

Hate Crimes in Our Communities



SEPTEMBER 18, 2019

Who We Are

ADL is a leading anti-hate organization.

Founded in 1913 in response to an escalating climate of anti-Semitism and bigotry, its timeless mission is to protect the Jewish people and to secure justice and fair treatment for all. Today, ADL continues to fight all forms of hate with the same vigor and passion. A global leader in exposing extremism, delivering anti-bias education, and fighting hate online, ADL's ultimate goal is a world in which no group or individual suffers from bias, discrimination or hate.

What We Do

ADL is fighting hate for good.

We fight against:

- Anti-Semitism
- Extremism
- Bigotry, Bias, and Discrimination
- Cyberhate

How We Do It

ADL's programs and initiatives are embedded in all aspects of society.

To confront the escalation of hate we:

- **Investigate & Research**

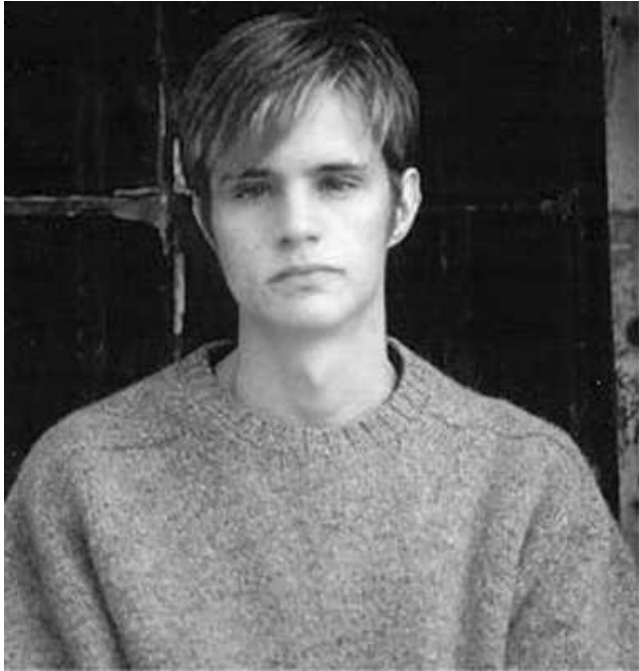
We are always on, monitoring and reporting hate incidents and extremist activity. We use advanced information and analysis to expose and disrupt anti-Semitism, bias, and hate.

- **Educate & Train**

We create anti-bias education and bullying prevention programs and training that have the power to change misperception and mistreatment. Our programs cater to students, educators, communities, law enforcement personnel, and business professionals alike.

- **Advocate and Assist**

With a strong voice, we speak out against Anti-Semitism, prejudice, and discrimination. We actively advocate for democratic values and core civil rights.





Training Goals

- Understand the difference between a bias-motivated crime and a bias-motivated incident
- Understand the legal and constitutional bases for federal and state hate crime statutes
- Understand the unique nature of bias-motivated crimes and their special impact on the victim and the victim's community
- Understand the critical role law enforcement plays in identifying and responding to bias-motivated crime

What Is a Hate Crime?

A hate crime is

- Criminal act
- Against person or property
- Victim is intentionally selected
- Because of the victim's actual or perceived:
 - Race Religion Disability
 - National Origin Gender Identity
 - Sexual Orientation Gender

Immutable Characteristics

Religion

Race

Nationality

Ethnicity

Gender

Gender Identity

Sexual Orientation

Disability





Hate Crime Law

Overview of Hate Crimes Laws

Number of States with Hate Crimes Laws?

- 46 states & the District of Columbia
- 4 states without laws: AR, GA, SC & WY

Most Recently Enacted Federal Law

- 2009 Hate Crimes Prevention Act

Working Definition

- A felony or misdemeanor motivated in whole or in part by hate, bias or bigotry

Requires underlying crime

Colorado Statute Bias-Motivated Crimes

C.R.S. § 18-9-121

- Colorado Statute uses the words “ancestry” and “color” instead of ethnicity
- Colorado Statute does not include gender.
- Law formerly known as “ethnic intimidation”

Bias-Motivated Harassment Statute

C.R.S. § 18-9-111

Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act – 2009 Federal Law

- Local law enforcement can request help from U.S. Federal Law Enforcement for hate crime investigation or prosecution
- Applies to violent felonies motivated by prejudice based on actual or perceived:

Race Color National Origin Religion

Gender Sexual orientation Gender identity

Disability

Examples for Discussion

Hate crimes? You decide.

