



# **HATE CRIMES: IDENTIFICATION AND REPORTING**

**BPD E-Learning 2021**

*In Partnership with the Anti-Defamation League*

# Learning Objectives

- Upon completion of this course, members will be able to:
- **Understand** why reporting hate crimes is necessary to prevent future hate crimes from occurring
- **Describe** the elements of a hate crime
- **Identify** evidence required to charge a hate crime
- Properly **investigate** and **report** hate crimes in accordance with BPD requirements



# Case Study – *Why is hate crime training necessary?*

*Click below to watch a video to learn more about this important topic.*





# IDENTIFYING HATE CRIMES

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# WHAT IS A HATE CRIME?

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A Crime

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+

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Motivated, in whole or in part, by the victim's identity as part of a protected group

**EXAMPLE:  
MALICIOUS DESTRUCTION + MOTIVATED BY BIAS AGAINST A  
PROTECTED GROUP = HATE CRIME**

What are the protected groups here?

Victims were targeted based on their Race and National Origin



In November 2016, vandals spray painted, “Trump Nation, Whites Only” on a sign outside of the Episcopal Church of Our Savior in Silver Spring, MD. The sign was advertising a Spanish-language worship service.

# 1 - CRIME

A hate crime **MUST** include an underlying criminal offense.

This can be **ANY** crime, actual or attempted

**Common examples include:**

- Malicious Destruction of Property
- Crimes of Violence (e.g. Common or Aggravated Assault, Robbery)
- Harassment



# EXAMPLE: MURDER + MOTIVATED BY BIAS AGAINST A PROTECTED GROUP = HATE CRIME

Mark Carson was standing outside a bar in a predominantly gay neighborhood.



Another man walked past him and a friend, calling them anti-gay slurs including “queers” and saying “you look like gay wrestlers”



A verbal confrontation ensued, and Carson was shot.



The killer was convicted of second-degree murder and a hate crime.

*Memorial for Mark Carson, victim of an anti-gay hate crime  
New York City, 2013*



What is the protected group here?

Victim was targeted based on his Sexual Orientation



## 2- MOTIVE

A hate crime MUST include evidence that the underlying crime was motivated, in whole or in part, by the victim's identity as or association with a member of a protected group

***What groups are protected under Maryland hate crimes law?***

**CRIME SCENE DO NOT CROSS**

# 2 - MOTIVE

A hate crime needs to be motivated, in whole or in substantial part, by the victim or group's:

Race

Color

Religious beliefs

Sexual orientation

Disability

National origin

Or if the victim or group is Homeless



# DEFINITIONS

The categories of “sexual orientation” and “homeless” have specific definitions under Maryland law.

“Sexual orientation” means

The identification of an individual as to male or female homosexuality, heterosexuality, bisexuality, or gender-related identity.



# SEXUAL ORIENTATION: GENDER, EXPRESSION, AND IDENTITY

## Gender

A person's male/female birth assignment.

## Gender Expression

The way an individual represents or expresses his/her gender identity to others through characteristics or behaviors generally classified as masculine or feminine, such as dress, appearance and mannerisms.

## Gender Identity

An individual's knowledge or sense of being male, female or another gender, which may or may not correspond to the individual's body or assigned sex at birth.



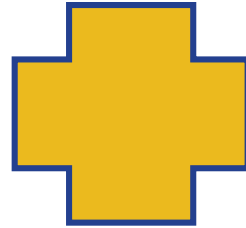
# IS THERE A HATE CRIME?

You get a call for a malicious destruction. The complainant reports that when she went to her truck in the morning, to go to work, she saw this:



# YES! THERE IS A HATE CRIME

Crime: Malicious Destruction



Motive → Bias against Protected Group: The graffiti appears to be motivated, at least in part, by the victim's identity as LGBTQ



# DEFINITIONS CONTINUED

## “Homeless” means:

- (1) lacking a fixed, regular, and adequate nighttime residence; or
- (2) having a primary nighttime residence that is:
  - (i) a supervised publicly or privately operated shelter designed to provide temporary living accommodations; or
  - (ii) a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings.



