Lessons from a Hate Crime Detective

A guide for community screenings

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

Photo credit: Blake McHugh

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 author(s) 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. 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.

Introduction

Lessons from a Hate Crime Detective is a seven-minute film featuring Detective Ellen Vest, a 30-year veteran of the San Diego County (California) Sheriff's Department. In this short film, Detective Vest distills her experience and the most important ideas about hate crimes into five lessons. The film features Vest recounting a hate crime investigation that led to an arrest and conviction, as well as her meeting with a hate crime victim who was brutally attacked by a white supremacist. It also presents excerpts from a training session for police cadets on how to recognize hate groups.

The film, primarily developed for law enforcement training purposes, can also be incorporated into a community event or workshop to help

- develop or enhance law enforcement-community partnerships to build trust and increase hate crime reporting;
- demonstrate law enforcement transparency and training to the community;
- address current tensions within the community and establish a plan to resolve them;
- promote safe, inclusive communities.

To request a free DVD copy of *Lessons from a Hate Crime Detective* and to download supplemental resources, please visit http://www.niot.org/cops/hatecrimedetective. The film and guide for *Lessons from a Hate Crime Detective* 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 (DOJ) Office of Community Oriented Policing Services (COPS Office).[1]

Another project film, *A Prosecutor's Stand,* serves as a powerful complementary resource for screenings and training events. That 24-minute film examines three hate crime cases in San Francisco, California, exploring the nature of these crimes; the trauma faced by victims; and common challenges in reporting, investigating, and prosecuting the crimes. To request a free DVD of that film and to download supplemental materials, please visit niot.org/cops/aprosecutorsstand.

Additional Not In Our Town resources are listed at the end of this guide.

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

Photo credit: Blake McHugh

Detective Ellen Vest interviewing a hate crime victim.

How to Host a Screening and Discussion

Creating dialogue among the diverse organizations, agencies, and community members in your city is an important tool in combating hate. Event organizers should allot at least 30 to 60 minutes for discussion after the film screening. This brief guide is designed as a tool to help address key issues in the film and facilitate meaningful dialogue. It contains sample discussion questions for event leaders and important background information about hate crimes. Additional film resources are available for free download at niot.org/cops/hatecrimedetective.

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 sessions 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. Taking about 10–15 minutes on this exercise may serve as a useful warm up for those who are reluctant to speak in groups.

In public discussions, 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 where there are known tensions. It should be kept in mind that the goal is participatory conversation, and the opportunity for people to engage can be as important as anything in particular that might be said.

The film and accompanying guide are provided free of charge for local screenings. To help us understand and better serve our audience, Not In Our Town requests that you copy and distribute the evaluation survey for this film provided at the end of this guide. Completed surveys can be returned to our office address, included on the survey. Thank you!

Screening and workshop steps

- Host the discussion in a neutral location where all attendees feel comfortable.
- Break the audience into small groups at tables before the screening.
- After the screening, present groups with a set of questions and a set time limit to discuss and answer questions.
- Have one member from each group report back their findings to the larger group, then facilitate a discussion about the different ideas that emerged.

Suggested discussion questions

- Acts of bullying and harassment often escalate into offenses that are more serious; are you aware of any signs of intolerance in this community that may not be crimes but could signal bias that should be monitored?
- Have you experienced or heard about hate crimes or bias incidents in this community?
- Many people are reluctant to report hate crimes; why do you think that is? Does law enforcement have a positive working relationship with targeted groups in this community, or is there a need for community leaders to serve as liaisons, speaking up for them and sharing information about incidents?
- What can police do to make it easier for people to report crimes or bias incidents?
- Do you have ideas for actions that can be taken if such an incident occurred in this community? (Learn more at NIOT.org)
- Based on the film and this discussion, what are the next steps for this community to improve hate crime reporting and show support for victims and targeted communities?
- Why are hate crimes considered "message crimes"? How does this aspect of a hate crime impact the victim, the group to which the victim belongs, or the community as a whole?

