Improving the Identification, Investigation, and Reporting of Hate Crimes

A SUMMARY REPORT OF THE LAW ENFORCEMENT ROUNDTABLE

U.S. Department of Justice Hate Crimes Enforcement and Prevention Initiative

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

Improving the Identification, Investigation, and Reporting of Hate Crimes

A SUMMARY REPORT OF THE LAW ENFORCEMENT ROUNDTABLE

U.S. Department of Justice Hate Crimes Enforcement and Prevention Initiative

Recommended citation:
U.S. Department of Justice Hate Crimes Enforcement and Prevention Initiative. 2020. *Improving the Identification, Investigation, and Reporting of Hate Crimes.* Washington, DC: Office of Community Oriented Policing Services.

Published 2020

Two days before the U.S. Department of Justice convened law enforcement and other leaders in Washington, D.C., to explore successful practices and the challenges in identifying, investigating, and reporting hate crimes, a tragic and senseless attack on a Jewish synagogue in Pittsburgh, Pennsylvania, took the lives of 11 people at worship and injured seven others. Two police officers and two SWAT officers were among the wounded.

This report is dedicated to those impacted by the horrific events at the Tree of Life – Or L'Simcha Congregation that day, along with all of the individuals and communities scarred by hate crimes.

—The U.S. Department of Justice Hate Crimes Enforcement and Prevention Initiative

Contents

"[A] diverse and pluralistic community such as ours can have zero tolerance for violence on the basis of race, religion, or association with people of other races and religions. Prosecuting hate crimes is a priority for me as Attorney General."

—Attorney General William P. Barr
U.S. Department of Justice Summit on Combating Anti-Semitism
July 15, 2019

"In all facets of our work, we must ensure that we understand the needs of law enforcement. That is why it is my top priority to ensure that we are always listening to the field, rather than telling the field what it needs."

—COPS Office Director Phil Keith
Law Enforcement Roundtable on Identification, Investigation, and Reporting of Hate Crimes
October 29, 2018


Group 1
Reporting by Victims
Reporting by

Letter from the Director of the Office of Community Oriented Policing Services and the Assistant Attorney General for Civil Rights

Colleagues:

Eliminating hate crime and bias-motivated violence from our communities and our country is one of the U.S. Department of Justice's (DOJ) highest priorities. Hate crimes have a devastating effect beyond the harm inflicted on any one victim. They reverberate through families, communities, and the entire nation as others fear that they too may be threatened, attacked, or forced from their homes because of what they look like, who they are, where they worship, whom they love, or whether they have a disability.

Like other crimes, the vast majority of hate crimes in the United States are investigated under state law and prosecuted by local, state, and tribal law enforcement authorities. However, the Federal Government has an important role to play in addressing hate crime through collaboration with our state and local partners. The Hate Crimes Enforcement and Prevention Initiative is charged with coordinating the DOJ's efforts to eradicate hate crime, in part by facilitating training, outreach, and education to law enforcement agencies and the public at the federal, state, local, and tribal levels. Led by the Civil Rights Division (CRT), the initiative reflects the combined and sustained efforts of multiple DOJ components including the Office of Community Oriented Policing Services (COPS Office), the Community Relations Service (CRS), the Federal Bureau of Investigation (FBI), the Office of Justice Programs (OJP), and the U.S. Attorneys' Offices. The initiative's efforts are especially focused upon how to address hate crimes data gaps.

In October 2018, the initiative convened a law enforcement roundtable on hate crimes. The day and a half–long event brought law enforcement and other leaders from around the country together with DOJ officials to explore successful practices and challenges in identifying, investigating, reporting, and tracking hate crimes.

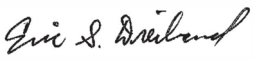
Feedback from the Law Enforcement Roundtable on Improving the Identification, Investigation, and Reporting of Hate Crimes has been an important catalyst for change. In response to input from participants, plans are underway to develop comprehensive hate

crime training for law enforcement on identifying, investigating, and reporting hate crimes. The DOJ is also developing an outreach program to support law enforcement efforts to develop strong community bonds through systematic hate crime education and outreach efforts. Further, the DOJ is working to incentivize and reward innovative, effective practices to improve law enforcement identification, investigation, and reporting of hate crimes.

Identifying, investigating, and reporting hate crimes when they occur sends the message that the police take these crimes seriously and reassures the public that their law enforcement agencies have systems in place to identify and investigate hate crimes. Complete and accurate data allow the targeting of appropriate resources towards solving and preventing hate crime. Through robust discussion, roundtable participants developed recommendations for enhancing hate crimes investigation and reporting that comprise a valuable roadmap for the journey ahead. On behalf of the Hate Crimes Enforcement and Prevention Initiative, we thank all who participated in the roundtable as well as all of those who continue to serve on the front lines in the battle against hate crime.

