voluntarily sent data to the FBI in 2018, with 110 fewer law enforcement agencies participating in the Hate Crimes Statistics Act program than in 2017. Of the departments reporting, a very high number reported that no hate crimes occurred in their jurisdiction. In 2017, more than 87 percent of the agencies that reported hate crimes to the FBI reported that they had zero hate crimes in their jurisdiction.<sup>65</sup> This number held steady in 2018.<sup>66</sup>

These numbers do not align with the experience of communities targeted for hate, nor the Department of Justice's own estimates using a survey methodology in order to get a more accurate count of hate crimes in America. The U.S. DOJ's Bureau of Justice Statistics (BJS) conducts the National Crime Victimization Survey (NCVS) twice a year. This national survey reaches between 49,000 and 77,400 households. Unlike the UCR data that is reported by law enforcement agencies, this data comes from a survey that goes directly into households. Using a sampling methodology, the most recent Hate Crime Victimization publication from the BJS showed that an average of 250,000 hate crime victimizations occurred each year from 2004 through 2015.<sup>67</sup>

The NCVS also showed that based on the survey data obtained directly from individuals, including hate crime victims, from 2011 to 2015, an estimated 54 percent of hate crime victimizations were not reported to law enforcement. While NCVS data is not available for 2017, a comparison of the 2015 data with the FBI UCR data for 2015 demonstrates the ways in which the UCR data underrepresents the number of hate crimes committed in the United States. The difference between numbers voluntarily reported by law enforcement—5,818 hate crimes—and the numbers reported by the survey of victims—an average of 250,000 per year—constitutes a stunning gap between two different data sources collected by the same DOJ.

---

<sup>65</sup> U.S. Department of Justice, FBI, "Hate Crime Statistics 2017: Incidents and Offenses." <https://ucr.fbi.gov/hate-crime/2017/topic-pages/incidents-and-offenses>.

<sup>66</sup> U.S. Department of Justice, FBI, "Hate Crime Statistics 2018: Incidents and Offenses." <https://ucr.fbi.gov/hate-crime/2018/topic-pages/incidents-and-offenses>.

<sup>67</sup> Bureau of Justice Statistics, Hate Crime Victimization, 2004-2015, <https://www.bjs.gov/content/pub/pdf/hcv0415.pdf>.



## RESOURCE GUIDE: ORGANIZATIONS

### AMERICAN ASSOCIATION OF UNIVERSITY WOMEN

1310 L Street NW, Suite 1000  
Washington, DC 20005  
(202) 785-7700  
[www.aauw.org](http://www.aauw.org)

### ANTI-DEFAMATION LEAGUE

605 Third Avenue  
New York, NY 10158  
(212) 885-7700  
[www.adl.org](http://www.adl.org)

### ASIAN AMERICANS ADVANCING JUSTICE

1620 L Street NW, Suite 1050  
Washington, DC 20036  
(202) 296-2300  
<https://advancingjustice-aaajc.org>

### DIVIDED COMMUNITY PROJECT

The Ohio State University, Moritz College of Law  
55 West 12th Avenue  
Columbus, OH 43210  
(614) 292-2631  
<https://moritzlaw.osu.edu/dividedcommunityproject>

### HUMAN RIGHTS CAMPAIGN

1640 Rhode Island Avenue NW  
Washington, DC 20036  
(800) 777-4723  
(202) 628-4160  
[www.hrc.org](http://www.hrc.org)

### LAWYERS' COMMITTEE FOR CIVIL RIGHTS UNDER LAW, STOP HATE PROJECT

1500 K Street NW, Suite 900  
Washington, DC 20005  
(202) 662-8600 (general line)  
(844) 9-NO-HATE (844-966-4283) (resource line for community members and law enforcement responding to hate incidents and hate crimes)  
<https://lawyerscommittee.org/project/stop-hate-project/>

