

# HATE CRIMES **PREVENTION** GUIDE & TOOLKIT



**PFLAG**  
[www.pflag.org](http://www.pflag.org)

## A SPECIAL WELCOME FROM PFLAG NATIONAL EXECUTIVE DIRECTOR

Since our elementary school years we have been taught about the inalienable rights of life, liberty, and the pursuit of happiness. Yet despite our teachings, nation-wide reports illustrate a staggering number of crimes committed by people who aim to destroy freedoms and spread nationwide fear. According to FBI data published in 2010, roughly one hate-based criminal attack occurred in the United States every hour, amounting to 8,208 victims last year.<sup>1</sup>

Now, imagine if we could include every unreported hate crime in this total.

On October 28th, 2009 the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act was signed into law by President Obama. Thanks to the President's leadership and your commitment to advocacy and education, the Shepard/Byrd Act has become the first law offering federal protections for both sexual orientation and gender identity. This historic measure encourages local and federal law enforcement officials to work together to effectively address violent hate crimes across the country. I would like to personally thank you and your chapters for all you have done to promote this legislation and encourage tolerance and acceptance in your own communities.

Even with the introduction of this new law, the threat of hate-based crimes against our lesbian, gay, bisexual and transgender (LGBT) loved ones is at a critical level. Visibility for LGBT communities and their allies is at an all-time high, with a special focus on family acceptance, building safer schools, relationships recognition, and workplace fairness; rarely do we find a person who does not have an opinion on these issues. Now, more than ever, we must be able to build strong relationships with local police forces to help them better respond to and report these crimes of hate against our LGBT family and friends.

**"No one in America should ever be afraid to walk down the street holding the hands of the person they love. No one in America should be forced to look over their shoulder because of who they are."**

**President Barack Obama**

Learning about hate crimes and how to identify them is the first step, and reading PFLAG National's *Hate Crimes Prevention Guide & Toolkit* is a great place to start. It is my hope that this resource will help you continue your hard work by locally advancing the effectiveness of the Shepard-Byrd Hate Crimes Prevention Act. It will certainly help you maximize your unique opportunity as a member of PFLAG to provide education to your community and bridge the gap between the goals of your local law enforcement by teaching you the basics of what hate crimes are, how to address them, and how to support your community in preventing them. You will find information, talking points, and resources for maintaining safe communities for our LGBT loved ones.

As President Obama said upon signing the Shepard-Byrd Hate Crimes Act, "No one in America should ever be afraid to walk down the street holding the hands of the person they love. No one in America should be forced to look over their shoulder because of who they are." We agree.

Thank you for moving equality forward.

Sincerely,



Jody M. Huckaby  
PFLAG National Executive Director

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## HATE CRIMES: AN OVERVIEW

A hate crime is defined as any traditional criminal offense against person, property, or society which is motivated (in whole or in part) by a bias against actual or perceived race, religion, ethnicity/national origin, sexual orientation, gender and gender identity, or disability. These crimes are often called bias-motivated crimes.<sup>2</sup> Hate crimes are devastating to victims, their families and the communities in which they occur. Our responses to these heinous crimes are crucial when addressing their lasting effects and decreasing the likelihood of future occurrences. This guide features facts, suggestions, and resources collected by PFLAG National and many PFLAG chapters nationwide to help you and your chapter understand, prevent, and respond to hate crimes in your community.

### JUST THE BASICS

#### *What is a “traditional criminal offense?”*

Though many criminal offenses vary by state, generally they fall under several major categories. Hate crimes are most focused on crimes against persons and property. Within “crimes against persons,” offenses include: assault/battery, verbal assault/battery, aggravated assault/battery, domestic violence, stalking, harassment, kidnapping, and intimidation. Within “crimes against property,” offenses include: Theft, vandalism (such as graffiti), other property damage, and arson.<sup>3</sup>

#### *Is bullying a hate crime?*

In the United States, free speech is a protected right within our constitution; discriminatory slurs and verbal statements which are biased against a particular person or group, though hurtful and traumatic, do not fall under the category of hate crimes.<sup>4</sup> Therefore, it is important to note that religious leaders or other public speakers who voice opinions against the LGBT community are not guilty of hate crimes.<sup>5</sup> These acts only qualify as hate crimes if they escalate and become a criminal offense.

This does not mean that bullying is acceptable behavior. If you or a loved one is being bullied you may find help within your school, place of worship, or through your local PFLAG chapter. Your PFLAG Regional Directors and Field Managers are great resources as well. If necessary, you can talk to your local police if a criminal report needs to be filed.

#### *How do hate crimes hurt survivors?*

Survivors of hate crimes are devastated physically, emotionally and psychologically after an attack. Survivors often feel vulnerable, angry, depressed, and suffer physical side effects from the emotional trauma caused by the attack, such as hyperventilation due to anxiety, increased heart rate, and stomach distress. Additional effects may include future cognitive challenges including persistent anxiety, depression, paranoia or flashbacks<sup>6</sup>, as well as difficulty maintaining close relationships with others. Substance abuse and sleep disorders may also occur.<sup>7</sup> These effects are similar to the symptoms of Post-Traumatic Stress Disorder.<sup>8</sup> A research study with LGBT victims of biased and non-biased crimes showed that it may take as many as five years to begin recovery after a hate crime, as opposed to two years for victims of non-bias-motivated crimes.<sup>17</sup>

When survivors access appropriate support and resources soon after an incident occurs, they often heal faster.<sup>10</sup> Your chapter can provide this much needed support and serve as one of these valuable resources. However, it is important to keep in mind that no hate crime is the same. Each person brings unique values, characteristics, and feelings into every situation and consequently may require different support from their friends and family. It is not uncommon for victims of a hate crime to seek psychiatric assistance or support from local or national organizations, such as the National Center for Victims of Crime.

#### *How do hate crimes hurt families?*

While clearly the victim receives the brunt of this violence, hate crimes symbolically target an entire community or group of people. Dr. Jack McDevitt, a criminologist at Northeastern University in Boston states, “Hate crimes are message crimes.”<sup>11</sup> They directly or indirectly send a message to the victim’s identity group which expresses hate, rejection, and condemnation. Families and friends of those who are victims of hate crimes may develop feelings of guilt, isolation and a sense of helplessness if they believe they didn’t do enough to protect their loved ones.<sup>12</sup>

As supporters, we have an obligation to keep the victim’s best interests and those of their families in mind. For example, after a loved one survives a hate crime, we must respect their wishes if they do not want to become the “poster child” for the incident. Sometimes this type of attention is hard to avoid, especially due to local news coverage and word-of-mouth discussions. **Therefore, discretion is strongly advised when determining if there should be a public response to the crime.**<sup>13</sup>

Additionally, the justice system may unintentionally prolong the healing process for many families. Court hearings, police questioning, and extended media coverage of the crime itself—often describing personal details from the incident—can put the family in a position of having to manage private issues in a very public manner.