Sincerely,

Phil Keith
Director
Office of Community Oriented Policing Services



Eric Drieband
Assistant Attorney General for Civil Rights

Acknowledgments

On behalf of the Hate Crimes Enforcement and Prevention Initiative, we thank all who participated in the roundtable and made it a resounding success.

Law enforcement participants carved out precious time from packed schedules to travel to Washington, D.C., and share valuable insights on strategies to combat hate crime throughout the event. Presenters and facilitators devoted many hours to assist in shaping the event, preparing thought-provoking remarks that changed the conversation in important ways. Chief Noel March from the University of Southern Maine Police Department served as an ideal facilitator, and Chief Will Johnson of the Arlington (Texas) Police Department joined him in contributing hours of expertise and advice to developing the roundtable concept and agenda.

Community partners Dennis and Judy Shepard and Cynthia Deitle of the Matthew Shepard Foundation, Michael Lieberman of the Anti-Defamation League, and Pardeep Kaleka of Serve2Unite generously shared their compelling personal experiences as well as their deep expertise. To all, we are grateful. The full list of speakers and participants is included at appendix D.

Many individuals from the DOJ's Hate Crimes Enforcement and Prevention Initiative contributed to the roundtable. Special thanks are due to Civil Rights Division Policy and Strategy Section Acting Head Sheila Foran and to COPS Office Senior Program Specialist Nazmia E.A. Comrie for leading all aspects of developing and executing the roundtable event and summary report. Others who contributed to various aspects of planning and executing this event include Antoinette Barksdale (CRS), Mark Blumberg (CRT), Barbara Bosserman (CRT), Michelle Coles (CRT), Kristi Donahue (FBI), Jim Felte (CRT), Jessie Ginsburg (CRT), Judy Gough (CRT), Nikita Purdy (OJP), Gerri Ratliff (CRS), Karen Stevens (CRT), Jeff Veltri (FBI), and Angela Washington (CRT).

Gratitude is due to Civil Rights Division leadership, including Assistant Attorney General Eric Drieband and Deputy Assistant Attorney General Robert Moossy, and to COPS Office leadership—Director Phil Keith, Deputy Director Rob Chapman, and Assistant Director Matthew Scheider—for supporting the planning and execution of this roundtable. We also thank COPS Office staff for providing logistical, editorial, and communications assistance:

Camisha Amaker, Helene Bushwick, Alicia Coleman, George Fachner, Melissa Fox, Esteban Hernandez, Shannon Long, Matt Lysakowski, Laurel Matthews, Vonda Matthews, AJ Phipps, Jessica Scullin, Sheryl Thomas, and Brandon Tramel. COPS Office award recipient Strategic Applications Initiative (SAI) staff Jessica Drake, James Copple, Colleen Copple, Jason Drake, Christopher Smith, and Mary Jo Robinson also provided assistance, particularly with respect to pre-roundtable interviews, logistics, and notetaking.

Most of all, we extend our appreciation to the law enforcement officers and deputies who continue to serve as positive role models, exemplifying tolerance of and respect for others while working on the front lines in the battle against hate crime.

Introduction

> *"Today's roundtable brings together two of the department's highest priorities: supporting our state and local law enforcement partners and deterring bias-motivated crimes."*
>
> **—Rod Rosenstein**
> then Deputy Attorney General

Roundtable overview and major outcomes

Identification of barriers to effectively combating hate crime

Law enforcement agencies across the country use criminal justice data to understand trends and pinpoint enforcement gaps. Accurate data and valid research information on both crime and victimization are necessary to correctly assess the efficacy of programs and activities intended to combat crime. But when it comes to hate crime, several significant issues present challenges to the collection of accurate data both locally and nationally.

One such challenge is the potential for underreporting both by victims and by law enforcement. A small percentage of law enforcement agencies do not participate in the FBI's voluntary Hate Crime Statistics Program. Further, the vast majority of law enforcement agencies that do participate in the program report that there are no hate crimes in their jurisdictions annually. In part, this could be the result of underreporting to law enforcement by victims, as more than 40 percent of all victims in 2015–2017 did not report hate crimes when they happened, and incidents not reported to the police cannot be investigated or prosecuted. Although there is still work to be done, there has been improvement since 2009–2011, when 69 percent of victims did not report.[1]

1. Barbara Oudekerk, *Hate Crime Statistics*, briefing prepared for the Virginia Advisory Committee, U.S. Commission on Civil Rights, (Washington, DC: U.S. Department of Justice, 2019), https://www.bjs.gov/content/pub/pdf/hcs1317pp.pdf.