Temple Beit Torah

Aug. 4, 2017, Colorado Springs, Colorado



Islamic Center of Fort Collins

March 26, 2017, Fort Collins, Colorado



Recognizing Bias-Motivated Crimes

- Perpetrator and victim have different characteristics
- Location
- Comments
- Timing
- Level of violence
- Previous crimes in the area, patterns
- Perpetrator's group affiliation/membership
- Tattoos
- Graffiti

Language Indicators

- Language is a key indicator of bias motivation
- Epithets are most common
- Words and phrases connected to their beliefs
- Accuracy of words is very important

Bias motivated incidents

[Type 1]

- **Non-criminal activity motivated by hatred, prejudice or bigotry**
- **Examples**
 - Hate speech
 - Hate rallies
 - Display of offensive materials on one's property
 - Distribution of hate flyers
 - Posting of hate materials that does not damage property



Bias motivated incidents

[Type 2]

Criminal conduct which is motivated by bias, but does not meet the burden required by the criminal statute

- When conduct is not directed at a specific target, such as hateful graffiti on public property
- When it is impossible to prove intentional selection of the victim



The special impact of bias crimes

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

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



Hate crimes have a double impact

- Impact on individual victims
- Impact on the community



Impact on individual victim

- Hated for individual characteristics
- Powerless to prevent repeat crime
- No negotiating power
- 2X as likely to cause physical injury
- 4X as likely to lead to hospitalization



Impact on community

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





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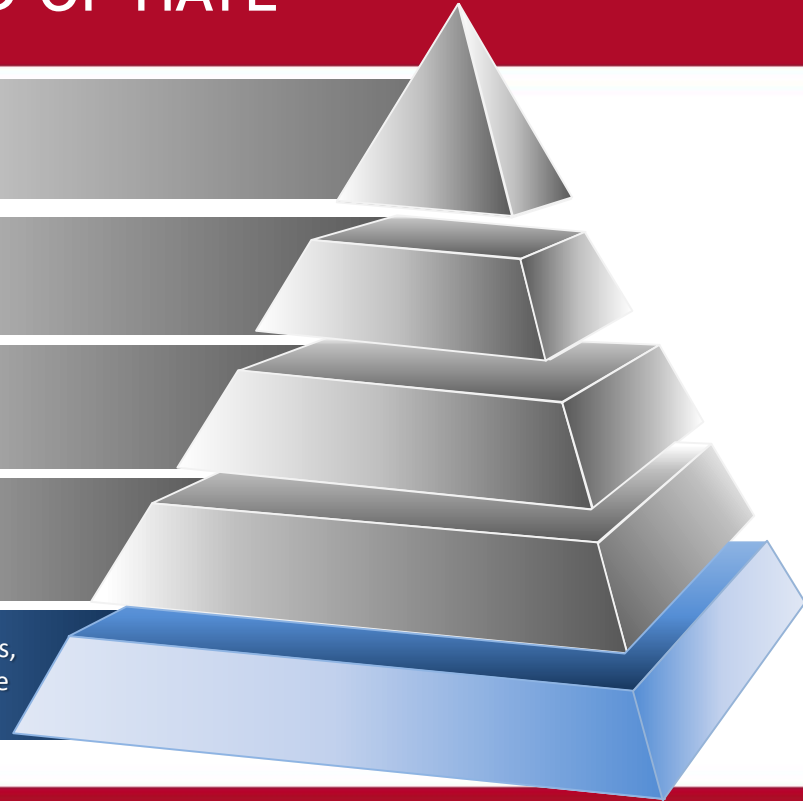