### WHAT CAN MY LOCAL PFLAG CHAPTER AND I DO TO HELP PREVENT HATE CRIMES?

Learning about hate crimes and how to identify them is the first step, and reading this guide is a great place to start. After you understand the issues, you will be able to talk about them with your friends, families, and community members. Some chapters have decided to provide training to their local police about hate crimes and bias-motivated crimes against LGBT people. What you do within your chapter is up to you; this resource is a starting point to help further your community’s knowledge of how to handle hate crimes.

## STATE LAWS VS. FEDERAL LAWS

### STATE LAWS

Each state has its own laws regarding hate crimes. These laws are called statutory provisions. States with hate crime provisions contain special rules, like a harsher punishment, about certain types of bias-motivated crimes.<sup>14</sup> Currently only 30 states (and the District of Columbia) cover bias-motivated crimes (hate crimes) against actual or perceived sexual-orientation and 12 (and the District of Columbia) cover bias-motivated crimes against actual or perceived gender identity. Only 15 states (and the District of Columbia) collect and report data regarding hate crimes that deal with sexual orientation and 11 (and the District of Columbia) collect for gender.<sup>15</sup> Five states don't contain any provisions for bias-motivated violence or intimidation. For information on the statutory provisions in your state, please refer to the Anti-Defamation League's interactive map ([http://www.adl.org/learn/hate\\_crimes\\_laws/map\\_frameset.html](http://www.adl.org/learn/hate_crimes_laws/map_frameset.html)) or the Movement Advancement Project's interactive map ([http://www.lgbtmap.org/equality-maps/hate\\_crime\\_laws](http://www.lgbtmap.org/equality-maps/hate_crime_laws)).

### FEDERAL LAWS

Hate crimes are not federal offenses within their own right. The FBI investigates crimes against civil rights and violent hate crimes which fall under the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act.<sup>16</sup>

The enactment of the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act (HCPA):

- » Expands upon the 1969 US Federal Hate Crimes Law--which permits federal prosecution of anyone who "willingly injures, intimidates or interferes with another person, or attempts to do so, by force because of the other person's race, color, religion or national origin --to include bias-related crimes motivated by actual or perceived sexual orientation, gender, gender identity or disability.<sup>17</sup>
- » Allows for federal investigation of the hate crime regardless of if the victim was involved in a federally-protected activity at the time (ex: voting).
- » Gives the U.S. Department of Justice (DOJ) limited jurisdiction to investigate and prosecute violent hate crimes when state laws are inadequate.
- » Authorizes grants which help local and state police departments afford the significant costs of pursuing violent bias-motivated crimes.<sup>18</sup>
- » Requires that the FBI track statistics on hate crimes targeting individuals because of their gender identity (other groups are currently being tracked) as well as crimes committed by and against juveniles.<sup>19</sup>
- » Authorizes grants to local programs working to eliminate youth-perpetrated hate crimes. These grants would also be available to programs that train local police officers to efficiently respond to hate crimes in their community.<sup>20</sup>

This law is the first federal law in America that extends federal protections against bias-motivated crimes to women, LGBT individuals and people with disabilities.<sup>21</sup>

## REPORTING A HATE CRIME

Reporting a hate crime to the police can be challenging, regardless of an individual's real or perceived sexual orientation or gender identity. For survivors, such disclosures may require sharing personal information, including their sexual orientation, gender identity, and other personal characteristics. Police responses may range from supportive to indifferent to abusive.<sup>22</sup> This creates additional barriers for a survivor to accurately report a hate crime. It is important to report the crime as soon as possible, even if the survivor fears they will encounter difficulty. After they report the incident they may decide to seek outside or federal resources.

When supporting the victim of a hate crime, share with them the following steps, offering to help them with any or all of them as needed:

1. If needed, seek medical help immediately.
2. Write down every detail you can remember about the perpetrator(s): Gender, estimated age, race, estimated height/weight, clothing, distinguishing characteristics, any comments made, any actions made.
3. If you can, take pictures of any damage or injuries you have sustained.
4. File a report.
  - a. Local police report
    - i. Get the responding officer's badge number and name. Write it down for your records.
    - ii. Make sure the incident is filed and assigned a case number. If this is not done immediately, go to the station afterward and ask for a copy of the report to ensure it has been filed.
    - iii. Urge the officer to check the "hate/bias-motivation" box if you feel you are the victim of a hate crime based on your actual or perceived characteristics (federal definition listed under "Hate Crimes: An Overview").
  - b. FBI report
    - i. If you feel your case warrants federal involvement, contact the FBI online: <http://www.fbi.gov/contact-us/field>
    - ii. If you feel that your local law enforcement is unable or unwilling to investigate your case and you are the victim of a violent hate crime, you may qualify for federal help under the Hate Crimes Prevention Act.<sup>23</sup>
5. Notify local LGBT leaders and/or organizations about the crime. Reaching out to your local PFLAG chapter or another local group will help raise awareness in your community and help with formulating an appropriate response.
6. Get additional support from family, friends, anti-violence support groups, or psychiatric professionals.<sup>24</sup>

## LOCAL POLICE'S ROLE

Police officers play a central role when responding to hate crimes. When communicated effectively, their response sends a powerful message that hate crimes will not be tolerated, but rather investigated and prosecuted to the fullest extent of the law. Ideally, several steps should be followed after the police arrive at the scene of a possible hate crime.

1. They must secure and preserve evidence at the location where the crime occurred.
2. They must immediately attend to the victim and request medical attention if necessary.
3. The officers who respond to the crime should collect and photograph all evidence that would suggest a hate crime occurred. For example, threatening letters, hate literature, and symbolic objects used by hate groups (e.g., swastikas) should be noted.
4. Upon stabilizing the crime scene, a police officer must conduct a preliminary investigation with the victim along with all witnesses at the scene of the crime. The confidentiality of all individuals interviewed will be maintained whenever possible.
5. If there is a language barrier, translators should be requested.
6. After all relevant information is gathered from those present at the crime scene, officers are instructed to neither confirm nor deny that the incident was a hate crime. That determination will be made at a later stage in the investigation.
7. Should further assistance be required due to limited resources within the local or state police departments or due to local law enforcement's refusal to investigate the case, the FBI should be notified.

### *What if a police officer is responsible for a hate crime?*

Police officers do not have the right to verbally harass or physically assault anyone in their custody and are subject to the laws of your state. When a crime is committed by a police officer, it is the victim's right to report that crime to that officer's superiors, to a police review commission if available, and to the elected public officials representing the community at-large. If the family feels the police force is intentionally obstructing the case or isn't equipped to investigate it, they may be able to contact the FBI or the Department of Justice's US Attorneys and Community Relations Service field offices for help. [See "State Laws vs. Federal Laws" and our additional resources about these federal agencies in our Appendices Section].