Underreporting to the FBI may also be due in part to underidentification of hate crimes on the part of law enforcement. An officer who has not been trained on the applicable hate crime law or indicators of bias-motivated crimes may respond to a call for an assault and not realize there are additional charges and sometimes higher penalties available under the hate crime statutes.[2]

With the help of accurate data, law enforcement can make a compelling case to acquire the resources needed to fight hate crime. Accurate Uniform Crime Report (UCR) Program data are also critical to criminal justice researchers, who use the data to study crime trends and improve the criminal justice system. It is the integrity of the data that allows for the necessary confidence to make valid conclusions about crime within communities and across the nation. Without accurate data, it is difficult to know if preventative measures are effective. Moreover, regional trends showing spikes in non-major hate crimes or incidents might alert law enforcement of the risk that more serious hate crimes may be committed in those regions in the future. Finally, when law enforcement agencies accurately report hate crimes data to the UCR, they demonstrate to survivors and communities that their voices matter, which builds trust and confidence in law enforcement.

Developing solutions to effectively combat hate crime

The DOJ's law enforcement roundtable brought together law enforcement and other leaders from around the country to explore successful practices and challenges in identifying, investigating, reporting, and tracking hate crimes. Throughout the event, representatives from diverse law enforcement agencies and national law enforcement stakeholder associations engaged in collaborative brainstorming and action planning with Federal Government leaders. The goal of the roundtable was to generate ideas for

2. The definition of a hate crime varies based on federal and state statutes, but for the purposes of the roundtable discussion, the working definition of a hate crime (sometimes called a bias-motivated crime) is a criminal offense motivated by some form of bias toward the victim or someone associated with the victim. Motive is a critical element in the identification of a hate crime; prosecutors must prove that the defendant committed the crime because of the characteristic at issue, be it race, color, religion, national origin, gender, disability, or LGBT status. Hate crimes are punished more severely because, in such attacks, victimization is not limited to the person who was directly threatened, hurt, or killed but includes an explicit or implied threat to others who share the characteristics targeted by the perpetrator. For more information, see "Learn about Hate Crimes," U.S. Department of Justice, accessed April 6, 2020, https://www.justice.gov/hatecrimes/learn-about-hate-crimes.

actionable steps to address these barriers, both for local law enforcement and for the greater law enforcement community. Three major recommendations and sets of potential action steps emerged:

1. Develop comprehensive training for law enforcement on identifying and reporting hate crimes.

- Assess current requirements for law enforcement training on hate crime nationwide, and evaluate the quality and quantity of such training. Accomplish this through partnering with the International Association of Directors of Law Enforcement Standards and Training (IADLEST) and working with POST (Peace Officer Standards and Training) directors.
- Create state and federal training standards.
- Produce a hate crime training curriculum for all law enforcement levels, from academy cadets to experienced officers to leadership and command staff.
- Include segments on how to improve law enforcement's capacity to identify and report hate crimes.
- Develop training on understanding communities targeted by hate crime through building awareness of victims' culture and language. Include training on appropriate questions to ask in the wake of hate incidents.[3] Include segments on how to strengthen connections with a wide range of community-based organizations.
- Collaborate with national or local organizations to vet trainings to ensure that curricula meets community needs and stays current.
- Establish evaluation protocols to ensure trainings are effective and continue to meet evolving needs.

2. Support law enforcement efforts to develop strong community bonds through systematic hate crime education and outreach.

- Support efforts by law enforcement to develop coalitions within communities to encourage the most vulnerable to come forward and report. Victims have to believe they will be listened to before they will report any crime. But because victims of hate crimes are targeted based on their identity or perceived identity, confounding factors that can impact their willingness to report include issues of mistrust, insecurity, and

3. Bias or hate incidents can be defined as acts of prejudice that do not involve violence, threats, or property damage. It is important to note that not all hate incidents are hate crimes. See "Learn About Hate Crimes" (see note 2).

embarrassment, as well as language barriers. Positive relationships between law enforcement and the community encourage the reporting of hate crimes, and law enforcement needs assistance to build and sustain strong community-police relationships and implement sound strategies.

- Promulgate best practices checklists that help law enforcement prioritize partnerships with community groups representing the full spectrum of stakeholders (e.g., create a list of community-based organizations, including points of contact; calendar participation in a full range of community functions hosted by local organizations; brainstorm informal opportunities to engage with communities). All of these engagement opportunities grow trust, especially if they occur consistently.
- Generate a "see something, say something" messaging campaign. By partnering with advocates on such a campaign, law enforcement can build trust. Based on success in other areas including school safety and countering terrorism, this campaign can include promoting the use of tip lines by community members and potential victims.
- Fund victim advocates to train law enforcement regarding understanding victims' culture, and support victims advocate programs that assist hate crime victims in understanding law enforcement's process while police investigate the crime.
- Convene broad stakeholder representatives (school leadership, elected officials, public health departments, the private sector, and law enforcement) to build a multidisciplinary approach to hate crimes prevention throughout communities.