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BIASED ATTITUDES

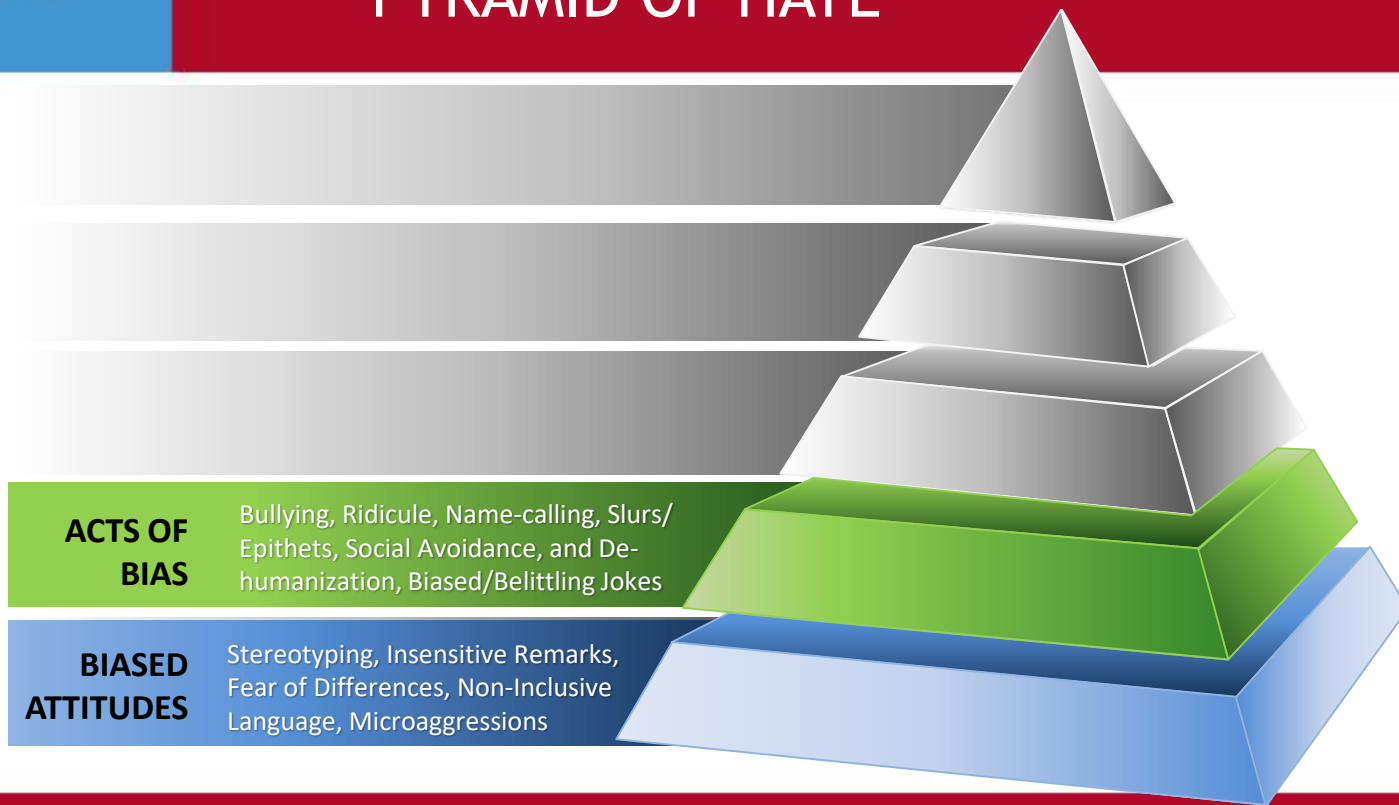
Stereotyping, Insensitive Remarks,
Fear of Differences, Non-Inclusive
Language, Microaggressions