## CASE STUDY:

### **NORMAN PFLAG PRESIDENT KAY HAMM & NORMAN POLICE CHIEF PHIL COTTEN** *(Norman, Oklahoma)*

Kay Hamm, President of PFLAG Norman, and Norman Chief of Police, Phil Cotten are a good example of how to build and maintain good community relationships with local police leaders. Phil created the opportunity for PFLAG Norman to train Norman's Police department recruits; once at the beginning of the recruits' training and then one more time at the end. The pair continues to work in tandem. Kay includes Phil on her chapter's PFLAG scholarship review committee annually. Kay and Phil have known each other for over four years and the two of them have maintained a professional and constructive relationship, building an indestructible link in a community that tends to hold positive public opinions about LGBT community members. Both maintain that they would have no problem stepping up to help each other in a time of need, and their accomplishments over the last four years prove this.

## CREATING LOCAL RELATIONSHIPS

### COMMUNITY COALITION BUILDING

Strong and visible coalitions you create or already participate in can help educate local police forces, political and community leaders, the media, and the community about LGBT victimization.

PFLAG's "Straight for Equality" field guide details a few basic steps for building a coalition if your chapter has not already established one in your community.

1. **Make a List:** Create a list of people or groups in your community who may be interested in working with you. Suggestions include: Parent groups, faith groups, social justice and civil rights organizations, media advocacy groups, professional leaders, state LGBT equality organizers, transgender advocacy organizations, health care professionals, etc.
2. **Find a Contact:** As our guide says, "No contact is too small!" Your new allies may connect you to even more organizations or community members.
3. **Make your Pitch:** Be specific! Ask people and groups to help you further your particular goal (in this case your goal might be keeping your community safe and free from hate crimes and raising awareness of the issue). Make suggestions on how you and your new allies can collaborate during events, public appearances, panels, or meetings.<sup>25</sup>

### ENGAGING YOUR LOCAL POLICE

Here's where working with a coalition can really make an impact. Approaching law enforcement with a group of community members who have already signed on to work with you demonstrates to law enforcement personnel that there is already an engaged and diverse community interest surrounding the prevention of LGBT bias-motivated hate crimes.

Before establishing new relationships with law enforcement leaders, take stock of the current relationships you may already have. Determine how best to leverage them. Law enforcement extends beyond police officers; it also includes prosecutors, client advocates who work with the district attorney's office, emergency medical responders, and community volunteer safety patrol groups.

After you assess the climate within your community's enforcement agencies you may decide you want to make some new connections. Here are five simple ways to help you build and maintain productive relationships with your local officials:

1. **Do Some Research:** Find out if there is already an LGBT Police Liaison in your local police station. Liaisons are people who work with at least two groups (one being the local law enforcement agency that they work for) to better serve the groups' combined interests. Also, locate any other local enforcement groups un-affiliated with the police force.
2. **Start a Dialogue:** Schedule a meeting and bring a prepared outline of what you want to talk about. Make sure to listen to what your officer has to say in addition to informing him or her of your issues. Appendix B of this guide offers a number of helpful talking points designed to get the dialogue started in for your first meeting.
3. **Invite Cooperation:** Organize an event which includes your local police department. One idea could be inviting officers to speak on a panel addressing bully prevention in schools. Another could simply be adding them to your PFLAG email list or sending them PFLAG updates through your community bulletin. You may even consider hosting or co-hosting a police training session to discuss hate crimes and your community.
4. **Communicate Often:** A quick, simple e-mail message about recent PFLAG meetings or invitations to future events lets your police chief know you remain interested in the department and are making an effort to keep the lines of communication open. Try to establish a contact within the department who can serve as a liaison to your community's interests. It never hurts to remind these officials that LGBT individuals deserve equal protections and respectful treatment from police and criminal justice system no matter what.

## COMMUNITY/POLICE FORCE TRAINING

After you assess your relationship with potential coalition members and your local law enforcement and get to know your local police, you may decide that your coalition is ready to suggest a police training session about hate crimes. Competency trainings provided by organizations and groups who understand LGBT issues are ways to ensure that your police personnel appropriately respond to and report LGBT bias-motivated hate crimes.

Communities and coalitions consider hosting competency trainings for a number of reasons. The Shepard/Byrd Hate Crimes Act is new; officers may not be aware of how the law impacts their work. They may also lack general knowledge about LGBT issues which can affect their interactions with LGBT individuals. Trainings are a positive way to create a safer community by building trust and cooperation between you and your local police. A lack of understanding can lead to mistrust, incorrect assumptions (of victims as well as police) and ultimately dissatisfaction between both groups.<sup>26</sup>

**“I consider PFLAG Appleton and Fox Cities participation in sensitivity training for law enforcement leaders to be one of the most important missions I’ve ever endeavored in my life.”**

**Harriet Bruyn**  
Appleton, Wisconsin PFLAG Chapter Founder  
Former PFLAG STAR Award honoree

## CASE STUDY:

### DC COMMUNITY COALITION PRESENTS LGBT DIVERSITY TRAINING FOR MPD OFFICERS (Washington, D.C.)

Washington DC’s Metropolitan Police Department is one of the first police forces in the country to implement on-going competency training programs specifically addressing LGBT issues and bias motivated crimes. In 2010, nearly a dozen LGBT community-based organizations came together to inform and organize this training program designed to educate local police leaders on how to report, prevent and address bias-motivated crimes targeting LGBT people and community centers. In order to offer a comprehensive training for members of the police force, each community group presented on a specific topic about which they were most knowledgeable including issues related to LGBT youth, domestic violence, trans-related hate crimes, and general hate crimes statistics. To connect the specific topics, the groups designed a joint introduction along with overlapping themes that connected the more specific presentations throughout the day long training. The community groups continue to train the MDP officials on a quarterly basis.

## WHERE DO WE GO FROM HERE?

At this point, you can recognize what a hate crime is, how federal and state laws address them, and have a basic understanding of what you and your community can do to help keep your community safe. Additional resources are listed in our Resource and Appendices sections along with a list of partner organizations and documents for further study located at the end of this guide.

### NOW WHAT?

#### *Speaking Out: Addressing a Crime in Your Community*

We hope that your community and loved ones will never have to struggle through a hate crime. If a hate crime does happen near you, you may feel the desire to take your role as a supporter a step further.

Partners who work in coalition with you may emerge as resourceful supporters for those in need of help. Communities affected by hate crimes may feel the need to connect with one another, or feel a desire to isolate themselves. If you, or your community, are interested in expressing your feelings, consider these options:

- » Writing an opinion piece or letter to the editor in your local newspaper. This can be a great way to spread awareness about an issue. Generally there is a 250 word maximum.<sup>27</sup> For more information about specific requirements, contact your local paper and reach out to PFLAG National for support.
- » Advising local media about how to cover news of the crime in order to ensure fair, accurate, and inclusive reporting of the incident.
- » Holding a candle-light vigil in memory or support of the victim.
- » Setting up a meeting with your police department to discuss what is being done locally to ensure the hate crime is being processed and investigated properly. Ask if they will make a public statement or be willing to attend a community forum to discuss the crime.
- » Leading a public demonstration expressing the feelings of the community, such as a “speak out” or rally. This is generally used to draw public attention if the community is concerned their needs are not being met.
- » Starting an email list of people interested in sharing news about local or nation-wide instances of LGBT bias-motivated crimes.
- » These actions are very different in tone and impact, and can be organized in many different ways. Contact your Regional Director or Field Coordinator for help with planning one of these events and for further consultation or ideas.