# IS THERE A HATE CRIME?

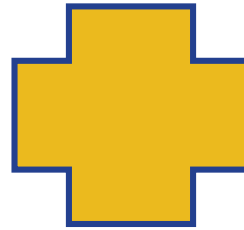
A complainant reports that a man threw rocks and glass bottles at his head while he was sleeping in his tent on the sidewalk. As the man threw the objects, he yelled at the complainant “Get a job! You are making our streets filthy!”





# YES. THIS IS A HATE CRIME

Crime: Aggravated assault



Motive → Bias against Protected Group: The assault appears to be motivated, at least in part, by the victim's identity as homeless.





**But, not all incidents involving bias against protected groups are hate crimes...**

# IS THERE A HATE CRIME?

**A Jewish family is walking near a synagogue in a predominantly Jewish neighborhood of Northwest Baltimore. They are wearing clothing and head coverings which identify them as Jewish. A man drives up to them and yells “Heil Hitler! Kill all the Jews!” and drives away.**



# NO. THIS IS NOT A HATE CRIME

While this act was motivated by bias against a group of people (Jewish people), there was no crime committed here.

This is a HATE INCIDENT, not a hate crime.

However, BPD Policy 815 still requires reporting of hate incidents, to track crimes targeting certain communities.

Members should follow all BPD reporting procedures for both hate crimes and hate incidents (outlined at the end of this presentation).



# IS THERE A HATE CRIME IN THIS SCENARIO?

Police: Man robbed 4 teens, called them anti-Semitic slurs in Towson

799  
Shares



Updated: 6:15 PM EDT Jul 15, 2020

Infinite Scroll Enabled



**Lowell Melser** f t e  
News Reporter, Meteorologist



*Scenario continued on the following slide...*



# SCENARIO

**TOWSON, Md.** — Baltimore County police are investigating a possible hate crime after a man robbed four Jewish teens at Towson Town Center and called them anti-Semitic slurs.

Police told 11 News they've arrested Seneca Rice, 34, of Parkville, who was already in custody in Baltimore City on an unrelated assault charge committed hours after the crime in Towson.



Investigators said Rice robbed four Jewish teenage boys as they left the mall. The victims told police that the suspect used anti-Semitic slurs and stole a yarmulke, a skullcap usually worn in public by Orthodox Jewish men or during prayer by other Jewish men.

"It was an anti-Semitic statement that was made from the suspect to the four juveniles," Baltimore County police Sgt. Vickie Warehime said.

Police said the alleged robbery took place July 9 near the Fairmount Avenue entrance to Towson Town Center and that Rice used a knife on his belt as a threat.

The Baltimore County State's Attorney's Office is looking into the possibility of hate crime charges because of the stolen yarmulke.



# YES. THE SCENARIO INCLUDES A HATE CRIME

## Why? This scenario includes:

- Crime: Armed Robbery +
  - Suspect threatened the victims with a knife and took their shopping bags, cell phones, and wallets
- Motivated by bias against a protected group:
  - Suspect told the teens they were “dirty Jews” and stole a yarmulke (a Jewish head covering)





# **IDENTIFYING HATE CRIMES: PROPERTY CRIMES AGAINST GROUPS**

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# PROPERTY CRIMES AGAINST GROUPS



It is a hate crime to deface, damage, or destroy, (or attempt to deface, damage or burn) group property based on the group's:



# RELIGIOUS ENTITIES

It is a hate crime to deface, damage, or destroy, or attempt to deface, damage, or destroy, the property of a religious entity.



This includes a place of worship, a cemetery, a religious school, educational facility or community center, or the grounds adjacent to them.





# BURNING AN OBJECT ON SOMEONE'S PROPERTY


- ❖ It is a hate crime to burn an object on someone's property, if there is evidence that the perpetrator did so because of animosity towards the victim's group.