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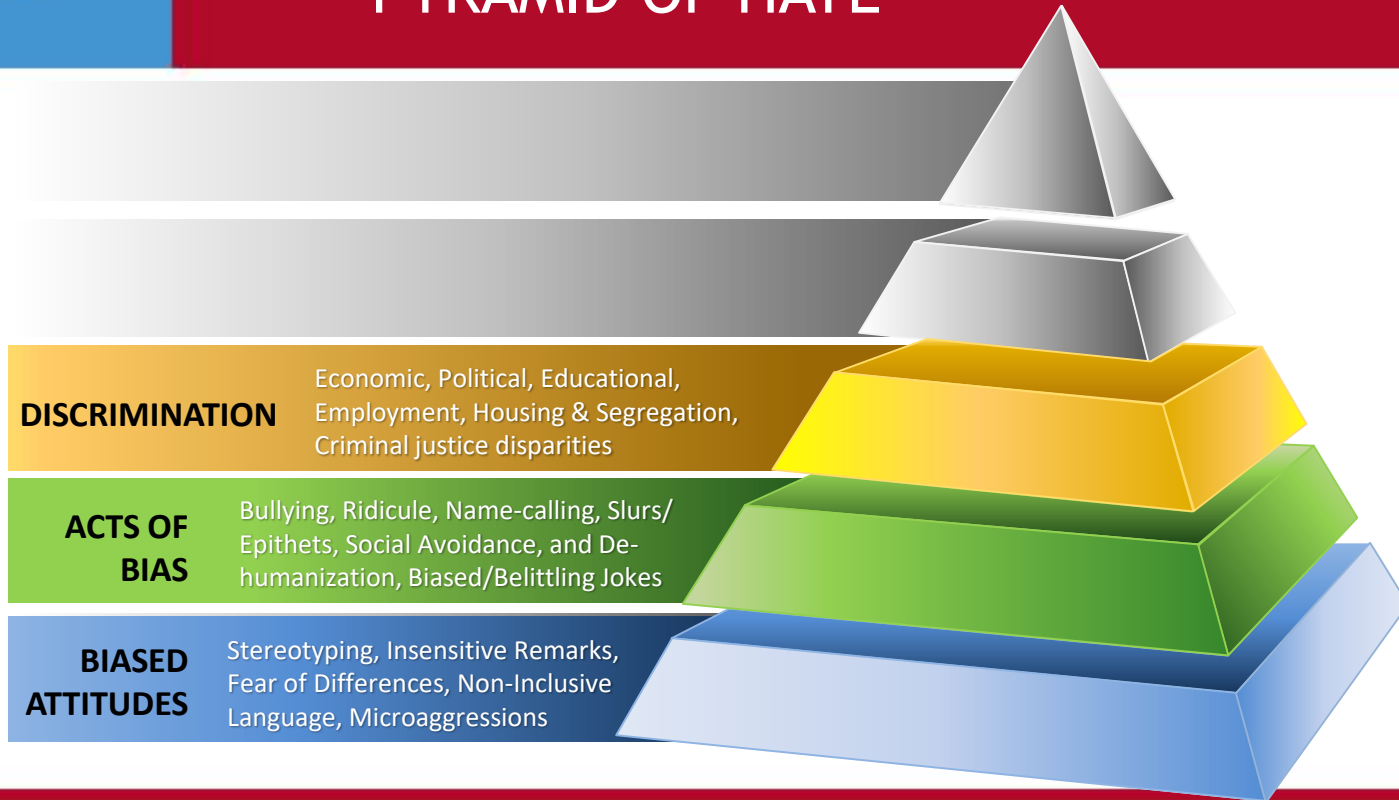
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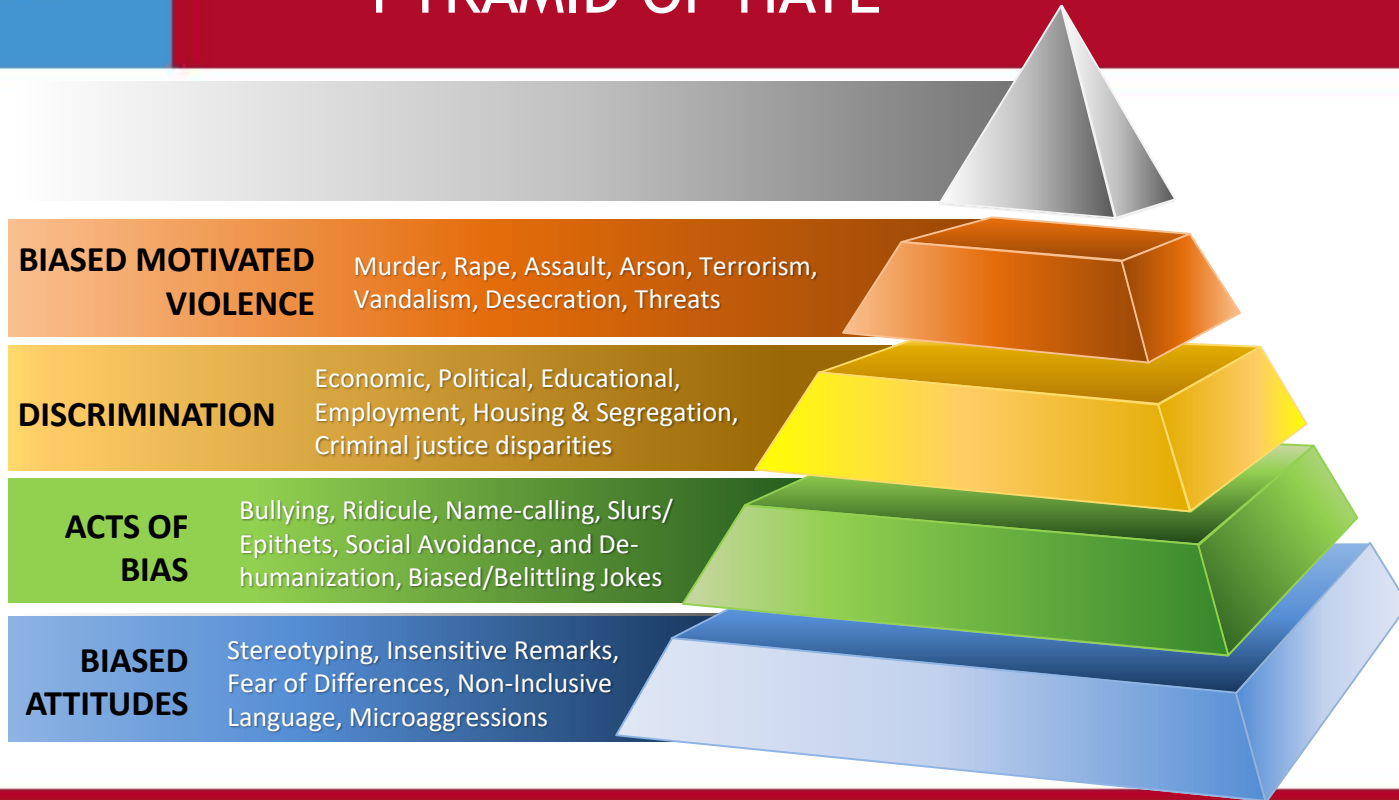