#### *Continue to Raise Awareness*

Even if a hate crime has not occurred in your community, some chapters may want to actively show their concern for and commitment to LGBT safety. It’s easy to forget that people outside of LGBT and LGBT-supportive communities don’t have the same information and education that you do regarding hate crimes and LGBT issues. The ideas listed above aren’t just for dealing with local hate crimes. They work for raising awareness about any LGBT issue.

Our suggestions are examples of advocacy. Continuing community education through advocacy and communication does make a difference; the more you do, the more change you will see. Any opportunity to speak out will continually inform and teach those around you about LGBT issues. Everyone deserves to feel safe, no matter what their sexual orientation or gender identity may be.

## RESOURCES

### ANTI-DEFAMATION LEAGUE

The ADL fights anti-Semitism and all forms of bigotry, defends democratic ideals and protects civil rights for all. ADL builds bridges of communication, understanding and respect among diverse groups, carrying out its mission through a network of 30 Regional and Satellite Offices in the United States and abroad.

Web: [http://www.adl.org/combating\\_hate/](http://www.adl.org/combating_hate/)  
Email: [adl@adl.org](mailto:adl@adl.org)

### ANTI-VIOLENCE PROJECT

The Anti-Violence Project is dedicated to eliminating hate violence, sexual assault, stalking, and domestic violence in lesbian, gay, bisexual, transgender, queer, and HIV-affected communities through counseling, advocacy, organizing, and public education.

Web: <http://www.avp.org/aboutavp.htm>  
Email: [webmaster@avp.org](mailto:webmaster@avp.org)  
Phone: 212-714-1141

### ARABS FOR TOLERANCE

“Tolerance leads to mutual respect of all Arabs” is the headline of this website which emphasizes tolerance of LGBT people within Arab communities and countries. Their mission is to educate the world about LGBT people, Arabs in particular, who deserve to be understood, tolerated, and respected. The website includes a blog, common myths about LGBT people, the law in Arab countries, and fantastic resources for further study.

Web: [www.arabs4tolerance.org](http://www.arabs4tolerance.org)  
Contact: [www.arabs4tolerance.org/contact-us.php](http://www.arabs4tolerance.org/contact-us.php)

### COLAGE: CHILDREN OF LESBIANS AND GAYS EVERYWHERE

COLAGE is a national movement of children, youth, and adults with one or more lesbian, gay, bisexual, transgender and/or queer (LGBTQ) parent/s. COLAGE works toward social justice through youth empowerment, leadership development, education, and advocacy.

Web: <http://www.colage.org>  
Email: [colage@colage.org](mailto:colage@colage.org)  
Phone: 415-861-5437

### DOJ: COMMUNITY RELATIONS SERVICE

CRS works with communities to employ strategies to prevent and respond to alleged violent hate crimes committed on the basis of actual or perceived race, color, national origin, gender, gender identity, sexual orientation, religion or disability.

Web: <http://www.justice.gov/crs/>  
Email: [crs.webmaster@usdoj.gov](mailto:crs.webmaster@usdoj.gov)  
Phone: 202-514-1057

### FAMILIES UNITED AGAINST HATE (FUAH)

Families United Against Hate is a small grassroots effort co-founded by one of our very own PFLAG members, Gabi Clayton. The organization has an extensive history in providing service, outreach, and support for people who have experience with hate crimes and a vast array of other issues. FUAH represents a diverse coalition “led by families, for families” that work as a network committed to outreach and support for others who have been touched by hate crimes.

Web: <http://www.fuah.org/>  
Email: [info@fuah.org](mailto:info@fuah.org)

### GLSEN: GAY LESBIAN STRAIGHT EDUCATION NETWORK

GLSEN seeks to develop school climates where difference is valued for the positive contribution it makes in creating a more vibrant and diverse community.

Web: [www.glsen.org](http://www.glsen.org)  
Email: [glsen@gslen.org](mailto:glsen@gslen.org)  
Phone: 212-727-0135

### HUMAN RIGHTS CAMPAIGN

HRC works to secure equal rights for LGBT individuals and families at the federal and state levels by lobbying elected officials, mobilizing grassroots supporters, educating Americans, investing strategically to elect fair-minded officials and partnering with other LGBT organizations.

Web: <http://www.hrc.org/sites/loveconquershate/index.asp>

### THE INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

IACP is the largest association of police executives and has helped lead the fight for inclusive federal and state hate crime laws. They have also developed excellent resources to explain the impact of hate violence of communities – and effective law enforcement strategies to confront these crimes.

1. Responding to Hate Crimes: A Police Officer’s Guide to Investigation and Prevention:  
<http://www.theiacp.org/publicationsguides/lawenforcementissues/hatecrimes/respondingtohatecrimespoliceofficersguide/tabid/221/default.aspx>
2. Hate Crime in America Summit Recommendations:  
<http://www.theiacp.org/tabid/299/Default.aspx?id=139&v=1>

### THE LEADERSHIP CONFERENCE OF CIVIL RIGHTS

The Leadership Conference on Civil and Human Rights is a coalition comprised of more than 200 national organizations to promote and protect the civil and human rights of all persons in the United States. Through advocacy and outreach to targeted constituencies, The Leadership Conference works toward the goal of a more open and just society.

Web: <http://www.civilrights.org/hatecrimes>

### THE NATIONAL CENTER FOR VICTIMS OF CRIME

NCVS serves as a resource and advocacy organization for those who are victims of crime and those who help them. Their website contains information on conferences, trainings, public policy, and support resources. You can sign up for email updates on victim services and several other topics.

Web: <http://www.ncvc.org/NCVC/Main.aspx>

## NATIONAL COUNCIL OF LA RAZA (NCLR)

NCLA launched the Wave of Hope campaign to stem the surge of hate and violence that has surrounded the immigration debate. The site draws attention to the increasing rhetoric of hate speech that encourages biased behavior against Hispanic Americans and outlines ways in which to “stop the hate.”

Web: <http://www.wecanstopthehate.org/>

## FBI CRIMINAL JUSTICE INFORMATION SERVICES (CJIS)

The FBI's Criminal Justice Information Services (CJIS) Division published the annual edition of Hate Crime Statistics presenting data regarding incidents, offenses, victims, and offenders in reported crimes that were motivated in whole or in part by a bias against the victim's perceived race, religion, ethnicity, sexual orientation, or disability (soon to include gender and gender identity).