# EXAMPLE

 **Kristen Clarke**   
@KristenClarkeJD

Proud Boys, white supremacists, and Trump supporters rip a [#BlackLivesMatter](#) sign down from Metropolitan AME church in D.C. During the Jim Crow era, they burned crosses. Today they seek to terrorize by targeting Black churches.

 0:04 / 0:29



# OBSTRUCTING EXERCISE OF RELIGIOUS BELIEFS

It is a hate crime for a person to use force or threat of force to obstruct or attempt to obstruct another in the free exercise of that person's religious beliefs.



A gunman opened fire in a Pittsburgh synagogue on October 27, 2018, during Sabbath services,, leaving 11 people dead and six others injured





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# **LEGISLATIVE UPDATE: NEW HATE CRIME LAWS IN MARYLAND**

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# NEW HATE CRIME LAWS IN MARYLAND

The Noose and Swastika Measure- prohibits the use of both symbols, actual or depicted, on any property without permission of the owner or occupant, with an intent to intimidate.



# 2<sup>ND</sup> LT. RICHARD COLLINS III'S LAW

Maryland law used to require bias to be the “sole motivation” for a hate crime.

After the murder of 2nd Lt. Richard Collins III, Maryland changed its law to require a hate crime to be motivated “in whole or in part” by bias towards a group.

This news clip explains why the law was changed and provides more information about the case:

- <https://www.nbcwashington.com/news/local/prince-georges-county/man-to-be-sentenced-for-murder-of-bowie-state-student-on-umd-campus/2535827/>







# **INVESTIGATING HATE CRIMES: ESTABLISHING MOTIVE**

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# ESTABLISHING MOTIVE

To determine whether a hate crime has occurred, investigate these areas:

- **Victim**
  - Was the victim clearly identifiable as a member of a protected group?
- **Content**
  - Did the perpetrator use racial/ethnic slurs or hate symbols?
- **Context**
  - Get witness accounts of other relevant facts (like pre-existing group tensions)
- **Area**
  - Is the area known to be frequented by members of a protected group?
- **Perpetrator**
  - What did the perpetrator say or do to show bias against a protected group?



# SUPPORT THE VICTIM

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If possible, assign a single officer to interview the victim to minimize trauma

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Determine if a translator is needed

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Allow the victim to tell you in their own words – avoid assumptions

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Explain what you are doing or what you are asking and why

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Discuss the victim's concerns, including any fears for safety and offer resources for support

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**I SUPPORT THE VICTIM**

# ASSESS THE VICTIM

What can they tell you about the perpetrator and the words that were used during the incident?

This may provide evidence of the perpetrator's intent



# ASSESS THE VICTIM

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Does the victim have any impressions about why they may have been targeted?

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Did the perpetrator make any comments or gestures before, during, or after the attack?

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Is the victim a member of the targeted group or a visible leader/advocate that works in support of the targeted group?

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Was the victim attending a parade, festival, community, holiday, or similar celebration?

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Was the attack particularly vicious? Are there symbolic injuries?

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# ASSESS THE CONTENT

What words or symbols were left at the scene?

Look for words or symbols associated with racist, anti-religious, anti-LGBTQ, or other hate groups



# ASSESS THE CONTEXT

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Do witnesses have any impressions about why the victim may have been targeted?

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Did witnesses hear the perpetrator make any comments or gestures to the victim before, during, or after the attack?

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Were the victim and perpetrator part of different identity groups? If so, are there any pre-existing tensions between these groups in this area or similar incidents?

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Does the attack coincide with a holiday, observance, or other celebration of significance?

# HATE SYMBOLS AT CRIME SCENES

- Certain symbols present at crime scenes could be indicators of a hate crime
- Below is a link to the ADL Hate Symbols Database which has catalogued over 200 symbols used by hate groups:

[Hate on Display™ Hate Symbols Database – ADL](#)



Example: The Patriot Front is a white supremacist group in the U.S. that often uses this symbol. According to the ADL, Patriot Front has been reported to have distributed propaganda and spray painted its logo in Baltimore numerous times in 2020.



