Lessons from a Hate Crime Detective

A guide for law enforcement

by Ryan Hunt and Lieutenant Travis Martinez

Partners in stopping hate

NOT IN OUR TOWN
STOP HATE. TOGETHER.

COPS
Community Oriented Policing Services
U.S. Department of Justice

Detective Ellen Vest leading a police cadet hate crime training session.

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The Internet references cited in this publication were valid as of the date of publication. Given that URLs and websites are in constant flux, neither the authors nor the COPS Office can vouch for their current validity.

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A special thank you is reserved for Sylvester Wilson, a victim of a hate crime attack featured in the film, *Lessons from a Hate Crime Detective*. Sylvester and his brother provided crucial information about the unique trauma experienced by hate crime victims and the common barriers to participating in investigations and feeling safe within the community again. Through stories gathered from victims, law enforcement representatives, prosecutors, and victim witness liaisons for almost two decades, Not In Our Town has had the opportunity to illustrate the need to differentiate hate-motivated incidents from other types of crimes.

Libby McInerny, Michelle Gahee Kloss, and Charene Zalis also contributed to this guide.

Introduction

Lessons from a Hate Crime Detective is a seven-minute roll call or training film featuring Detective Ellen Vest, a 30-year veteran of the San Diego County (California) Sheriff's Department. Before her retirement in 2013, Vest developed a training program to help fellow officers and detectives recognize the signs and symbols of hate-based groups, trained officers to document evidence and their suspicions in reports, and worked with prosecutors to identify gang members and investigate hate crimes. In this short film, she distills the most important ideas about hate crimes down to five lessons.

Law enforcement officers across the nation investigate approximately 6,000 hate crimes each day. Most agencies adequately equip and train their officers on how to investigate hate crimes and provide resources to help victims cope with the effects of their victimization. As first responders, law enforcement officers interact with victims of crime on a daily basis. Unfortunately, this massive amount of exposure sometimes leads to officers dismissing the effects felt by victims who experience minor crimes, such as assaults or vandalism resulting in minor injuries or property damage. The impacts of a crime on the victim are compounded when the motive is based on hate; hate crime victims often fear doing the basic things in life.

Lessons from a Hate Crime Detective demonstrates to officers how victims' lives are affected. During training, the film can stimulate discussion among officers about ways in which they can help hate crime victims recover. The viewing can also serve as a springboard for discussing why it is important for law enforcement to vigorously investigate each hate crime. By demonstrating a strong commitment to hate crime response, agencies send the message that hate crimes will not be tolerated in the community.

When a hate crime occurs, the investigating authority must be willing to devote the time and resources to investigate the crime fully. Nobody should live in fear of being victimized based on his or her race, age, ethnicity, religious preference, nationality, or sexual orientation.

This guide provides discussion topics and promising practices related to hate crime policing for law enforcement representatives who are organizing internal agency viewings or community screenings of the film. It contains sample discussion questions (see page 7), a list of supplemental resources (see page 10), and an evaluation survey (see appendix A).

Event organizers should allot at least 20–30 minutes for discussion after the film screening.

Lessons from a Hate Crime Detective is available online, together with supplemental resources, at www.niot.org/cops/hatecrimedetective.

Detective Ellen Vest interviewing a hate crime victim.

Film description

In *Lessons from a Hate Crime Detective*, when Detective Vest sees her laid-back beach community turn into a hotbed of skinhead activity with a sharp rise in bias-motivated crimes, she is determined to arrest perpetrators of hate violence and work with the community to prevent future crimes. In this short film, Vest imparts five lessons for law enforcement investigating hate crimes. Vest's stories from the field underscore the importance of identifying, investigating, and reporting hate motivation when officers arrive at a crime scene.

Vest maintains a personal connection with victims she has known and emphasizes the importance of knowing and working with the communities targeted by these types of crimes. In the film, she visits a hate crime victim she has remained in touch with for 10 years. Sylvester, a 40-year-old African-American former welder, sits next to his brother, unable to recall the vicious attack that left him permanently brain damaged and plagued by seizures. Later, she stands outside the bar where Sylvester was attacked and recounts the crime and her arrival on the scene.