3. Reward innovative, effective practices to improve law enforcement identification and reporting of hate crimes.

- Support states and localities to report hate crime data to the FBI UCR Program by helping them understand what qualifies and how it should be captured. The FBI Handbook provides clear direction on what should and what should not be reported as a hate crime.[4]
- Support the creation of specialized bias crime units.
- Assist agencies in teaming up to develop multiagency hate crimes task forces.

4. For more information on collecting and submitting hate crime data to the FBI UCR Program, see Criminal Justice Information Services (CJIS) Division Uniform Crime Reporting (UCR) Program, *Hate Crime Data Collection Guidelines and Training Manual*, version 2.0 (Washington, DC: Federal Bureau of Investigation, 2015), https://ucr.fbi.gov/hate-crime-data-collection-guidelines-and-training-manual.pdf.

- Incentivize states and localities that track changes in victim and law enforcement reporting following the adoption of best practices and that revise training and outreach efforts as necessary to increase victim and law enforcement reporting.
- Include hate crimes in dropdown menus in computer-aided dispatch (CAD) and investigative reporting software systems.

The U.S. Department of Justice Hate Crimes Enforcement and Prevention Initiative history and mission

In February 2017, the President issued Executive Order 13776 underscoring the critical role the DOJ plays in leading the Federal Government's efforts to reduce crime in the United States and directing the Attorney General to establish a Task Force on Crime Reduction and Public Safety. The task force—comprising representatives of all relevant DOJ components—developed an overall violent crime reduction strategy complete with specific recommendations to reduce violent crime. An integral part of the DOJ's coordinated effort to reduce violent crime included addressing threats or acts of violence that target a person or community on the basis of race, ethnicity, religion, color, gender, sexual orientation, gender identity, disability, or background. The Hate Crimes Subcommittee (renamed the Hate Crimes Enforcement and Prevention Initiative in 2018) developed a plan to address hate crime to better protect the rights of all Americans. The plan has three primary components: (1) enhancing data and reporting, (2) increasing training and guidance, and (3) strengthening enforcement.

Since the issuance of the Executive Order in 2017, the subcommittee and the initiative have sought to learn more about the concerns of both law enforcement and community representatives regarding current efforts to combat hate crime and have gathered feedback that is reflected throughout the roundtable report. The subcommittee hosted two meetings with bias crime experts in June 2017. The first meeting, at the Attorney General's Crime Reduction and Public Safety Summit in Bethesda, Maryland, brought together a small group of primarily federal law enforcement officers to discuss the challenges they face in handling hate crime and how the DOJ might best assist law enforcement. The second event, a DOJ Hate Crimes Summit in Washington, D.C., brought together approximately 60 community and faith leaders for a day of panel presentations from subject matter experts and small working sessions with the subcommittee and DOJ leaders.

Next, in August 2018, the former subcommittee, now the Hate Crimes Enforcement and Prevention Initiative, convened the first-ever seminar on Investigating and Prosecuting Hate Crimes and Domestic Terrorism, bringing together 70 federal prosecutors and agents to discuss how to better collaborate when investigating and prosecuting hate crimes that also constitute acts of domestic terrorism. Finally, to inform development of the agenda for the October 2018 roundtable, initiative members conducted interviews with law enforcement regarding current efforts to combat hate crime.

Input and information obtained through these various sources and events—including, of course, the roundtable event itself—is incorporated into the roundtable report.

Roundtable report organization

This report is a product of the DOJ's Hate Crimes Enforcement and Prevention Initiative. The body of the report is organized in four parts. Part 1 features law enforcement perspectives on creating agency cultures that prioritize hate crime and includes best practices for improving hate crimes enforcement. Part 2 discusses stakeholder and advocacy perspectives with an emphasis on how advocacy groups can collaborate and support law enforcement. Part 3 presents federal hate crimes statistics and highlights federal technical assistance and outreach resources. Part 4 documents the results of participant breakout group discussions. The report concludes with proposed action steps. Appendices include various resources, including a field-driven diagnostic checklist for law enforcement and updated information on federal resources, in addition to the roundtable agenda and participant list.

"Now more than ever, especially regarding this topic of hate crime—our leadership matters."