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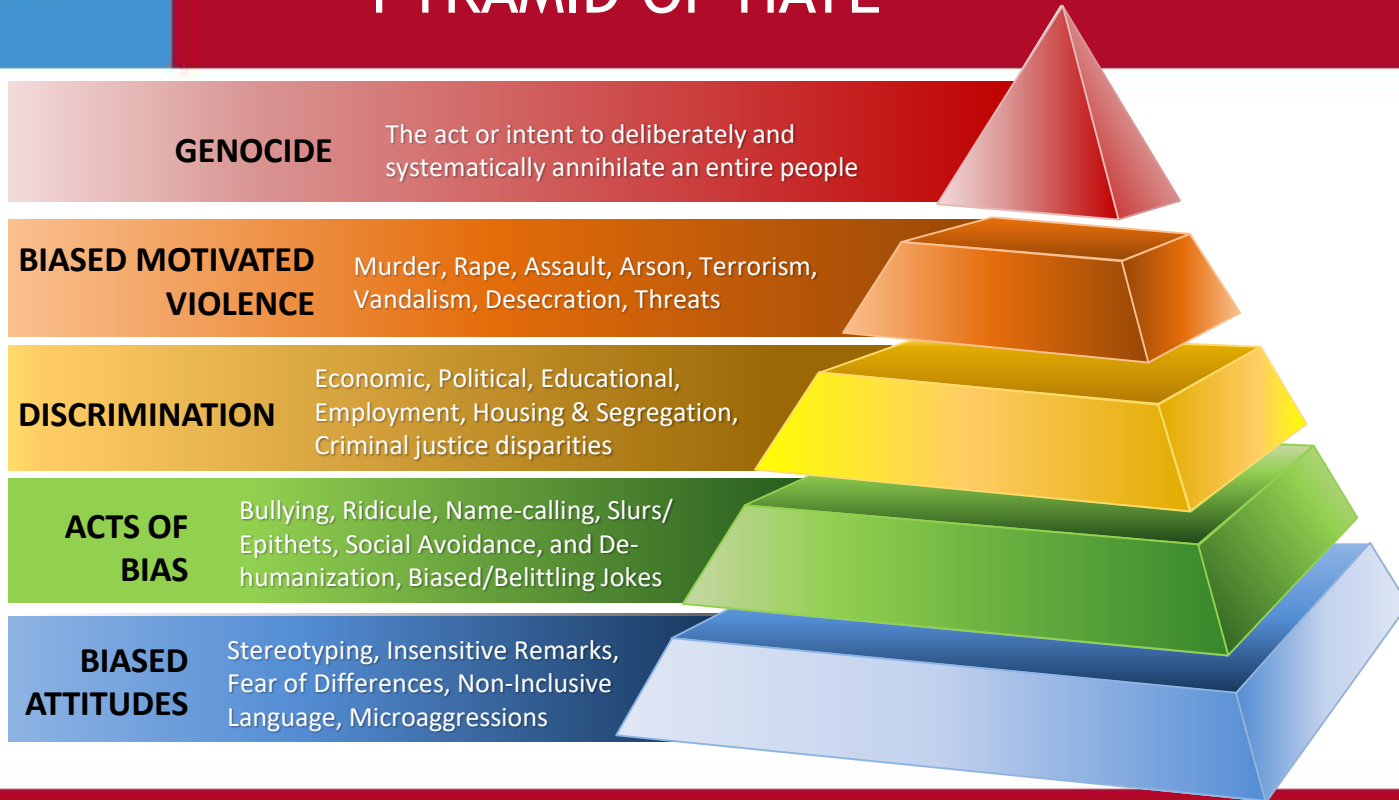
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Responding to hate crimes and incidents