Before an audience of young cadets, Vest shares the evidence gathered to convict the assailant of a hate crime, including tattoos and the attackers' professed idolization of Hitler. She emphasizes the importance of recognizing signs of skinhead activity in public places. For example, skinheads tend to reference lesser known words and numbers in graffiti, and white supremacists wear red shoelaces to indicate they have committed violence for their cause. Noting that hate crimes are "message crimes" that impact entire communities, Vest encourages officers to reach out to victims and their communities as important allies in hate crime prevention.

The film and guide were produced as part of the Not In Our Town: Working Together for Safe, Inclusive Communities collaboration between Not In Our Town and the U.S. Department of Justice's Office of Community Oriented Policing Services (COPS Office).[1]

1. All project resources and tools are available through the online project hub at https://www.niot.org/COPS.

Getting Started: Key Definitions

Definition of a hate crime

The FBI defines hate crimes as "criminal offenses motivated, in whole or in part, by the offender's bias against a race, religion, disability, sexual orientation, ethnicity, gender, or gender identity."[2] This definition is used nationwide for the purpose of recognizing, reporting, and tracking hate crimes.

The hate crimes reporting gap

While we know hate crimes are a problem in the United States, there remains a gap between the actual number of hate crimes that are *committed* and the number of hate crimes that are *reported* to law enforcement and officially documented. In 2013, a study from the U.S. Department of Justice's Bureau of Justice Statistics concluded that while 250,000 Americans over the age of 12 are victimized by hate crimes each year, only a third are reported.[3] The study determined that 24 percent of victims surveyed between 2007 and 2011 did not report the crime because they didn't think the police could help. The study also reflected a decline in the number of hate crimes reported to police, despite an overall rise in hate crimes.

This report highlights the urgency of creating and maintaining good relationships between law enforcement agencies and their communities. Stronger community ties will lead to more crimes being reported and will build the level of trust in the efficacy of law enforcement.

The FBI defines hate crime as "criminal offenses motivated, in whole or in part, by the offender's bias against a race, religion, disability, sexual orientation, ethnicity, gender, or gender identity."

2. *Hate Crime Data Collection Guidelines and Training Manual, Version 2.0* (Washington, DC: Federal Bureau of Investigation, 2015), 10, http://www.fbi.gov/about-us/cjis/ucr/hate-crime-data-collection-guidelines-and-training-manual.pdf.
3. Nathan Sandholtz, Lynn Langston, and Michael Planty, *Hate Crime Victimization, 2003–2011* (Washington, DC: Bureau of Justice Statistics, 2013), http://bjs.gov/content/pub/pdf/hcv0311.pdf.

Key Lessons

In the film, Detective Ellen Vest presents the following five lessons for hate crime investigation.

Lesson 1. Report and document hate crime incidents.

Law enforcement needs to fully investigate every incident regardless of how minor it may appear. Some incidents such as harassment, assaults, or vandalism could be signs of a larger pattern or activity that could escalate. Also, how the initial officer files the report is crucial to an investigation: if field officers are not adequately trained to identify indicators of bias, they might document a hate crime incident as a simple assault. Thoroughly working every case decreases the risk of more serious events, imparts confidence in the community, and demonstrates the serious stance the agency takes on hate crimes.

When possible, in meetings inside your agency, at community meetings, or with other groups, discuss the hate crime statistics in your region and ask if the data seems to represent what has really been going on in the community. Identify if there is a need to raise awareness about the importance of reporting and to reiterate how residents can report incidents.

Lesson 2. Hate crimes affect everyone, and victims need support.

The effects of a hate crime can ripple through a community. Such crimes can have lasting effects on community cohesion and efficacy and can affect the resident's sense of security and the local economy. Supporting victims after an incident is important to speeding up the recovery process for the victim and maintaining the trust of the community. It is essential to follow up personally with a victim and refer him or her to services such as victims advocate agencies, social workers, or civil rights or human rights agencies.