Web: [http://www.fbi.gov/about-us/investigate/civilrights/hate\\_crimes/hate\\_crimes](http://www.fbi.gov/about-us/investigate/civilrights/hate_crimes/hate_crimes)

Phone: 304-625-2000

## OFFICE FOR VICTIMS OF CRIME, U.S. DEPARTMENT OF JUSTICE

The Office for Victims of Crime, Department of Justice, gives grants to states to provide victim assistance and victim compensation in the event of a hate crime. If a state requests it, the Office will send a response team from one of its eight regional offices to help in the aftermath of a hate crime.

Web: <http://www.ojp.usdoj.gov/ovc/>

Phone: 202-307-5983

## FURTHER INFORMATION

### STORIES

Bill's Story. A PDF-version of Gabi Clayton's story about her son Bill and the consequences their family and community dealt with stemming from the hate violence acted upon him. [http://www.youth-guard.org/gabi/Bills\\_Story-by\\_Gabi\\_Clayton.pdf](http://www.youth-guard.org/gabi/Bills_Story-by_Gabi_Clayton.pdf)

Brown, Robbie. “Murder of Transgender Woman Revives Scrutiny.” *New York Times*. 7 Nov. 2008, <http://www.nytimes.com/2008/11/18/us/18memphis.html>.

Roberts, Monica. “The Willie Houston Story.” *TransGriot*. 16 Aug. 2008. <http://transgriot.blogspot.com/2008/08/willie-houston-story.html>.

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Cokely, Carrie L. and Kristina B. Wolff. “‘To Protect and to Serve?’: An Exploration of the Police Conduct in Relation to the Gay, Lesbian, Bisexual and Transgender Community.” *Sexuality and Culture* 11 (2007): 1-23.

This study examines 1,896 incident reports that were collected by a LGBT advocacy group in Minnesota between 1990 and 2000 to begin to understand the range of police responses in relation to the LGBT community.

Dittman, Rebecca J. “Policing Hate Crime. From Victim to Challenger: A Transgendered Perspective.” *Probation Journal* 50 (2003): 282-288.

Rebecca J. Dittman is a transgender victim of hate crime in Liverpool. She has become one of the primary advisors to the Mersey-side police force and helps to build stronger community partnerships in her community. This quick read is an inspirational story of overcoming a gender identity bias-motivated crime and her positive outlook on the future.

Gedro, Julie. “Understanding, Designing, and Teaching LGBT Issues.” *Advances in Developing Human Resources* 12 (2010): 352-366.

This guide gives great background on LGBT history and global laws as well as talking points for learning about LGBT issues. It serves as a resource guide for businesses who want to create an LGBT-inclusive work environment, but could be a great starting point for pin-pointing what topics you want to cover in your law enforcement training.

Gerstenfeld, Phyllis B. “Hate Crimes: Causes, Controls, and Controversies.” *Crimes of Hate: Selected Readings*.

This anthology is made up of articles from a wide variety of disciplines. The book combines recent research on hate crimes in an easy to understand way, and covers many topics such as policy issues, victims and the impact of hate crimes on groups, and international issues.

Meyer, Doug. “Evaluating the Severity of Hate-motivated Violence: Intersectional Differences among LGBT Hate Crime Victims.” *Sociology* 44 (2010): 980-995.

This study evaluates how poor and working-class LGBT people of color and white middle class



LGBT people differ in their responses to violent LGBT bias-motivated hate crimes. Conducted in New York, the findings indicate that a victim's social position plays a crucial role in how they cope with the violence they've experienced.

Moradi, Bonnie, et al. "LGB of Color and White Individuals' Perceptions of Heterosexist Stigma, Internalized Homophobia, and Outness: Comparisons of Levels and Links." *The Counseling Psychologist* 38 (2010): 397-424.

This study is useful when discussing racial/ethnic differences in the LGBT community. Though this study does not address transgender people, it is useful for exploring the differences between how LGB people of color and LGB white individuals perceive their identity and surroundings. During LGBT sensitivity training, it is important to keep these differences in mind.

Shaw, Mikki. "What's Hate Got to Do with It? Using Film to Address Hate Crimes in the School Community." *The English Journal* 87 (1998): 44-50.

One teacher's quest to teach tolerance and provide education about hate crimes is detailed in this self-authored narrative. Mikki Shaw writes about how incorporating lessons and movies about hate crimes can help decrease prejudice in schools.

### **HOTLINES:**

The Trevor Helpline: 24-Hour, free, confidential, toll-free suicide prevention hotline for LGBT youth. This service is handled by trained counselors who are familiar with LGBT youth and will help those in crisis or anyone needing information on how to help someone else in crisis.

1-866-4-U-TREVOR (1-866-488-7386)

National Organization for Victim Assistance: 24-hour, toll-free line with trained volunteers who give emotional support, information packets, and help finding local services. This hotline serves all victims and survivors.

1-800-TRY-NOVA (1-800-879-6682)

National Youth Crisis Hotline: 24-hour, toll-free service which provides counseling and referrals to drug treatment centers, shelters, and counseling services. Generally responds to issues of molestation, suicide, child abuse, and pregnancy, but operators stand by to accept all questions and requests for help.

1-800-442-HOPE (4673)

GLBT National Help Center: Provides free confidential phone and internet peer-counseling for GLBT people of all ages. The hotline is open to any kind of question or request for help. Hotline has specific hours.

**GLBT National hotline (All ages):** 1-888-843-4564

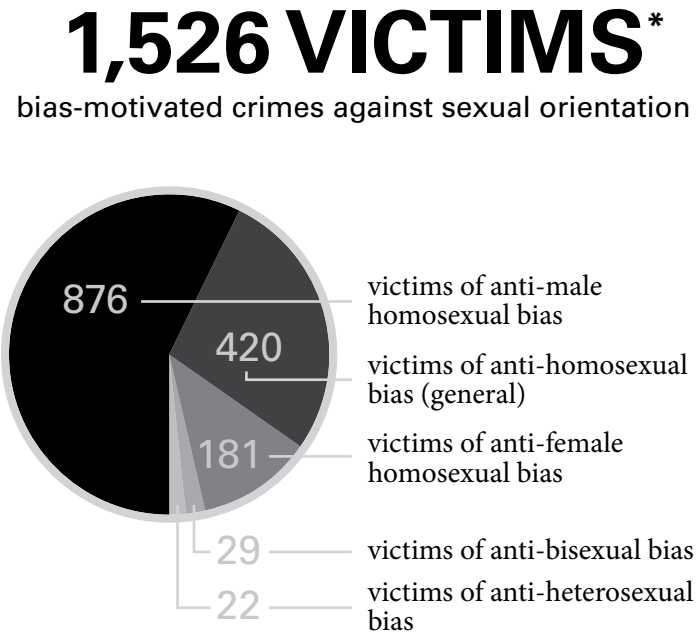
**GLBT Youth Talkline (Youth through age 25):** 1-800-246-PRIDE (7743)