Law enforcement has three primary roles

- The first to arrive
- Investigating
- Community relations

The first to arrive

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



Investigator—being thorough

- Ask victim whether he or she has any idea what motivated the crime.
- Ask victims to recall, to the best of their ability, the exact words of the offender.
- Photograph any words or symbols which may have been left by the offender.
- Interview witnesses to document circumstances and motive.
- Record the exact wording of statements made by offender.



Interviewing victims

- Assign only one officer, where possible, to minimize trauma
- Discuss victim's concerns—anonymity, safety
- Allow victim to use her/her own words
- Avoid assumptions
- Keep victim informed of your actions
- Refer victim to support services and community resources
- Emphasize that you take these matters seriously



Statistics and Reporting

Hate Crimes

Hate crimes increased in 2015 through 2017 after a ten-year declining trend.

- Nationwide: 7,175 incidents in 2017; 6,121 incidents in 2016; 5,850 in 2015.
- Colorado: 106 incidents in 2017; 104 incidents in 2016; 107 incidents in 2015
- Three largest categories: race-based, religion-based, sexual-orientation based hate crimes

2017 FBI Uniform Crime Report (UCR)

	<u>2017</u>	<u>2016</u>
Total Reported Incidents	7,175	6,121
Racial Bias/Ethnicity/Nat'l Origin	4,131	3,498
Anti-Black	2,013	1,739
Anti-White	741	720
Anti-Native American	251	154
Anti-Hispanic	427	344
Sexual Orientation	1,130	1,076
Gender Identity	119	124
Religion	1,564	1,273
Anti-Jewish	938	684
Anti-Islamic	273	307
Anti-Catholic	73	62
Disability	116	70

2017 Reported Colorado Hate Crimes

	<u>2017</u>	<u>2016</u>
Race/Ethnicity	61	67
Sexual Orientation	18	23
Religion	26	19
Gender Identity	1	0
Disability	1	0