Community volunteers can enable law enforcement agencies to do better community outreach. For example, Tom O'Mara, a volunteer civil rights advocate in Redding, California, has been fully vetted and deputized to work as a liaison between the Redding Police Department and the community. He has been instrumental in connecting with community members. He also encourages members to exercise their civil rights and challenges them to live up to the values expressed in the Declaration of Independence.

Lesson 3. Identify symbols of hate.

Being knowledgeable about symbols of hate will build a stronger case. Vest developed training for her fellow officers and detectives that focused on recognizing the signs and symbols of hate-based groups and on documenting this evidence and an officer's suspicions in reports.

Vest and her colleagues keep meticulous records on perpetrators. When they encounter members of hate groups, they photograph tattoos, clothing, boots, hate paraphernalia, and anything else that can be evidence of bias and hate against certain groups. When searching cars and homes, they always look for signs and symbols of hate group affiliation. Graffiti identification is also an important tool.

Lesson 4. Hate crimes are message crimes.

When a hate crime occurs, it sends the message that certain groups are not welcome. This affects not only the targeted group but also the entire community.

It is crucial to establish positive working relationships with various community groups before an incident happens. Having a better sense of the tensions that exist between groups and the climate of the community affords law enforcement and the community the opportunity to initiate preventative programs to defuse tensions before they escalate. The 2012 national hate crime statistics indicate the primary motivator for hate crimes was race, followed by sexual orientation and religion.[4] Considering this, take an inventory of the meetings your agency has had with these groups and focus efforts on building solid relationships with them.

As community demographics change and become more diverse, cultural competency and diversity training is important to increase awareness of different cultural groups and address issues of personal bias within departments. Either internal agency personnel or an outside agency can facilitate these trainings. It's important to remind your agency that a public officer in uniform serves as protector of the entire community, and all residents are owed their protection.

Lesson 5. Work with your community to reduce and prevent hate crime.

By having officers in the field strengthening ties with local businesses, faith leaders, community groups, schools, and other residents, law enforcement can gain a better understanding of what is happening in the community and among youth in schools. It is important to talk with community members, check in on local businesses, and talk about recent activities with the community. Remind people that you are available if they need to call or text you about an incident. Law enforcement agencies should also develop a long-term strategy of engagement because creating strong connections does not happen overnight; such connections need time to strengthen.

As these connections develop, encourage your community to contact law enforcement and file reports if an incident does occur. Make sure information about tip lines is widely known and easily accessible. Translation services should be available for all tip lines, so immigrant populations feel they have access to the service. You can also ask community leaders to act as liaisons between you and the community. In such a role, they can speak to residents on your behalf and share with you information about incidents that have taken place.

Identifying and reaching out to marginalized communities and encouraging their participation in local politics and civic activities can be a long process, but creating trust and opening channels for dialogue is critical to working with these communities. This is an opportunity for residents to help create the type of community they want to live in, and it is an opportunity for law enforcement and public officers to partner with the community to create a city that can develop to its full potential.

4. *Hate Crime Statistics, 2012*, Uniform Crime Report (Washington, DC: Federal Bureau of Investigation, 2013), http://www.fbi.gov/about-us/cjis/ucr/hate-crime/2012.

Organizing a Screening of the Film

The film *Lessons from a Hate Crime Detective* outlines the steps a detective can take in investigating a hate crime incident as well as in preventing future hate crime incidents. A post-screening discussion can focus on all five lessons (see "Key Lessons" on page 4); individual lessons; or specific community policing issues, such as improving relationships between law enforcement and the community, addressing tensions between different groups, and creating safe and inclusive cities.

The film was developed primarily for law enforcement training purposes. There may be opportunities to screen this for select community groups, such as a citizen academy class, to demonstrate transparency and training to the community. However, it is important to provide structured facilitations for those community screenings.