—Chief Noel March
University of Southern Maine
Facilitator

Part 1. Law Enforcement Presentations

In addition to highlighting information provided by roundtable panelists, the presentation summaries in this report incorporate feedback gathered by the initiative from a law enforcement breakout session at the June 2017 Attorney General's Crime Reduction and Public Safety Summit in Bethesda, Maryland; June 2017 DOJ Hate Crimes Summit in Washington, D.C.; and September 2018 pre-interviews with law enforcement participants.

Leadership, culture, and change: Perspectives from the field on improving hate crimes investigation and reporting

Will Johnson, chief of the Arlington (Texas) Police Department moderated the first panel, featuring Michael Diekhoff, chief of the Bloomington (Indiana) Police Department and Joseph Sullivan, deputy commissioner of the Philadelphia Police Department.

"Leadership must live out the core values of the organization, setting the tone both internally and externally."

—Chief Will Johnson
Arlington Police Department

Promoting investigation and reporting of hate crimes: Leadership sets the tone

As leaders in their respective police departments, the panelists highlighted the role that law enforcement leadership plays in shaping the culture of an organization. As they emphasized, it is important that the top level of an organization set an expectation that hate crimes are considered as serious as other violent crimes, including shootings, assaults, rapes, robberies, or school violence. The tone at the top sets the law enforcement agency's values and climate. Leadership is the foundation upon which the culture of the agency is built. Law enforcement leaders are the face of the organization and the figureheads to whom other officers and deputies ultimately look for vision, guidance, and leadership.

Establishing the tone at the top and strengthening it over time requires concerted effort. To be credible, law enforcement leaders must openly and continually communicate the agency values and establish principles for how they expect work to be done. Ultimately, a leader's behavior tells other officers and deputies what counts and what's rewarded and disciplined.

Individuals who become officers often have a calling to serve and protect. Aligning values with how things actually work in the agency on a day-to-day basis is key. With respect to promoting hate crimes identification and reporting, organizational practices that help align values with day-to-day operations include the following:

- Demonstrating behaviors that promote zero tolerance for prejudice and bias throughout the agency
- Ensuring that training prioritizes investigation and reporting of hate crimes
- Ensuring training is victim-centered and trauma-informed while emphasizing the importance of emotional intelligence and empathy skills in working with all victims (including hate crime victims)
- Participating in and sponsoring community events and activities that promote diversity and tolerance
- Rewarding performance that demonstrates respect for "no hate" values, community coalition building, and conflict resolution work
- Ensuring unequivocal condemnation of hate incidents when investigations have established that they occurred
- Modeling appropriate language and behavior

Chief Diekhoff and Deputy Commissioner Sullivan emphasized the importance of agency leaders developing transparent and open relationships both with their rank-and-file officers and with the community. These relationships are key to achieving culture change that will encourage officers to prioritize the identification, investigation, and prosecution of hate crimes, including through improving officers' understanding of the elements of the offense (based on state or federal statute). "Absent the creation of an effective culture," Chief Johnson noted, "action steps will not have the permanency we want in affecting change."

Community relationships are critical

Another focal point of the discussion was the vital role that community policing plays in building trust with at-risk communities. Hate crimes are a highly sensitive topic. The stronger the relationship with police, the more faith community members have that their allegations will be investigated. The result is higher victim reporting rates.

Deep roots in the community are key to effective policing, especially with respect to hate crimes prevention. Establishing regular modes of communication and consistent engagement, both formal and informal, is critical. Partnering with a wide array of community groups, including advocacy organizations, educators, local leaders (including religious leaders), and community health centers to co-host hate crime discussions or form hate crime task forces grows trust and understanding. In addition, there are a number of existing resource materials available that can be used by law enforcement to build trust with various communities.[5]

Chief Johnson stressed, "A leader's responsibility is to create a strong culture throughout the entire organization where everyone believes it is their job to focus on effective relationships with the community." As discussed by the panelists, citizen advisory boards can be important vehicles for developing communication and trust with the community and can assist by de-escalating tense situations quickly. The standing relationships and lines of communication built through these groups—which meet on a regular basis to provide a department with advice on a wide range of issues but do not conduct review or independent oversight—are helpful in a crisis. Community liaison officers can also play a vital role in developing a community policing approach with groups most vulnerable to hate crimes as they build trust and serve as important intermediaries between law enforcement agencies and the community. Officers who have relationships with specific advocacy groups can also help when a hate crime or hate incident occurs by immediately reaching out to the community or advocacy group most affected by the incident.

Promising practices from the field: Improving hate crimes identification and reporting

The panelists included Carmen Curry, a sergeant with the Civil Rights Unit of the Boston Police Department; Michael Kebba, an acting captain in the Violent Crimes Part with the Seattle Police Department; and Brandy Willingham, a detective in the Phoenix Police Department.