2018 Colorado Hate Crimes

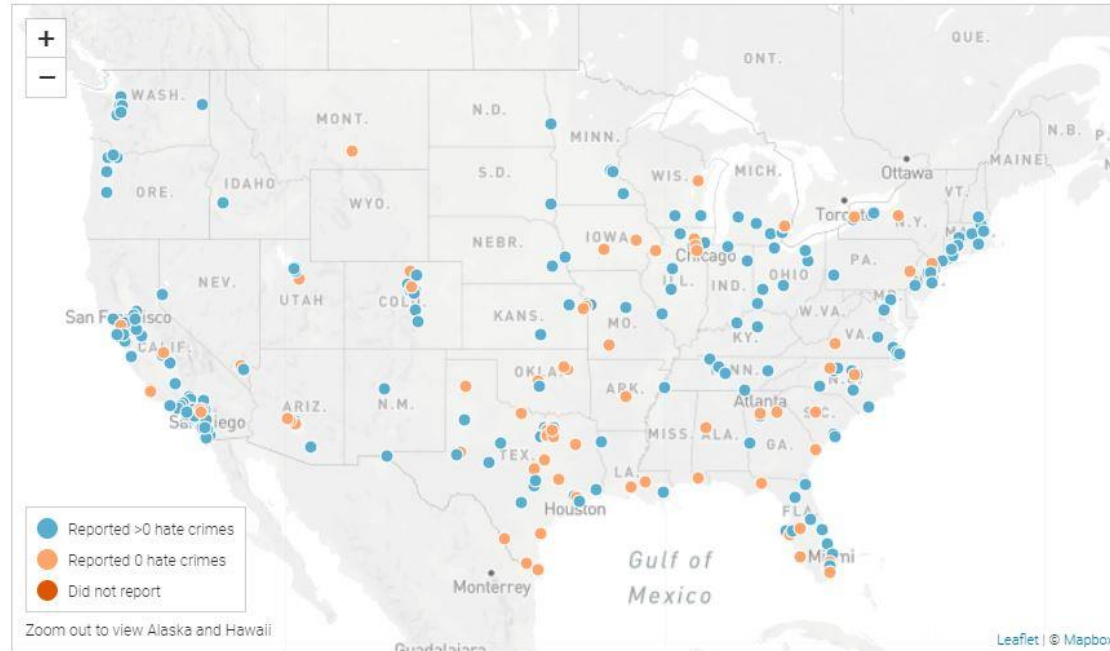
- August 2019 report from the Colorado Bureau of Investigation:

187 reported hate crimes in 2018 in Colorado; 96 in 2017

114 cases of race-based bias, 27 against Hispanics/Latinos



ADL Hate Crime Map



All the cities displayed on this map reflect cities over 100,000 in population.
The state and national totals below contain information on all cities.

Why hate crime reporting is important

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

Colorado Coalition Against Hate

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American Civil Liberties Union of Colorado (ACLU-CO)
American Friends Service Committee (AFSC)
Anti-Defamation League Mountain States Region (ADL)
Asian Pacific Development Center
The Center – Advancing LGBT Colorado
Colorado Cross-Disability Coalition
Colorado Immigrant Rights Coalition (CIRC)
Colorado Latino Leadership, Advocacy & Research Organization (CLLARO)
Colorado Resilience Collaborative
Colorado Sikhs
Interfaith Alliance of Colorado
Matthew Shepard Foundation
Meet the Middle East
Multicultural Mosaic Foundation
NAACP – Aurora Branch
NAACP CO-MT-WY State Conference
One Colorado
Out Boulder County

Trends in Extremist Activity

Increases across the board.

Primary Activity in Colorado:

- Anti-Semitism
- White Supremacist Propaganda
- Hate Crimes

Anti-Semitic Incidents

Number of incidents, including acts of vandalism, harassment and assault:

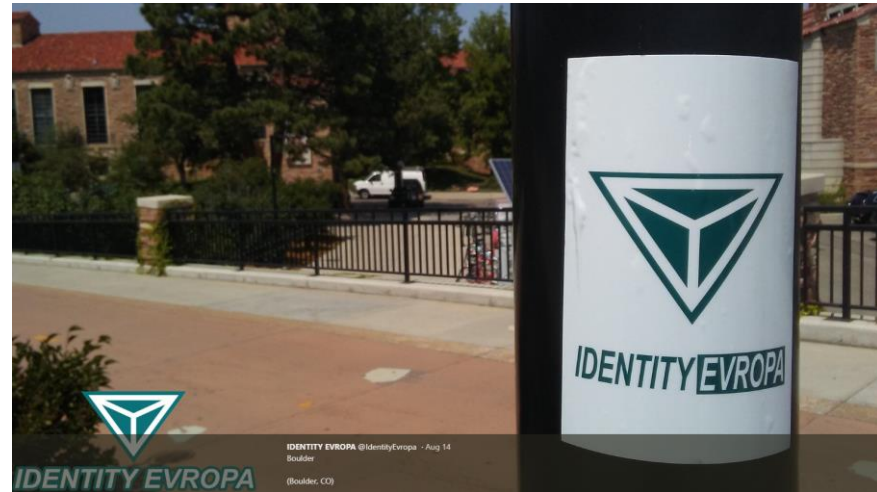
- 2018: 39
- 2017: 57
- 2016: 45
- 2015: 18
- 2014: 10
- 2013: 9