Facilitating discussion

For any audience, consider organizing attendees into small breakout groups for part of the discussion. Especially in a large group, difficult or open-ended questions might make some people feel uncomfortable or shy about speaking out; these individuals might share more openly in a smaller group. One person from each group can be responsible for reporting to the larger audience about the experiences, perceived challenges, proposed strategies, or other issues raised in the breakout session.

In a theater setting where breakout groups are logistically difficult, pose a discussion question and encourage attendees to hold a five-minute conversation with the person in the next seat. You could conclude the segment by asking three or four pairs to share their findings with the larger audience. Spending about 10–15 minutes on this exercise may serve as a useful warm up for those who are reluctant to speak in large groups.

In public discussions with the community, questions should focus on the experience of the community members as much as possible. Honest criticism can be a very important and constructive part of the discussion; however, verbal attacks should be discouraged. An experienced facilitator, particularly someone who has credibility with the community at large, can be a great benefit, especially with larger groups or in groups with known tensions. The goal is participatory conversation by providing the opportunity for people to engage.

Suggested audiences

Law enforcement agency

This film can be incorporated into a larger hate crimes training seminar as a way to outline promising practices. The film's length lends it to be used as part of roll call or as part of a meeting with other groups who work with issues surrounding hate crimes or gangs.

You can also use this film to lead into more in-depth discussions centered on one of Detective Vest's lessons regarding, for example, participating in Uniform Crime Reporting, working with victim assistance groups, or practicing community policing.

Detective Ellen Vest explaining how to identify symbols of hate.

Suggested discussion questions include the following:

- Do our officers fully understand what constitutes a hate crime and their responsibilities to report and thoroughly investigate alleged hate crimes?
- Are our department's hate crime reporting protocols transparent and accessible to people and communities who may be targets of hate? Are there risks in our department for missing recurring hate and bias attacks?
- How can law enforcement help hate crime victims deal with the effects they experience from being victims?
- Does our agency send the message to victims that each case will be investigated fully?
- Is our department actively promoting and maintaining positive relations with the community to increase intelligence and build trust for better reporting?
- What else can members of our department do to enhance public confidence in our commitment to address hate crimes, encourage hate crime reporting, and prevent future occurrences of hate crime? What other improvements can our department make to address these issues?

Invited community groups

This film could also be used as a way to show the community how law enforcement works a hate crime case. A community screening can be used to initiate dialogue surrounding neighborhood crime prevention or to develop better community partnerships.

Suggested discussion questions include the following:

- Acts of bullying and harassment often escalate into offenses that are more serious; are you aware of any signs of intolerance in our community that may not be crimes but could signal bias that should be monitored?
- Are there attacks going on in our community? Do you feel safe to report them? If not, what can law enforcement do to make reporting easier?
- In what ways do you feel people in our community may justify inaction and ignorance to hate and bias and related issues?

Local hate crime response

This space is provided for training and event leaders to share important details about local hate crime response and state laws.

In addition to a person making a 911 emergency call, who is the point of contact in this community to alert if there is a hate crime or bias incident?

What are the provisions of this state's hate crime statute? Which of these victim classes are covered: race, religion, ethnicity, sexual orientation, gender, disability? Is there a mandate for hate crime data collection or hate crime training for law enforcement personnel?

Who is the point of contact if an officer or a member of the community has a question about local law enforcement's hate crime reporting practices, response, or prevention activities?

Appendix A. Evaluation Survey

Note: *To download a printer-friendly version of this two-page survey, please visit http://ric-zai-inc.com/ric.php?page=detail&id=COPS-W0761.*

Surveys should be returned to:
The Working Group / Not In Our Town
P.O. Box 70232
Oakland, CA 94612

Partners in stopping hate

NOT IN OUR TOWN — STOP HATE TOGETHER

COPS — Community Oriented Policing Services, U.S. Department of Justice

Film Evaluation of *Lessons from a Hate Crime Detective*

Instructions: Please answer the following questions based on your recent viewing of *Lessons from a Hate Crime Detective*. Surveys should be returned to **The Working Group / Not In Our Town, PO Box 70232, Oakland, CA 94612**. Thank you for your participation.