# CONSIDER AREA DEMOGRAPHICS

Examine the totality of the circumstances

What do you know about the area where the event took place?

Has there been a history of events with similar circumstances?

Who lives and works in the area?

- For example, do an above average number of LGBTQ people live in the area?
- Perpetrators may choose to commit crimes in certain neighborhoods to target victims of a particular group



# ASSESS THE PERPETRATOR

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What did they say or do before, during, or after the crime?

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Did the perpetrator post anything on social media that might be relevant?

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Are they wearing clothing, jewelry, or tattoos that may indicate affiliation with a hate or extremist group?

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Did they possess any literature that might indicate affiliation with hate or extremist groups?

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Is there an absence of any other apparent motive, such as financial gain?



# **REPORTING HATE CRIMES AND BIAS INCIDENTS**

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# HATE CRIMES REPORTING IN MARYLAND

There were 385 hate bias incidents reported by law enforcement agencies during the 2019 reporting period.

Four counties in Maryland made up 80.2% of all hate bias reports in 2019: Anne Arundel (81), Baltimore (71), Howard (49), and Montgomery (108).

In contrast, Baltimore City reported only 3 hate crime incidents, which is most likely the result of underreporting.



# UNDERREPORTING HATE CRIMES

## Without hate crime and bias incident data:

- We can't recognize patterns of behavior that would inform hate crime prevention strategies
- We can't identify the most vulnerable communities with whom we need to strengthen outreach and education
- We appear to be disengaged, leading communities to presume we do not care about them
- We reduce levels of trust in our ability to address the needs of marginalized groups within our community


# PRIORITIZING HATE CRIMES



# UPDATED BPD POLICY 815: HATE CRIMES

Members shall take an active role in protecting citizens from intimidation and harassment due to race, color, gender, religion, national origin, disability, gender identity/expression or sexual orientation or homelessness.

Special emphasis shall be placed on victim assistance and community cooperation in order to reduce fear and intimidation.

	<b>Policy 815</b>	
	<b>HATE CRIMES</b>	
	Date Published	Page
	24 February 2021	1 of 5

*By Order of the Police Commissioner*

**POLICY**

The Baltimore Police Department (BPD) will thoroughly investigate hate crimes and incidents to ensure the safety and security of residents and visitors of Baltimore City.

Any acts or threats of violence, property damage, harassment, intimidation, or other crimes motivated by hate and bias (to include putting an item or symbol on a property without express permission of the owner, their agent, or lawful occupant with the intent to intimidate a person or a group) and designed to infringe upon the rights of individuals are viewed very seriously by the BPD and will be given high priority. Members shall employ all necessary resources and vigorous law enforcement action to identify and arrest hate crime perpetrators. Also, recognizing the particular fears and distress typically suffered by victims, the potential for reprisal and escalation of violence, and the far-reaching negative consequences of these crimes on the community, members shall be mindful of and responsive to the security concerns of victims and their families.<sup>1</sup>

**PURPOSE**

This policy provides guidelines for officers and detectives aiding in the successful handling of hate related crimes and incidents. The utmost care and consideration must be taken when dealing with victims of such crimes.

**DEFINITIONS**

**Bias** — An opinion or judgment formed beforehand or without full knowledge or complete examination of facts.

**Disability** — A person having a physical or mental impairment, due to conditions that are congenital or acquired by heredity, accident, injury, advanced age, or illness.

**Ethnic Origin** — Of or relating to a person's religion, nationality, or culture including languages, customs, and traditions.