5. "Hate Crime Resources," Office of Community Oriented Policing Services, accessed April 6, 2020, https://cops.usdoj.gov/hatecrimeresources.

> *"Hate crimes are message crimes. We, the police, must also send a message. Having a detective or unit specifically dedicated to these crimes sends a message to victims, potential victims, perpetrators, and potential perpetrators that these crimes will be taken seriously."*
>
> **—Sergeant Carmen Curry**
> Boston Police Department

Sergeant Curry spoke about how hate crimes are typically vicious by intent and create fear in the affected community that cannot be ignored. All the panelists highlighted multiple innovative practices that agencies are using to improve hate crimes enforcement. As representatives of agencies with specialized bias units, panelists stressed the importance of having organizational structures that support hate crimes investigations while being sensitive to agencies' varying resource constraints. Not every agency may be able to support a specialized unit, but all should be able to develop procedures and collaborations that will ensure cases are handled with the appropriate expertise.

Agency procedures should incentivize hate crimes investigation and reporting

Other practices highlighted by the panelists include the following:

- Establish policies that specify how hate crimes or incidents are investigated and who within the agency should be notified when a suspected hate crime occurs.[6]
- Larger agencies may employ community liaison officers and a bias crime coordinator to manage agency responses to reports of a hate crime. State hate crime statutes vary significantly, and the elements required for UCR reporting do not mirror state statutes. The coordinator can help code hate crimes and reinforce training during roll call or in-service. Based on agency size, certain responsibilities could be assumed by civilians, reserve personnel, or volunteers. Bias crime coordinators can also maintain statistical data and produce statistical reports monthly as well as comprehensive reports twice yearly for law enforcement and other leaders.

6. The FBI recommends that hate crimes reporting to the UCR involve two-tier decision-making. Once a responding officer has completed the initial report and classified an incident as a suspected hate crime, the report is forwarded to an investigative officer, immediate supervisor, or other "second judgment" officer who has received special training in classifying and dealing with hate crimes to make the final decision as to the existence or nonexistence of a bias motivation. This procedure is important for accurate statistical reporting of such incidents on the local, state, and national levels. See Criminal Justice Information Services (CJIS) Division Uniform Crime Reporting (UCR) Program, *Hate Crime Data Collection Guidelines* (see note 4).

- When staffing levels allow, establish a bias crime detective position or assign someone those specific responsibilities. This assignment assures victims that the agency takes these crimes seriously, may allow for a more thorough investigation, and offers a check against hate crimes that may be misclassified by patrol officers. Establishing dedicated bias crime positions sends a message regarding the priority placed on hate crimes identification, investigation, and reporting. The role should be placed in a position of prominence within the police organization, like the Homicide Unit, where the bias crime detective will receive the most investigative support and best resources available.
- Explore the possibility of sharing a regional bias crime position among multiple smaller or rural law enforcement agencies where resources do not permit establishment at individual agencies.
- Consider using software that screens for derogatory words and phrases on intake forms to alert agencies of potential hate crimes. Such software may be helpful when officers' reports do not flag the issue. First responders may not actively identify incidents as bias crimes in part because of reluctance to ascribe bias motivation until incidents can be investigated thoroughly. These flags can be sent to the bias crime detective or a specialty unit that can review the report and determine if further action is required.

Train officers in the importance of communicating appropriately with hate crime victims

> *"When you have a noncriminal bias incident it's still important to contact the victim. Reaching out to the victim lets them know you care. This matters to victims. Victims want their experiences to be acknowledged and taken seriously."*
>
> **—Detective Brandy Willingham**
> Phoenix Police Department

Law enforcement should use the same victim-centered, trauma-informed communication skills with hate crime victims that they would use with other crime types, such as sexual assault and domestic violence. Those accepted

and effective communication techniques and practices for communicating with victims should be used in these cases, while remembering the following principles:

- Follow up on complaints. Participants noted that a supervisor can be dispatched if an officer or deputy is unsure whether there are indicators of bias motivation present. Trust is built when victims' expressed beliefs about bias motives are followed up on.
- Demonstrate empathy and use strong listening skills when interacting with victims and the community. Ask questions that show law enforcement wants to get to know the victim and understand their perspective.
- Consider anonymous hotlines and apps that allow electronic reporting. Victims and witnesses are often afraid to talk to law enforcement. Enlisting the help of advocacy groups, especially with respect to hate crime reporting by refugee and immigrant communities, is also important.
- Support the dedication of assistant district attorneys to hate crimes prosecution. Expending the additional effort to add charging enhancements where warranted—and successfully securing convictions on those hate crime enhancements—sends a message to the affected communities that they are being protected. In turn, it is important for investigators and prosecutors to explain to the victim when these charges cannot be brought forward.