1. Screening location: _____

2. How would you rate the following in reference to this film?

Item	Excellent	Good	Okay	Fair	Poor
a. Handling of topic presented	○	○	○	○	○
b. Overall impact of film	○	○	○	○	○
c. Effectiveness of group discussion (if applicable)	○	○	○	○	○

3. Has this screening provided you with the following?

Item	Yes, very much	Yes, somewhat	No, didn't make a difference	Not applicable
a. Information or tools you can use in your work	○	○	○	○
b. Increased motivation to prevent hate, intolerance, and bullying in your community	○	○	○	○
c. Deeper understanding of why hate crimes need to be reported, investigated, and prosecuted	○	○	○	○
d. Ideas for investigating and tracking hate group activity	○	○	○	○
e. Practical ideas for improving relations with diverse populations in your community	○	○	○	○
f. Deeper understanding of how to serve hate crime victims	○	○	○	○

4. What opportunities or challenges do you anticipate in showing this film to your community or law enforcement agency?

Resources

Building Stronger, Safer Communities: A Guide for Law Enforcement and Community Partners to Prevent and Respond to Hate Crimes

http://ric-zai-inc.com/ric.php?page=detail&id=COPS-P270

This guide produced by the COPS Office and Not In Our Town offers leadership strategies and actionable tactics to help law enforcement agencies work with community partners. Real-life examples, documented by the Not In Our Town movement against hate and intolerance, illustrate how agencies can work with community stakeholders to create an atmosphere where hate is not tolerated and take positive steps in the aftermath of a hate crime. The guide also provides multiples lists of resources to promote action, engagement, and empowerment for the community and law enforcement.

The Collaboration Toolkit for Law Enforcement: Effective Strategies to Partner with the Community

http://ric-zai-inc.com/ric.php?page=detail&id=COPS-P221

Community leaders, researchers, and police officials know the police cannot substantially impact crime by themselves. Community involvement and collaboration is an integral part of any long-term, problem-solving strategy. At the most basic level, the community provides law enforcement agencies with invaluable information on both the problems that concern them and the nature of those problems. This toolkit helps law enforcement initiate partnerships within their communities to collaborate on solving crime problems at the neighborhood level.

Hate Crime Data Collection Guidelines and Training Manual

http://www.fbi.gov/about-us/cjis/ucr/hate-crime-data-collection-guidelines-and-training-manual.pdf

This publication, a merger of two earlier publications (*Hate Crime Data Collection Guidelines* and the *Training Guide for Hate Crime Data Collection*), reflects the changes in the Hate Crime Act and is intended to assist law enforcement agencies with collecting and submitting hate crime data to the FBI Uniform Crime Reporting Program, as well as with establishing an updated hate crime training program for their personnel. In addition to providing suggested model reporting procedures and training aids for capturing the new bias motivations, the manual is written to raise law enforcement officers' awareness of the hate crime problem.

Hate on Display

http://archive.adl.org/hate_symbols/default.html

Detective Ellen Vest, a 30-year veteran of the San Diego County (California) Sheriff's Department, worked with the Anti-Defamation League in compiling this visual database of extremist symbols, logos, and tattoos. Vest would use this database as a tool in analyzing graffiti and determining if an incident had a bias motive.

Not In Our Town + COPS

https://www.niot.org/cops

As part of the Not In Our Town: Working Together for Safe, Inclusive Communities project, the COPS Office and Not In Our Town have joined forces to create vital new tools to help law enforcement professionals and community partners work together to prevent hate crimes, improve hate crime reporting, and address underlying tensions that can lead to violence. Project resources include an online hub at NIOT.org/COPS, a series of new films and action guides highlighting successful practices, and a network of law enforcement leaders committed to spreading community policing strategies that promote safety and inclusion for all.