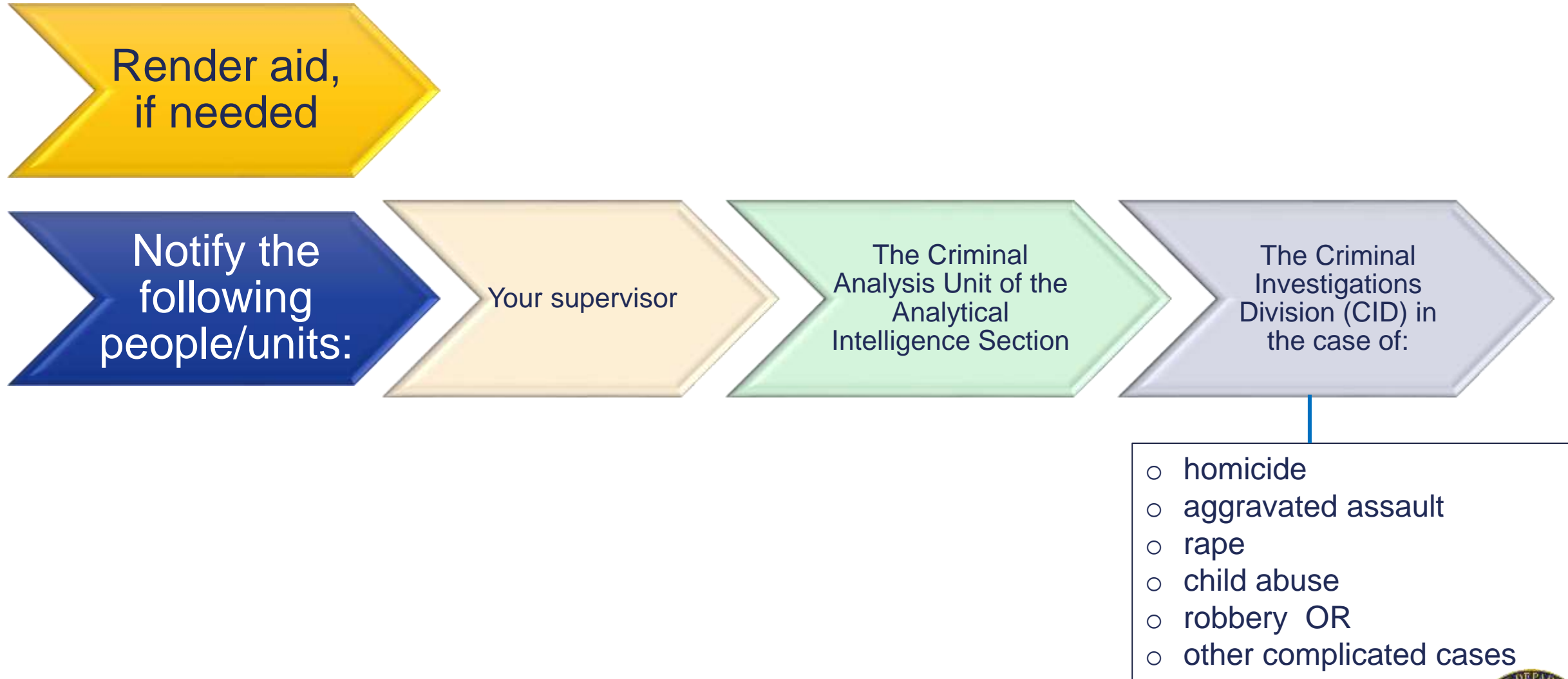
**Gender** — A person's male/female birth assignment.

**Gender Expression** — The way an individual represents or expresses his/her gender identity to others through characteristics or behaviors generally classified as masculine or feminine, such as dress.

<sup>1</sup> IACP National Law Enforcement Policy Center, "Investigation of Hate Crimes," Model Policy, April 2013.



# WHAT TO DO IF YOU ENCOUNTER A HATE CRIME





# PROTECT THE CRIME SCENE

Notify the Crime Scene Unit and/or submit evidence to Evidence Control Unit if appropriate

If display or graffiti is offensive, immediately cover or remove it AFTER it is processed. Contact 311 for graffiti removal.