White Supremacist Propaganda and Rallies

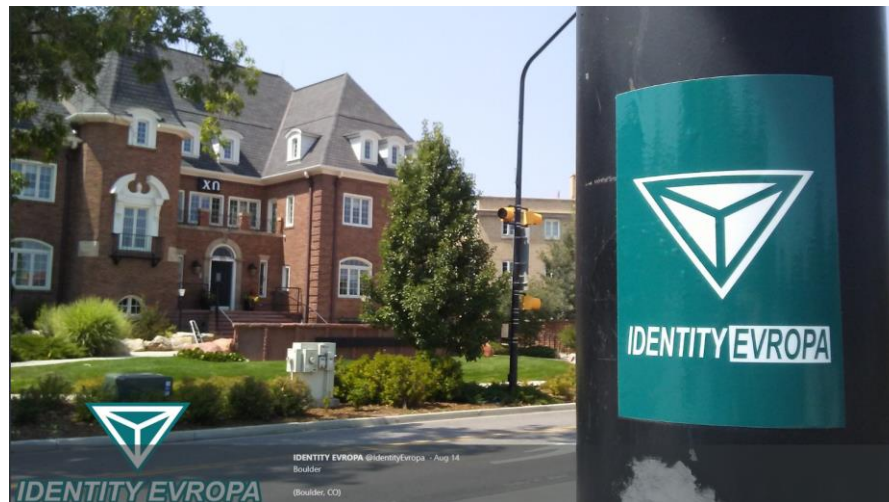
White supremacist propaganda nearly doubled on college campuses during the 2017-2018 academic year. White supremacists are increasingly targeting public spaces.

- At least 72 incidents in Colorado in 2018
 - Half of incidents in Aug./Sept.
 - Identity Evropa/Patriot Front
- At least 24 incidents in Colorado in 2019
- Thirteen college campuses targeted during '18-'19 school yr., including UCD
- Fliers, banner drops, rallies



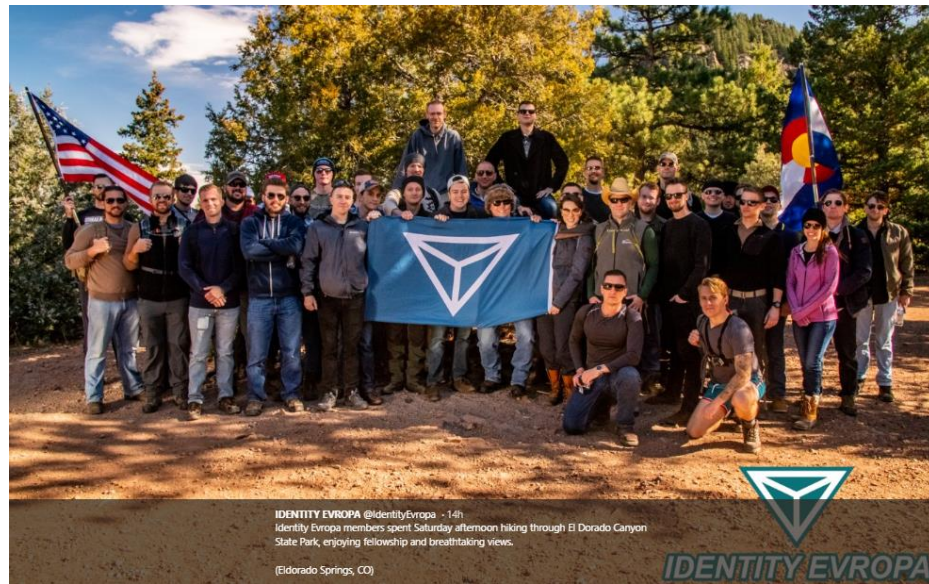
Examples: Fliers

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Examples: Rallies

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Examples: Turning Point USA Rally, Feb. 2018, CSU



Thank you