### LEADERSHIP CONFERENCE ON CIVIL AND HUMAN RIGHTS & THE LEADERSHIP CONFERENCE EDUCATION FUND

1620 L Street NW, Suite 1100  
Washington, DC 20036  
(202) 466-3311  
[www.civilrights.org](http://www.civilrights.org)

**MATTHEW SHEPARD FOUNDATION**

800 18th Street, Suite 301  
Denver, CO 80202  
(303) 830-7400  
[www.matthewshepard.org](http://www.matthewshepard.org)

**NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE**

4805 Mt Hope Drive  
Baltimore, MD 21215  
(877) NAACP-98  
(410) 580-5777  
[www.naACP.org](http://www.naACP.org)

**NATIONAL CENTER FOR TRANSGENDER EQUALITY**

1032 15th Street NW, Suite 199  
Washington, DC 20005  
(202) 642-4542  
[www.transequality.org](http://www.transequality.org)

**NATIONAL COUNCIL OF JEWISH WOMEN**

475 Riverside Drive, Suite 1901  
New York, NY 10115  
(212) 645-4048  
[www.ncjw.org](http://www.ncjw.org)

**NATIONAL DISABILITY RIGHTS NETWORK**

820 1st Street NE, Suite 740  
Washington, DC 20002  
(202) 408-9514  
[www.ndrn.org](http://www.ndrn.org)

**NATIONAL LGBTQ TASK FORCE**

1050 Connecticut Ave NW, Suite 65500  
Washington, DC 20035  
(202) 393-5177  
[www.thetaskforce.org](http://www.thetaskforce.org)

**PFLAG**

1625 K Street NW, Suite 700  
Washington, DC 20006  
(202) 467-8180  
[www.pflag.org](http://www.pflag.org)

**SOUTHERN POVERTY LAW CENTER**

400 Washington Avenue  
Montgomery, AL 36104  
(334) 956-8200  
(888) 414-7752  
[www.splcenter.org](http://www.splcenter.org)

## ADDITIONAL RESOURCES ON IMPROPER BIAS–MOTIVATED VIOLENCE AND COUNTERACTION

### ANTI-DEFAMATION LEAGUE

- *Hate Crime Laws: The ADL Approach.* [www.adl.org/media/2143/download](http://www.adl.org/media/2143/download)
- “ADL Hate Crime Map.” [www.adl.org/adl-hate-crime-map](http://www.adl.org/adl-hate-crime-map)
- “Hate Crime Laws: Punishment to Fit the Crime.” [www.adl.org/press-center/c/hate-crime-laws-punishment-to-fit-the-crime.html](http://www.adl.org/press-center/c/hate-crime-laws-punishment-to-fit-the-crime.html)
- “Audit of Anti-Semitic Incidents 2019.” [www.adl.org/audit2019](http://www.adl.org/audit2019)

### FEDERAL BUREAU OF INVESTIGATION

- *Hate Crime Statistics, 2018.* <https://ucr.fbi.gov/hate-crime/2018>
- *Hate Crime Data Collection Guidelines and Training Manual.* [www.fbi.gov/file-repository/ucr/ucr-hate-crime-data-collection-guidelines-training-manual-02272015.pdf](http://www.fbi.gov/file-repository/ucr/ucr-hate-crime-data-collection-guidelines-training-manual-02272015.pdf)
- Director James B. Comey (speech, Anti-Defamation League National Leadership Summit, April 2014). [www.fbi.gov/news/speeches/the-fbi-and-the-adl-working-toward-a-world-without-hate](http://www.fbi.gov/news/speeches/the-fbi-and-the-adl-working-toward-a-world-without-hate)

### HUMAN RIGHTS CAMPAIGN

- *A Guide to State-Level Advocacy Following Enactment of the Hate Crimes Prevention Act.* [www.hrc.org/resources/entry/a-guide-to-state-level-advocacy-following-enactment-of-the-matthew-she](http://www.hrc.org/resources/entry/a-guide-to-state-level-advocacy-following-enactment-of-the-matthew-she)

### INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE (IACP)

- *Action Agenda for Community Organizations and Law Enforcement to Enhance the Response to Hate Crimes.* [www.theiacp.org/resources/document/action-agenda-for-community-organizations-and-law-enforcement-to-enhance-the](http://www.theiacp.org/resources/document/action-agenda-for-community-organizations-and-law-enforcement-to-enhance-the)
- *Full Report: Action Agenda for Community Organizations and Law Enforcement to Enhance the Response to Hate Crimes* (Lawyers’ Committee and IACP). [www.theiacp.org/sites/default/files/2019-04/IACP\\_Hate%20Crimes\\_Full%20Report.pdf](http://www.theiacp.org/sites/default/files/2019-04/IACP_Hate%20Crimes_Full%20Report.pdf)
- *Responding to Hate Crimes: A Police Officer’s Guide to Investigation and Prevention.* [www.theiacp.org/resources/responding-to-hate-crimes-a-police-officers-guide-to-investigation-and-prevention](http://www.theiacp.org/resources/responding-to-hate-crimes-a-police-officers-guide-to-investigation-and-prevention)
- *Hate Crime in America Summit Recommendations.* [www.theiacp.org/resources/hate-crime-in-america-policy-summit](http://www.theiacp.org/resources/hate-crime-in-america-policy-summit)

### LAWYERS’ COMMITTEE FOR CIVIL RIGHTS UNDER LAW

- *Action Agenda for Community Organizations and Law Enforcement to Enhance the Response to Hate Crimes* (Lawyers’ Committee and IACP). [http://www.theiacp.org/sites/default/files/2019-04/IACP\\_Hate%20Crimes\\_Action%20Agenda.pdf](http://www.theiacp.org/sites/default/files/2019-04/IACP_Hate%20Crimes_Action%20Agenda.pdf)
- *Full Report: Action Agenda for Community Organizations and Law Enforcement to Enhance the Response to Hate Crimes* (Lawyers’ Committee and IACP). [www.theiacp.org/sites/default/files/2019-04/IACP\\_Hate%20Crimes\\_Full%20Report.pdf](http://www.theiacp.org/sites/default/files/2019-04/IACP_Hate%20Crimes_Full%20Report.pdf)

### LEADERSHIP CONFERENCE ON CIVIL AND HUMAN RIGHTS

- *Confronting the New Faces of Hate: Hate Crimes in America 2009.* [www.protectcivilrights.org/pdf/reports/hatecrimes/lccref\\_hate\\_crimes\\_report.pdf](http://www.protectcivilrights.org/pdf/reports/hatecrimes/lccref_hate_crimes_report.pdf)
- *New Era of Public Safety: A Guide to Fair, Safe, and Effective Community Policing.* [https://civilrights.org/wp-content/uploads/Policing\\_Full\\_Report.pdf](https://civilrights.org/wp-content/uploads/Policing_Full_Report.pdf)

**NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2010**

- *The Matthew Shepard and James Byrd, Jr. Hate Crime Prevention Act: Public Law 111-84, Division E.* [www.gpo.gov/fdsys/pkg/PLAW-111publ84/pdf/PLAW-111publ84.pdf](http://www.gpo.gov/fdsys/pkg/PLAW-111publ84/pdf/PLAW-111publ84.pdf)

**ONTARIO ASSOCIATION OF CHIEFS OF POLICE**

- *Hate/Bias Crime: A Review of Policies, Practices, and Challenges.* [www.oacp.ca/en/current-issues/hate-crime.aspx](http://www.oacp.ca/en/current-issues/hate-crime.aspx)

**ORGANIZATION OF CHINESE AMERICANS**

- *Responding to Hate Incidents: A Community Action Guide.* <https://static1.squarespace.com/static/58763d1fd482e9e06a751567/t/5d5ab297a827b9000189f81f/1566225068938/Hate+Incident+Community+Action+Guide+%281%29.pdf>

**PFLAG**

- *Hate Crimes Prevention Guide & Toolkit.* [www.pflag.org/sites/default/files/Hate%20Crimes%20Guide%20%26%20Toolkit.pdf](http://www.pflag.org/sites/default/files/Hate%20Crimes%20Guide%20%26%20Toolkit.pdf)