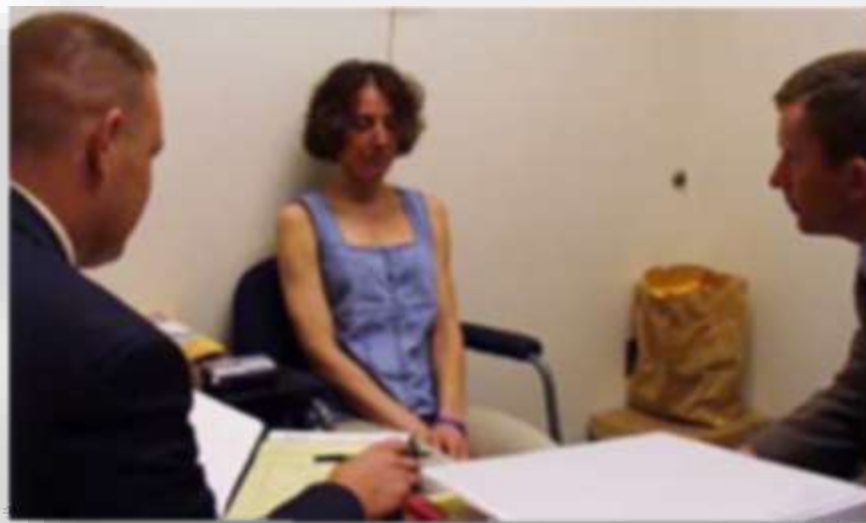
Notify the Fire Department in the case of an arson/attempted arson

Make sure to note the specifics of the graffiti in your report.



# INTERVIEW ALL VICTIMS AND WITNESSES

- Provide the victim with any victim's assistance forms/brochures, and referral information to departmental liaison units.
- Provide the victim with a Central Complaint Number.
- Advise the victim to contact the police if any further threats or acts of intimidation occur.



# DOCUMENTATION REQUIREMENTS

Document all incidents, criminal or non-criminal, which appear to be motivated by race, color, gender, religion, national origin, disability, gender identity/expression or sexual orientation, or homelessness.

The main criterion for determining whether an act is of a bias nature is the motivation behind the act.



# WRITE YOUR REPORT

Check the “Hate Crime” box at the top of your incident report.



Send a copy of all related reports to the Hate Crimes Liaison at:

[HateCrimes@BaltimorePolice.org](mailto:HateCrimes@BaltimorePolice.org)

Enter the nature of the crime in the Crime/Incident section.

**Don't** use “Police Information” to report these types of incidents.

On the first line of the narrative, write the name of the group offended.

race, color, gender, religion, national origin, disability, sexual orientation or homeless



# CHECK THE HATE CRIMES BOX ON THE INCIDENT REPORT FORM

**INCIDENT REPORT**  
Form 14-008  
1160-25-56  
Revised 9/16

**POLICE DEPARTMENT**  
**BALTIMORE, MARYLAND**

1 Crime / Incident Attempt  2 Complaint Number

3 Location of Offense / Incident (Exact Street Address) Page 1 of

4 Date / Time Occurred 5 Date / Time Reported

Person  Property  Vehicle  Miscellaneous  
Domestic Related  Gang Related  Juvenile Related  Hate Crime  Investigative

6 Unit 7 Post of Occurrence 8 Report Area 9 Street Code 10 CAD Number 11 Location Assigned by Dispatcher 12 Companion Report No.