**Online Peer-Support Chat:** <http://www.volunteerlogin.org/chat/>

**GLBT Near Me: Local Resource Search:** [www.glbtnearme.org](http://www.glbtnearme.org)

# FBI 2010 HATE CRIME STATISTICS

6,628 Total Incidents\*\*  
8,208 Total Victims



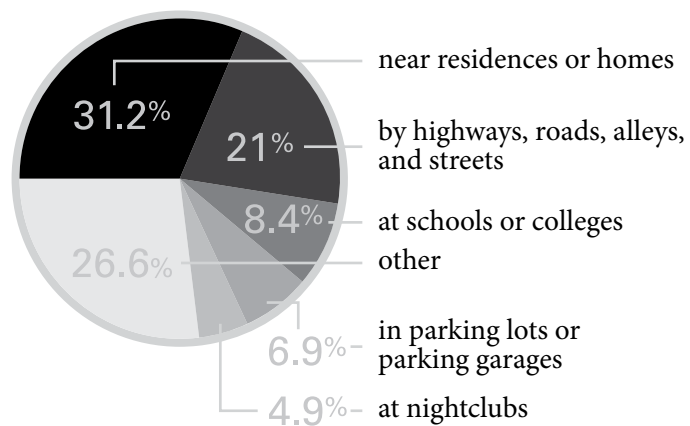
**19.3% OF ALL HATE CRIMES** were motivated by bias against sexual orientation

### TOP CRIMES AGAINST SEXUAL ORIENTATION

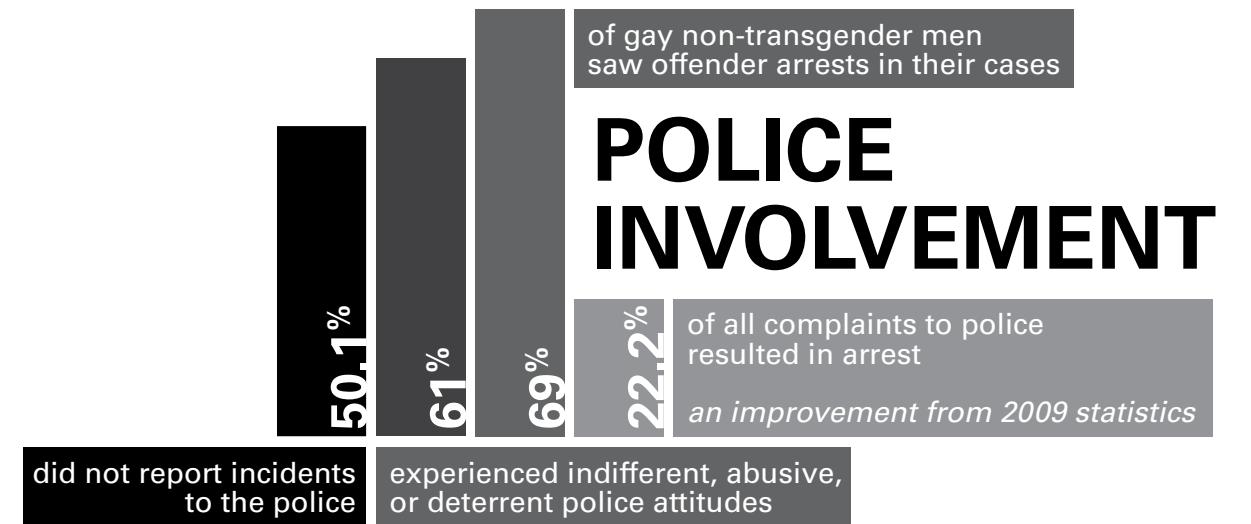
- Simple assault (495)
- Intimidation (331)
- Damage/Destruction/Vandalism (273)
- Aggravated assault (247)

### LOCATION

of crimes committed

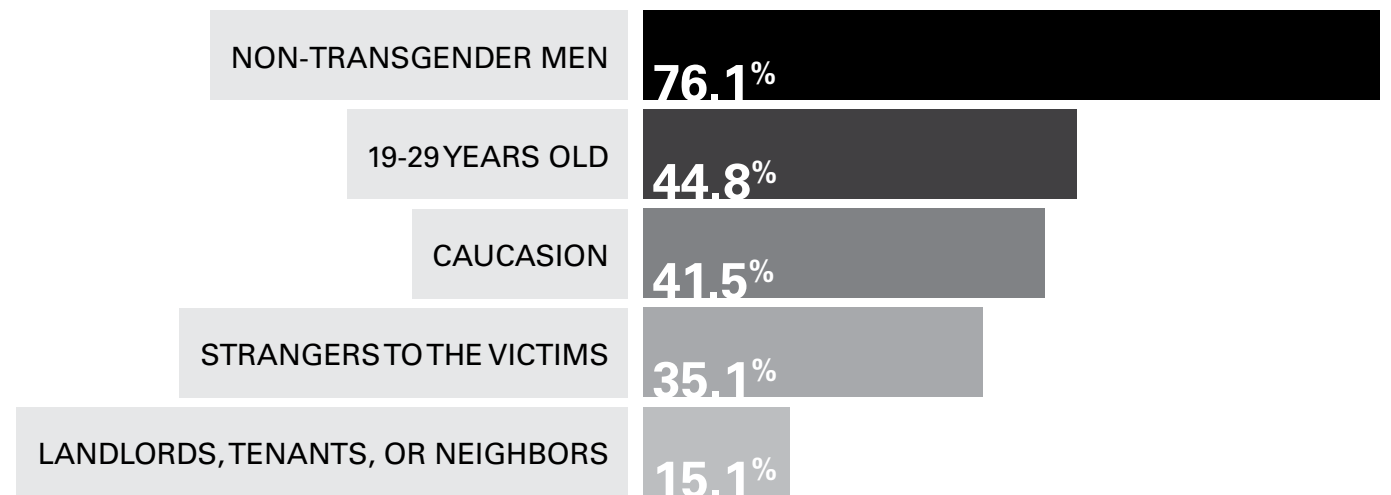


\*\*Of the 14,977 law enforcement agencies who participated, only 1,949 reported any hate crimes (13%)



- » 2,503 victims of LGBTQH bias-motivated crimes (Lesbian, Gay, Bisexual, Transgender, Queer, HIV-Affected people)
- » Anti-LGBTQH violence increased by 13% from 2009
- » 27 hate-based murders against LGBTQH people make this the 2<sup>nd</sup> highest murder-rate in a decade
- » Transgender people of color were three times more likely to experience violence from police.
- » Transgender women were least likely to report an incident to the police
- » LGBTQH people experienced three times more sexual violence than heterosexual reports

## TOP OFFENDERS



**“There are a few avenues you can utilize to initiate contact. The easiest is to determine if the department has an LGBT liaison. A lot of major metropolitan police departments have them. If not, most departments have a “Crime Prevention” department; these employ officers who work on reducing crime in the city through “outside the box”-type thinking. These are the officers who reach out to community groups such as PFLAG to establish a working relationship. If neither of those options exists in your community, then a meeting with the police chief should be scheduled. If you feel the department is not sensitive to your needs, having an elected city official on your side never hurts; reaching out to the city administrator could also be an option.”**

**Lee Catavu**  
Aurora, Illinois Police Department  
PFLAG Member, GOAL Chicago

### TALKING POINTS:

First, introduce yourself and why you are there. If you'd like, talk about your affiliation with PFLAG. If you have a coalition associated with your cause, you can discuss their interest in the meeting as well. After your introduction, consider asking a few questions.