**SOUTHERN POVERTY LAW CENTER**

- *Ten Ways to Fight Hate: A Community Response Guide.* [www.splcenter.org/20100216/ten-ways-fight-hate-community-response-guide](http://www.splcenter.org/20100216/ten-ways-fight-hate-community-response-guide)

**U.S. COMMISSION ON CIVIL RIGHTS**

- *In the Name of Hate: Examining the Federal Government's Role in Responding to Hate Crimes.* [www.usccr.gov/pubs/2019/11-13-In-the-Name-of-Hate.pdf](http://www.usccr.gov/pubs/2019/11-13-In-the-Name-of-Hate.pdf)

**U.S. DEPARTMENT OF EDUCATION**

- *Preventing Youth Hate Crime.* [www.ed.gov/pubs/HateCrime/start.html](http://www.ed.gov/pubs/HateCrime/start.html)
- *Protecting Students from Harassment and Hate Crime.* [www.ed.gov/offices/OCR/archives/Harassment/harassment.pdf](http://www.ed.gov/offices/OCR/archives/Harassment/harassment.pdf)

**U.S. DEPARTMENT OF JUSTICE**

- Hate Crimes Resources from U.S. DOJ. [www.justice.gov/hatecrimes](http://www.justice.gov/hatecrimes)
- U.S. Department of Justice, Community Relations Service. [www.justice.gov/crs](http://www.justice.gov/crs)
- U.S. Department of Justice Hate Crimes Enforcement and Prevention Initiative. *Improving the Identification, Investigation, and Reporting of Hate Crimes.* <https://cops.usdoj.gov/RIC/Publications/cops-w0895-pub.pdf>
- *Launch of the Department of Justice Community Relations Service (CRS) Transgender Law Enforcement Training Remarks by Deputy Attorney General James M. Cole.* [www.justice.gov/iso/opa/dag/speeches/2014/dag-speech-140327.html](http://www.justice.gov/iso/opa/dag/speeches/2014/dag-speech-140327.html) and by Associate Attorney General Tony West [www.justice.gov/iso/opa/asg/speeches/2014/asg-speech-140327.html](http://www.justice.gov/iso/opa/asg/speeches/2014/asg-speech-140327.html)
- *Addressing Hate Crimes: Six Initiatives That Are Enhancing the Efforts of Criminal Justice Practitioners.* [www.ncjrs.gov/pdffiles1/bja/179559.pdf](http://www.ncjrs.gov/pdffiles1/bja/179559.pdf)
- *Hate Crime Training: Core Curriculum for Patrol Officers, Detectives, and Command Officers.* [www.justice.gov/archive/crs/pubs/hct.pdf](http://www.justice.gov/archive/crs/pubs/hct.pdf)
- *A Policymaker's Guide to Hate Crimes.* [www.ncjrs.gov/pdffiles1/bja/162304.pdf](http://www.ncjrs.gov/pdffiles1/bja/162304.pdf)
- *Hate Crime Victimization, 2004–2015.* [www.bjs.gov/content/pub/pdf/hcv0415.pdf](http://www.bjs.gov/content/pub/pdf/hcv0415.pdf)
- *Lessons from a Hate Crime Detective: A Guide for Law Enforcement.* [www.niot.org/sites/default/files/cops-p313-pub.pdf](http://www.niot.org/sites/default/files/cops-p313-pub.pdf)
- *Twenty Plus Things Law Enforcement Agencies Can Do to Prevent or Respond to Hate Incidents Against Arab-Americans, Muslims, and Sikhs* [www.justice.gov/archive/crs/pubs/twentyplus.pdf](http://www.justice.gov/archive/crs/pubs/twentyplus.pdf)

© Copyright 2021. Departments are encouraged to use this document to establish one customized to their agency and jurisdiction. However, copyright is held by the International Association of Chiefs of Police, Alexandria, Virginia U.S.A. All rights reserved under both international and Pan-American copyright conventions. Further dissemination of this material is prohibited without prior written consent of the copyright holder.



**International Association of Chiefs of Police**  
44 Canal Center Plaza, Suite 200  
Alexandria, VA 22314  
703.836.6767 | FAX 703.836.4743  
**[www.theIACP.org](http://www.theIACP.org)**