13 Case Status  Open  Closed  Cleared  Not Cleared 14 Case Disposition  Yes  No 15 Follow Up  Yes  No 16 Crime Code 17 Crime Classification 18 Describe Location of Offense or Type of Premise 19 Reported by Crime Watcher  Yes  No

20 Complainant / Victim Name (Last, First, MI), or Firm Name if Business Residence / Address (Include City, State, Zip) Age DOB Height Weight  
Race:  Black  White  Asian or Pacific Islander  Native American/Alaskan Native  Other Gender:  Male  Female Ethnicity:  Hispanic or Latino  Not Hispanic or Latino  Unknown  
Where Employed or School Attending (Include City Located) Occupation Hours of Employment Residence Phone Other Phone Sobriety

21 Injuries and Location on Body Victim's Condition Victim Hospitalized Facility  Yes  No 22 Victim / Assailant Relationship 23 Current / Former Cohabitant  Yes  No

24 Reporting Person Name (Last, First, MI) Sex Race Age DOB Address (Include City, County, State, Zip) Residence Phone Other Phone

25 Witness Parent/Guardian  Name (Last, First, MI) Address (Include City, County, State, Zip) Residence Phone Other Phone

26 Suspect Name (Last, First, MI) Address (Include City, County, State, Zip) Age DOB Height Weight  
Race:  Black  White  Asian or Pacific Islander  Native American/Alaskan Native  Other Gender:  Male  Female Ethnicity:  Hispanic or Latino  Not Hispanic or Latino  Unknown  
Complexion Hair Color/Length/Style Hat Eyes Facial Hair Teeth Shirt/Coat  
Pants Shoes Additional Descriptors (Tattoos, Piercings, Scars, Marks, Accent, etc.) Arrest Number

27 Trademarks of Suspect(s) (Action / Conversation) 28 Point of Entry 29 Location Last Seen 30 Manner of Escape 31 Direction of Escape

32 Weapon / Means of Attack 33 Method Used to Commit Crime 34 Type of Property Taken 35 Total Loss Value

36 Vehicle (Suspect, Victim, Stealer, Towed, Other) Tax Number State Expiration Vehicle Year Make Model Body Style / Color Mileage



# HATE CRIMES PANEL

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The Hate Crimes liaison officer will provide a summary of incidents to the Hate Crimes Panel.

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The Hate Crimes Panel consists of the Chief, Patrol Bureau, Chief, Criminal Investigation Division, and the Chief, Public Integrity Bureau (PIB).

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The Hate Crimes Panel will meet on an as-needed basis to review all relevant reporting and decide which incidents meet the criteria to be classified as a hate crime or hate-biased incident.

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The Hate Crimes Panel shall provide an annual report to the Police Commissioner. This report shall include the number of incidents reviewed, incidents found to be hate-bias, and any other information the Commissioner requires.

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# CASE STUDY: BALTIMORE CITY HATE CRIME

**“Charges raised to hate crimes, attempted murder, against man accused of ‘rampage’ at Baltimore liquor stores owned by Asian Americans” - *Baltimore Sun*, June 7, 2021**

After Darryl Doles allegedly ransacked three liquor stores owned by Asian Americans in Baltimore and bashed two Korean sisters in the head with a cinder block, he was asked why he hurt them.

“They need to go back to their country,” said Doles, according to a grand jury indictment. “I’ll order out before I eat that mother----- food.”

A Baltimore grand jury indicted the 49-year-old Monday on 22 criminal charges including attempted murder, hate crimes, assault and destruction of property.



# CASE STUDY: BALTIMORE CITY HATE CRIME

Now that you've learned about hate crimes, you should be able answer the following questions about this incident:

- **What were the underlying crimes committed here?**
  - Violent acts committed against the victims (aggravated assault, etc.), property crimes related to the stores (malicious destruction, etc.)
- **Were the crimes motivated by bias against a protected group?**
  - Yes. The protected group was Race/National Origin (Asian Americans)
- **What is the evidence of bias against the protected group?**
  - Perpetrator's words, such as "they need to go back to their country"
    - According to the indictment, he also said "F---- Chinese" before the confrontation.
  - Context: he targeted three stores, all owned by Asian Americans







**YOU HAVE COMPLETED THE HATE  
CRIMES: IDENTIFICATION AND  
REPORTING E-LEARNING**