Key Hate Crime Investigative Strategies

In this film, Detective Vest presents the following strategies for hate crime investigation.

Lesson 1. Report and document hate crime incidents.

Law enforcement needs to fully investigate every hate crime incident regardless of how minor it may appear. Some incidents such as harassment, assaults, or vandalism could be signs of a larger pattern of activity that could escalate. Lesser incidents could collectively show a deeper level of activity that could escalate. Thoroughly working every case decreases the risk of more serious events, imparts confidence in the community, and demonstrates the agency's serious stance on hate crimes.

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 residents' sense of security and the local economy. This is why it is so important to engage with as many segments of the community as possible. 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.

The community and law enforcement should develop a long-term strategy of engagement, because strong connections are not created overnight, and they need time to strengthen. Strong community relationships are valuable in building trust between law enforcement agencies and the communities they serve. To eliminate language barriers, ensure that either qualified dual-language officers or community volunteers participate in outreach to groups who do not speak English. Also, if necessary, ask community leaders to serve as liaisons to immigrant communities or other groups that may be fearful or distrustful of the police to speak up for them and share information about incidents that have taken place. Involving a cross section of the community in hate crime prevention can reinforce positive law enforcement-community relations to address other crimes, as well.

Supporting victims after an incident is important to speeding the recovery process for the victim and maintaining cohesion in the community. A personal follow-up with the victim and referrals to services such as victims' advocacy agencies, social workers, or civil rights or human rights advocates and agencies is essential.

Lesson 3. Identify symbols of hate.

Detective Vest made it a point to investigate graffiti and other defining markers of hate activity. Being knowledgeable about symbols of hate will build a stronger case. When possible at community meetings or with other groups, discuss the hate crime statistics in your region and ask if the data seems accurate. Do the statistics represent what has really been going on in the community? Or is there a need to raise awareness about the issue and reiterate to residents how they can report incidents?

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.[2] Considering this, law enforcement agencies should take an inventory of the outreach they have conducted to these groups and focus efforts on building solid relationships with them.

As the 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 that all residents are owed the protection of officers.

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. It is important to talk with community members, check in on local businesses, and talk about recent activities with the community. Officers should communicate to people that they are available if individuals need to call or text about an incident. The importance of doing this before an incident occurs cannot be overstated.

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 and interpretation services should be available for all tip lines and 911 call centers so immigrant and limited English proficient populations feel they have access to the service. Agencies should offer the opportunity for community leaders to act as liaisons to speak for other residents and share information about incidents that have taken place. It is critical that officers know their communities.

Considering the events of the last 15 years, we will have to be more prepared to deal with crises whether they are economic, environmental, or manmade disasters. Having strong positive law enforcement-community ties will become increasingly important. This is an opportunity for residents to help create the type of community that 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.

2. *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.

Hate Crimes: Additional Facts for Event Organizers and Moderators

Definition of a hate crime

The Federal Bureau of Investigation (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."[3] This definition is used nationwide for the purpose of recognizing, reporting, and tracking hate crimes.

How hate crimes are reported

Two of the main sources for national hate crime data collection are the U.S. Department of Justice's FBI and Bureau of Justice Statistics (BJS), but these agencies have different approaches. The BJS National Crime Victimization Survey (NCVS) is collected from a nationally representative sample of households that are interviewed twice a year about criminal victimization.[4] This instrument collects data on frequency, characteristics, and consequences of rape, sexual assault, assault, theft, motor vehicle theft, and household burglary. This information is based on nonfatal crimes, and it does not matter whether or not they were reported to the police.

The FBI Uniform Crime Report (UCR) Hate Crime Statistics are reported by law enforcement directly to the FBI.[5] This data provides the number of incidents, victims, and offenders in hate and bias-related crimes whether the crime is fully or partially motivated by the bias.