1. Have you heard of the Matthew Shepard/ James Byrd, Jr. Hate Crimes Prevention Act? If not, explain the bullet points listed under “State Law vs. Federal Law” on page 6.
2. Are the officers in your/this department aware of The Act?
3. Have your officers gone through any hate crime prevention and/or response training?
4. Has our community experienced any hate crimes recently or in the past?
5. Have your officers gone through any LGBT sensitivity training, recently or in the past?

At this point you may feel comfortable suggesting hosting a training program which addresses hate crimes and LGBT sensitivity training, should your chapter have the capacity to facilitate such a training. You can also offer resources including the organizations listed in the back of this guide. If you would like to learn more about the department in your area consider asking:

6. This is not the work of a day – and it should not be just a “one and done” involvement. The relationships you establish should grow and be maintained.

After you have shared your information and listened to what the law enforcement officer has to say, you may decide to schedule a second meeting to discuss future collaborations. Meet with your group or coalition as soon as you can and discuss what you learned from your meeting. Discuss your next goals and how your local law professionals can be included. It may be helpful to develop a list of priorities for building your community/law enforcement relationship.

Some PFLAG chapters have already trained their local police departments. These trainings have included the following goals:

- » Explain why special training is needed and provide background on hate crimes.
- » Enhance cultural competency about LGBT issues and people.
- » Educate officers on the new Shepard/Byrd Act and how it applies to their district.
- » Define the police department’s roles and responsibilities as they relate to hate crimes.
- » Provide LGBT resources to officers which can be used to help victims of potential hate crimes.

As a trainer, you may also want to incorporate some LGBT sensitivity training into your session. This training will strengthen the impact of your information and get to the root of any actual or perceived biases within your law enforcement agency.

### LGBT SENSITIVITY OBJECTIVES<sup>30</sup>

- » Ability to avoid stereotyping different cultures and backgrounds.
- » Ability to use sensitive language when addressing an LGBT victim.
- » Ability to seek the facts and explore options instead of relying on personal assumptions.

### READY TO START PLANNING? BE PREPARED!

- » Schedule a meeting with other LGBT community leaders to discuss a detailed training program. Include issues that are relevant to your community in addition to those listed above.
- » Connect with the people invited to the training as soon as possible to pin-point the best possible date and time for your training program.
- » Formally invite your local law enforcement and other groups who are responsible for crime prevention and crime response. Invitations should be sent out months ahead of the training date. The time required by each department varies.
- » Prepare any handouts, slideshow presentations, group activities, and guest speakers well in advance. Account for any materials needed in your training such as pencils, paper, or other props.
- » Be concise and accurate with the information you provide, and use credible sources. An article on hate crimes from Wikipedia, for example, will not make a strong impression on your officers.

\* Training specifics and goals will be different depending on your region, the relationship you have with your officers and community, and many other factors. These guidelines are suggestions for where to begin.

In order to have an effective training there are several major points that should be addressed. Here is a basic outline of topics which should be covered in your training program.

1. **Define Meaningful Terms:** Define “hate crimes” and “bias crimes” as well as other key terms such as prejudice, stereotype, and discrimination. It is also a good idea to break down the “LGBT” acronym and explain what each term means. This gets everyone on the same page from the beginning.
2. **Include Historical Content:** Explaining why training is necessary including the history of LGBT bias-motivated crimes, sets the stage for your training day. You may want to include a history of LGBT people and the police force, addressing how events like Stonewall might inform LGBT people’s reluctance to trust law enforcement (and why).
3. **Invite Experts:** The more credible the information, the more impact it will have. Call upon experts from your coalition as well as other outside sources such as university professors and police personnel to strengthen your training on specific issues such as transgender rights or domestic violence.
4. **Keep it Interactive:** Make sure to engage your audience with questions, activities, and chances for discussion.
5. **Incorporate Data:** National and state and local hate crime statistics (available at the FBI Web site [http://www.fbi.gov/about-us/investigate/civilrights/hate\\_crimes/hate\\_crimes](http://www.fbi.gov/about-us/investigate/civilrights/hate_crimes/hate_crimes)) are a simple way to show the facts in a memorable manner, particularly if they are demonstrated through visuals.
6. **Reinforce their Role:** Remind your trainees that they have an obligation to treat all citizens fairly and respectfully, no matter their personal biases. They must be consistent in their role as law enforcers .
7. **Dispel Myths:** Address the most prevalent LGBT stereotypes and myths, especially those within your community. Consider asking the group to come up with their own list of myths and stereotypes. This allows you to gauge their feelings about the LGBT community without having to directly ask. Understanding how much your audience knows (or think they know) about the LGBT community will help you deliver a more effective training.
8. **Reporting a Hate Crime:** Some participants may be new to the police field and some may be seasoned, experienced officers. However it is important to remind them of how Important it is to report hate crimes to the FBI and the appropriate state agency. The FBI has an excellent Training Guide on how and why to report hate crimes under the its national Uniform Crime Reporting system, <http://www.fbi.gov/about-us/cjis/ucr/hate-crime/trainguidedc99.pdf>
9. **LGBT Victim Sensitivity:** There is a documented difference between how LGBT victims handle hate crimes due to the way these attacks impact their sense of identity. LGBT survivors of violent crimes must be given appropriate resources to help them process and heal from their experience.
10. **Provide Examples:** Take your audience through a series of hypothetical situations where they can determine if a suspected bias-crime occurred, what the crime was, and why it should or should not be reported.
11. **Provide Resources:** Develop a list of community organizations that exist to help survivors of hate crimes and understand the particular needs of LGBT individuals. Suggest the officers take this list to their departments for wider circulation and explain its usefulness at the end of the training.
12. **Develop a Training Evaluation:** Feedback is important for learning how to improve your training for future audiences. Discuss your feedback with key police personnel in order to strengthen your training after each session.

When you have exhausted all local opportunities for dialogue, outreach, and partnership, consider engaging the following federal agencies for further assistance and support.