A Prosecutor's Stand (film and guide)

http://www.niot.org/cops/aprosecutorsstand/

Produced in collaboration with the COPS Office, the Not In Our Town 24-minute film examines recent hate crimes in San Francisco, and explores the nature of these crimes, the trauma faced by victims, and the common challenges in investigating and prosecuting these cases. Interviews with prosecutors, the district attorney, victims, victim liaisons, and others demonstrate the important interplay between hate crime victims, law enforcement, and the greater community. The guide provides discussion questions for use in internal agency trainings and community screenings, as well as a hate crimes fact sheet and a list of supplemental resources.

Responding to Hate Crime: A Multidisciplinary Curriculum for Law Enforcement and Victim Assistance Professionals

https://www.ncjrs.gov/ovc_archives/reports/responding/welcome.html

This six-session training program is intended for an integrated audience of law enforcement and victim assistance professionals to address a range of issues relevant to bias crime. With the increased need to recognize and respond to these crimes and with the growing number of states enacting hate crime legislation, this program is meant to provide professionals up-to-date training that is multidisciplinary in nature.

About the COPS Office

The Office of Community Oriented Policing Services (COPS Office) is the component of the U.S. Department of Justice responsible for advancing the practice of community policing by the nation's state, local, territory, and tribal law enforcement agencies through information and grant resources.

Community policing is a philosophy that promotes organizational strategies that support the systematic use of partnerships and problem-solving techniques, to proactively address the immediate conditions that give rise to public safety issues such as crime, social disorder, and fear of crime.

Rather than simply responding to crimes once they have been committed, community policing concentrates on preventing crime and eliminating the atmosphere of fear it creates. Earning the trust of the community and making those individuals stakeholders in their own safety enables law enforcement to better understand and address both the needs of the community and the factors that contribute to crime.

The COPS Office awards grants to state, local, territory, and tribal law enforcement agencies to hire and train community policing professionals, acquire and deploy cutting-edge crime fighting technologies, and develop and test innovative policing strategies. COPS Office funding also provides training and technical assistance to community members and local government leaders and all levels of law enforcement. The COPS Office has produced and compiled a broad range of information resources that can help law enforcement better address specific crime and operational issues, and help community leaders better understand how to work cooperatively with their law enforcement agency to reduce crime.

- To date, the COPS Office has invested more than $14 billion to add community policing officers to the nation's streets, enhance crime fighting technology, support crime prevention initiatives, and provide training and technical assistance to help advance community policing.
- To date, the COPS Office has funded approximately 125,000 additional officers to more than 13,000 of the nation's 18,000 law enforcement agencies across the country in small and large jurisdictions alike.
- Nearly 700,000 law enforcement personnel, community members, and government leaders have been trained through COPS Office-funded training organizations.

As of 2013, the COPS Office has distributed more than 8.57 million topic-specific publications, training curricula, white papers, and resource CDs.

COPS Office resources, covering a wide breadth of community policing topics—from school and campus safety to gang violence—are available, at no cost, through its online Resource Center at www.cops.usdoj.gov. This easy-to-navigate website is also the grant application portal, providing access to online application forms.

This guide is designed as a tool to help law enforcement representatives facilitate discussions and training sessions in conjunction with screenings of the seven-minute Not In Our Town film *Lessons From a Hate Crime Detective*. Produced in collaboration with the COPS Office, the film features Detective Ellen Vest, a 30-year veteran of San Diego County (California) Sheriff's Department, distilling the most important ideas about hate crimes down to five essential lessons. The guide provides discussion questions for use in internal agency trainings and community screenings as well as a list of supplemental resources. Used together, the film and guide can help agencies work to improve hate crime reporting, enhance investigations, and support victims.

U.S. Department of Justice
Office of Community Oriented Policing Services
145 N Street NE
Washington, DC 20530

To obtain details on COPS Office programs,
call the COPS Office Response Center at 800-421-6770.

Visit the COPS Office online at **www.cops.usdoj.gov.**

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