Prioritize hate crimes investigation and reporting at the leadership level

> *"When addressing bias crime, you need to get it right one hundred percent of the time—and when you don't, address it immediately internally and to the public."*
>
> **—Acting Captain Mike Kebba**
> Seattle Police Department

In addition, law enforcement should use the same promising practices used when investigating other crimes such as sexual assault or domestic violence. Panelists and participants identified the following as helpful practices:

- If hate crimes were not addressed properly in the first instance, own up to mistakes both internally and to the public while working to correct those mistakes in the future. Because of the particularly sensitive nature of hate crimes, community members may be reluctant to report hate crimes to law enforcement or cooperate with a hate crimes investigation if a foundation of trust is lacking. Transparency helps build trust.
- Include hate crime and bias-free policing trainings in academies so that they become a part of the training culture. Identify trainers who truly care about the issue so that trainees obtain an early understanding of the importance of these cases. Officers should be trained on how to recognize bias indicators and also how to report such indicators on intake forms.
- Try to prioritize hate crimes investigation and reporting even where budget constraints prevent the establishment of special focus units or coordinators. Agency leadership can still positively influence the culture of the organization, resulting in improved hate crimes investigation and reporting.

Part 2. Stakeholder and Advocate Presentations

Critical community partnerships: Stakeholder perspectives on hate crimes identification and reporting

This panel included Cynthia Deitle, Director of Programs and Operations, Matthew Shepard Foundation; Michael Lieberman, Counsel and Director, Anti-Defamation League (ADL); Dennis Shepard, Board Member Emeritus, Matthew Shepard Foundation; and Judy Shepard, President, Matthew Shepard Foundation.

Hate crime advocates shared their recommendations on how to improve the identification and reporting of hate crimes during a panel on critical community partnerships. Advocates stressed that valuable resources already exist that can strengthen hate crimes enforcement programs and urged departments to incorporate the FBI's Hate Crime Data Collection and Training Guidance Manual[7] into trainings. Agencies were also asked to consider designing their hate crime policy around the International Association of Chiefs of Police (IACP) Model Policy and use the IACP's *Responding to Hate Crimes: A Police Officer's Guide to Investigation and Prevention*, as well as the IACP's Tear-Out Pocket Guide.[8]

Judy and Dennis Shepard, the parents of Matthew Shepard, were a driving force behind the passage of the Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act in 2009. This legislation expanded the federal definition of hate crime, enhancing the legal toolkit available to prosecutors and increasing the ability of federal law enforcement to support state and local partners. Shepard-Byrd also removed existing jurisdictional obstacles to prosecutions of certain race- and religion-motivated violence and added new federal protections against crimes based on gender, disability, gender identity, or sexual

7. CJIS Division UCR Program, *Hate Crime Data Collection Guidelines* (see note 4).
8. IACP, "Responding to Hate Crimes: A Police Officer's Guide to Investigation and Prevention," accessed April 7, 2020, https://www.theiacp.org/resources/responding-to-hate-crimes-a-police-officers-guide-to-investigation-and-prevention; *Responding to Hate Crimes: A Police Officer's Guide to Investigation and Prevention: Tear-Out Pocket Guide* (Alexandria, VA: International Association of Chiefs of Police, n.d.), 13–16, https://www.theiacp.org/sites/default/files/2019-01/IACP-Hate_Crimes_Brochure.pdf.

orientation. The Shepards addressed the roundtable during a working luncheon keynote address and along with the advocates made a number of observations regarding the importance of law enforcement practices as follows:

- When law enforcement demonstrate that hate crimes enforcement is a priority, they foster a "circle of trust" with communities targeted by hate crime.
- Advocacy groups are key liaisons to the greater community who can create opportunities to bring the community and law enforcement together. Law enforcement agencies can also work with community members by asking them to be involved in the creation of agency policy; giving them the opportunity to review crime reporting data; and asking them to join a task force.
- Having a dedicated community liaison officer who can reach out to vulnerable populations before incidents occur is very helpful. Establishing strong relationships before there is an emergency is critical.
- Several cities have piloted programs that raise awareness about hate crimes and lead to increased reporting. For example, some use the Safe Places program, where businesses and schools place a sticker in their windows informing the public that this is a "safe place" to report a hate crime or bullying. Law enforcement agencies could consider implementing similar programs in their towns.
- Establishing trust in communities where the revelation of one's status could put the victim in further jeopardy is especially important. For instance, members of the LGBTQ community could potentially lose employment or housing in states where such discrimination is not prohibited. Law enforcement must develop relationships with vulnerable communities sufficient to overcome these fears so that they can investigate hate crimes and prevent future crimes from occurring.