The hate crime reporting gap

Hate crimes in the United States are seriously underreported and underdocumented, hindering accurate assessment of the problem. A recent BJS report found that nearly two-thirds of hate crimes go unreported to law enforcement.[6] This is because of the unfortunate belief by many victims that law enforcement will be unable or unwilling to address the problem. Such a breakdown in trust completely undermines the ability of law enforcement agents to perform their jobs.

3. *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.
4. "Data Collection: National Crime Victimization Survey (NCVS)," Bureau of Justice Statistics, accessed July 13, 2015, http://bjs.gov/index.cfm?ty=dcdetail&iid=245.
5. "Uniform Crime Reports," Federal Bureau of Investigation, accessed July 13, 2015, http://www.fbi.gov/about-us/cjis/ucr.
6. Megan Meuchel Wilson, *Hate Crime Victimization, 2004–2012 - Statistical Tables* (Washington, DC: Bureau of Justice Statistics, 2014), 5, http://www.bjs.gov/content/pub/pdf/hcv0412st.pdf.

It is imperative that law enforcement, prosecutors, and victim advocates do everything they can to build bridges of trust in the community to facilitate victim reporting and cooperation. First, it is essential that leadership make it clear that accurate reporting is a priority for the law enforcement agency. Training is an effective means for accomplishing comprehensive hate crime recognition. Reaching out to victims and to witnesses and encouraging them to report is very important. In addition, intra-agency review of reports can enhance the accuracy of reporting.

Additional Not In Our Town Resources

Not In Our Town (NIOT) is a national campaign that guides, supports, and inspires individuals and communities to work together to stop hate and build safe, inclusive environments for all. For more information or for assistance organizing a screening in your area, please contact info@niot.org or 510-268-9675.

Additional film and print resources are available on the Not In Our Town website at: www.niot.org. Selected highlights include the following:

Guides

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.

Not In Our Town Quick Start Guide

https://www.niot.org/guide/quickstart

The ideas in this guide came from people in communities who wanted to do something about hate and intolerance. Their successful efforts have been a shining light for the Not In Our Town movement.

Ten Ideas for Sparking Action in Your Town

https://www.niot.org/guide/10actionideas

Whether responding to a hate incident or working to prevent divisions, community leaders can use this guide to inspire their towns to stand up to intolerance and create a diverse environment where everyone is safe, accepted, and included.

Videos

Waking in Oak Creek

https://www.niot.org/cops/wakinginoakcreek

Presented in conjunction with the COPS Office, this 30-minute film reveals the powerful and inspiring community response to intolerance after deadly hate crime shootings at the Sikh Temple of Wisconsin. In the year following the attack, the mayor, police department and community members are awakened and transformed by the Sikh Spirit of Chardi Kala, or relentless optimism.

A Bowling Green Legacy

https://www.niot.org/cops/bowlinggreenlegacy

Presented in conjunction with the COPS Office, this 14-minute film follows the actions of students working with administrators, law enforcement and community members to forge new bonds after racially charged actions shake their community. When racist tweets and "white power" graffiti leave students feeling threatened and unsafe, the campus and community of Bowling Green unite to take a stand against hate and join the national Not In Our Town movement.

A Hate Crime Detective's Message to High School Students

https://www.niot.org/cops/media/hate-crime-detectives-message-high-school-students

Monmouth County, New Jersey, Prosecutor's Office bias crimes investigator Detective David D'Amico regularly visits schools to talk frankly and powerfully to the group responsible for the majority of these crimes—young people. His presentation includes cautionary advice not only about how derogatory words used online are hurtful but also about how they can make the user a target for recruitment by hate groups.

Community Responses to Hate Groups

https://www.niot.org/niot-video/responsestohategroups

This collection of short videos highlights communities around the country taking a stand against hate and intolerance.

Film 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
PO 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?

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.
- Since 1994, 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.
- To date, 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 community groups 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 community screenings as well as a list of supplemental resources. Used together, the film and guide can help agencies and communities 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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