ADL Hate Crimes Information for Law Enforcement

Definition of a Hate Crime
A hate crime is a criminal act against a person or property in which the perpetrator chooses the victim because of the victim's real or perceived race, religion, national origin, ethnicity, sexual orientation, disability or gender. (Please note that state laws may differ in some respects.) See State Hate Crime Statutory Provisions (PDF).

Factors to be considered by responding officers
- Were signs, symbols or words used that indicate that the crime was motivated by hate?
  In your narrative report,
  - describe exact language used;
  - photograph any graffiti;
  - collect any fliers and literature at the scene. (Was the literature pre-printed? Was there a phone number or address on it?)
- Be aware of significant dates, e.g., did the incident occur on Hitler's birthday, Cinco de Mayo, Martin Luther King, Jr. Day, Rosh Hashanah?
- Has the victim or the victim's group (race, religious, national origin, gender, disability or sexual orientation) been subjected to prior acts of a similar nature?
- Is the victim one of only a few of his/her group in the school or in the neighborhood? Did the victim recently move into the neighborhood?
- Are there neighborhood intergroup problems that may have contributed to the incident?
- Has the victim been associated with public activities relating to race, religion, national origin, gender, disability or sexual orientation, e.g., gay pride parade, op-ed in local paper?
- Has there been recent news coverage of similar incidents?
- Does the incident indicate possible involvement by an organized hate group? Was the perpetrator wearing clothing patches or tattoos which may indicate group membership or serve as evidence of bigotry?

**Strategies for Effective Investigations**

- Because the attack was based on the victim's identity, be prepared for an emotional response from the victim, family, and targeted group.
- Victim may be reluctant to cooperate in the investigation due to fear of retaliation, cultural or language barriers, or fear of being "outed."
- Tell victim that law enforcement takes this very seriously and that you are sorry the incident happened. Do not appear hurried.
- Do not minimize the victim's feelings or the crime's impact.
- Allow victim to use own words. Use interpreter, if necessary.
- Do not make assumptions or jump to conclusions.
- Call a supervisor, if appropriate.
- If possible, interview away from public scrutiny.
- Keep questions simple (victim may be distraught).
- Make certain victim is aware of next steps to be initiated.
Suggest to the victim and the victim's group that they can seek support and comfort from a number of community-based organizations. Have names and telephone numbers of victim assistance organizations available.