### THE ROLE OF THE DEPARTMENT OF JUSTICE’S COMMUNITY RELATIONS SERVICE<sup>31</sup>

Department of Justice is the federal agency charged with regulating and enforcing the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act. The Hate Crimes Prevention Act authorizes the Department of Justice to investigate and prosecute certain bias-motivated crimes. Within the Department of Justice, the Civil Rights Division enforces the Shepard-Byrd Act. The Department of Justice also has the Community Relations Service (CRS), a component that works with state and local officials and community leaders across the country, providing a wide variety of services to help communities employ strategies to prevent and respond more effectively to violent hate crimes committed on the basis of actual or perceived sexual orientation and gender identity along with race, color, national origin, gender, religion or disability. CRS provides its services free of charge, and does not impose solutions, investigate, prosecute, or assign blame and fault. All CRS mediators are required by law to conduct their activities in confidence, without publicity, and are prohibited from disclosing confidential information.

If you are trying to identify ways to work with local government and law enforcement officials to develop community networks to help prevent violent hate crimes, or if for some reason you encounter a local law enforcement agency or official who appears unable or unwilling to work with you in addressing a bias-motivated crime targeting a person on the basis of their real or perceived sexual orientation and/or gender identity, please consider reaching out to CRS ([www.justice.gov/CRS](http://www.justice.gov/CRS)). When you contact the regional or field office that covers matters in your state or territory, a CRS staff member will ask you a few questions to understand the nature of your concern and determine whether CRS services would be useful and appropriate. These questions may include whether the community perceives the incident to be a hate crime as well as how CRS might be able to help facilitate dialogue and provide other services to support your efforts to prevent and/or respond to hate crimes. CRS has the ability to do the following within your community:

- » Contribute expertise and guidance on methods and policies that calm tension and conflicts associated with violence and crime targeting LGBT communities
- » Enhance strategies of state and local governments and community groups to prevent and respond to civil disorders related to crimes impacting LGBT individuals
- » Improve lines of communication between parties experiencing tension or conflict including Federal, State and local officials, community leaders, and residents
- » Facilitate dialogue between community leaders and residents and local law enforcement and government officials to support your efforts to improve the community’s capacity to prevent and respond more effectively to violent hate crimes targeting LGBT communities
- » The Community Relations Service (CRS) is the federal government’s “peacemaker” for community conflicts and tensions arising from differences of race, color, and national origin. CRS was created by the Civil Rights Act of 1964 and is the only federal component dedicated to assist state and local units of government, private and public organizations, and community groups with preventing and resolving racial and ethnic tensions, conflicts, and civil disorders, with the intent of restoring racial stability and harmony.
- » Work with students, parents, school officials, and other community members to help schools develop a culture of respect for all students

## THE ROLE OF THE FEDERAL BUREAU OF INVESTIGATION (FBI)

The FBI is the investigative agency that handles the investigations of federal hate crimes. Under the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act, the FBI can respond and investigate violent hate crimes against the lesbian, gay, bisexual, and transgender community. The new law criminalizes willfully causing or attempting to cause bodily harm when the crime is committed because of a bias against actual or perceived race, color, religion, national origin, gender, sexual orientation, gender identity, or disability if the crime affects interstate or foreign commerce, or occurred on federal property. The law protects people regardless of their immigration status.

To learn more about the FBI's role in investigating hate crimes, please visit this website:

[http://www.fbi.gov/about-us/investigate/civilrights/hate\\_crimes/overview](http://www.fbi.gov/about-us/investigate/civilrights/hate_crimes/overview).

If you have knowledge of a crime like this, or are a victim of one, you can contact your local FBI office. See below for a full list of local FBI field offices.

Albany, NY	518-465-7551	Memphis, TN	901-747-4300
Albuquerque, NM	505-889-1300	Miami, FL	305-944-9101
Anchorage, AK	907-276-4441	Milwaukee, WI	414-276-4684
Atlanta, GA	404-679-9000	Minneapolis, MN	612-376-3200
Baltimore, MD	410-265-8080	Mobile, AL	251-438-3674
Birmingham, AL	205-346-6166	Newark, NJ	973-792-3000
Boston, MA	617-742-5533	New Haven, CT	203-777-6311
Buffalo, NY	716-856-7800	New Orleans, LA	504-816-3000
Charlotte, NC	704-377-9200	New York, NY	212-384-1000
Chicago, IL	312-421-6700	Norfolk, VA	757-455-0100
Cincinnati, OH	513-421-4310	Oklahoma City, OK	405-290-7770
Cleveland, OH	216-522-1400	Omaha, NE	402-493-8688
Columbia, SC	803-551-4200	Philadelphia, PA	215-418-4000
Dallas, TX	972-559-5000	Phoenix, AZ	602-279-5511
Denver, CO	303-629-7171	Pittsburgh, PA	412-432-4000
Detroit, MI	313-965-2323	Portland, OR	503-224-4181
El Paso, TX	915-832-5000	Richmond, VA	804-261-1044
Honolulu, HI	808-566-4300	Sacramento, CA	916-481-9110
Houston, TX	713-693-5000	Salt Lake City, UT	801-579-1400
Indianapolis, IN	317-639-3301	San Antonio, TX	210-225-6741
Jackson, MS	601-948-5000	San Diego, CA	858-565-1255
Jacksonville, FL	904-248-7000	San Francisco, CA	415-553-7400
Kansas City, MO	816-512-8200	San Juan, PR	787-754-6000
Knoxville, TN	865-544-0751	Seattle, WA	206-622-0460
Las Vegas, NV	702-385-1281	Springfield, IL	217-522-9675
Little Rock, AR	501-221-9100	S. Louis, MO	314-589-2500
Los Angeles, CA	310-477-6565	Tampa, FL	813-253-1000
Louisville, KY	502-263-6000	Washington, DC	202-278-2000

## THE ROLE OF THE DEPARTMENT OF JUSTICE – UNITED STATES ATTORNEY'S OFFICES

The United States Attorneys are Presidentially appointed as the chief federal law enforcement officers in their districts, responsible for federal criminal prosecutions and civil cases involving the United States government. There are 94 U.S. Attorney's Offices across the country (see complete listing below). The U.S. Attorneys' offices have long been active in prosecuting hate crimes, together with their partners in the Department's Civil Rights Division. Prosecuting hate crimes is one of the highest priorities in the Justice Department, and this emphasis has been reflected by the work being done in the U.S. Attorneys' offices. A number of offices have established new units consisting of prosecutors dedicated to civil rights and hate crimes prosecutions.

U.S. Attorneys are working in your communities to (1) facilitate coordination of local, state and federal investigators and prosecutors for hate crimes; (2) provide a forum for community organizations and private citizens to monitor law enforcement's response to the hate crime problem and to provide input to law enforcement representatives about hate crimes; (3) sponsor and participate in educational and other community outreach programs designed to address some of the root causes which give rise to the commission of hate crimes; and (4) ensure that victims of hate crimes receive appropriate counseling and related services.

To locate the closest U.S. Attorney's Office near you, please visit this website:

<http://www.justice.gov/usao/about/offices.html>

## PFLAG NATIONAL THANKS THE FOLLOWING PEOPLE AND ORGANIZATIONS FOR THEIR COMMITMENT IN PRODUCING THIS FIELD GUIDE

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