Rocked by hate and transformed through dialogue: *Waking in Oak Creek*

Phil Keith, Director of the COPS Office, led a discussion with Pardeep Kaleka, Founder of Serve2Unite, and Nazmia E.A. Comrie, Senior Program Specialist at the COPS Office. The discussion focused on the value of community and law enforcement response in promoting healing for the immediate victims of a hate crime and the broader community.

Waking in Oak Creek,[9] a powerful film about the attack and its aftermath, was screened for roundtable participants. The film follows a Sikh community in Oak Creek, Wisconsin, as they prepare for Sunday prayers when a deadly hate attack shatters their lives. In 2012, after six worshipers—including Mr. Kaleka's mother—are killed by a White supremacist, the local community finds inspiration in the Sikh tradition of forgiveness and faith. A police lieutenant who was shot 15 times in the attack joins the mayor and police chief as they forge new bonds with the Sikh community.

The post-screening discussion focused upon the impact of outreach by local law enforcement seeking to help the Oak Creek community in the aftermath of this horrific event. In time, these efforts result in greatly expanded mutual understanding. Roundtable participants found the film a moving testament to the power of compassionate, consistent efforts to connect with communities targeted by hate crimes.

> *"We want a culture where both communities and police have trust. For this to happen, both have to immerse themselves within the other culture. Communities need to understand the culture and experience of law enforcement and vice versa."*
>
> **—Pardeep Kaleka**
> Serve2Unite

9. Creating dialogue among the diverse organizations, agencies, and community members in a city is an important tool in combating hate, and the stories presented in the films are compelling. The films are effective at reaching hearts and minds regarding the deep and lasting impact of hate crimes, and the accompanying Instructor Guides simplify the facilitator's job, scripting out how to create post-screening discussions that encourage robust dialogue. The films were produced in conjunction with the U.S. Department of Justice COPS Office as part of the Not In Our Town: Working Together for Safe, Inclusive Communities Initiative. See COPS Office, "Hate Crime Resources," accessed April 7, 2020, https://cops.usdoj.gov/hatecrimeresources. An article in the *Community Policing Dispatch* also highlights how one police department is using the Not In Our Town resources to create safe and inclusive communities. "Creating Safe and Inclusive Communities from the Perspective of Canton (MI) Police Department (Part 1)," *Community Policing Dispatch* 11, no. 9 (2018), https://cops.usdoj.gov/dispatch/09-2018/safe_and_inclusive.html.

The COPS Office has been collaborating with the Not In Our Town (NIOT) campaign since 2011 to develop preventive tools that can keep hate crime out of communities across the country. This partnership has produced 10 web clips and films, including *Waking in Oak Creek*, as well as 14 action guides for law enforcement and community groups to use in conjunction with those films. The films and guides can be viewed and downloaded at https://cops.usdoj.gov/hatecrimeresources.

The films are available free of charge for public screenings and discussions, town hall meetings, internal trainings, conference workshops, and other activities. To date, the COPS Office has distributed more than 5,400 DVDs, and the project films have been viewed online in their entirety nearly 9,000 times.

During the discussion, Mr. Kaleka emphasized the importance of the idea that community liaison officers can preemptively build solid relationships with communities. Roundtable participants concurred, noting that it is equally important for agency leadership to preemptively build strong connections with their communities. Mr. Kaleka also observed that "cultural agility—not simply the mere acceptance of and/or understanding of another culture, but the *immersing* in [it]," is the foundation for real trust and effective policing.

Ms. Comrie underscored the value of the COPS Office / NIOT films and associated resources including *Waking in Oak Creek*. For law enforcement agencies looking to build a shared understanding of the importance of prioritizing hate crime identification and reporting, there is no better tool; screening the films can help agencies establish promising practices for accurate hate crime reporting, effective response, and prevention. The COPS Office / NIOT materials are also important resources for building law enforcement-community partnerships; the films demonstrate support for hate crime victims and targeted groups and can help build bridges between different groups in the community.

Part 3. Federal Government Presentations

The Hate Crimes Enforcement and Prevention Initiative is charged with coordinating the DOJ's efforts to eradicate hate crimes and facilitating training, outreach, and education to law enforcement agencies and the public at the federal, state, local, and tribal levels. At the roundtable, then Deputy Attorney General Rod Rosenstein announced several new critical and innovative education, training, and research resources on hate crimes investigation and prevention developed in connection with the Initiative. John Gore, then Acting Assistant Attorney General for the Civil Rights Division; Phil Keith, Director of the COPS Office; and Matt M. Dummermuth, Office of Justice Programs (OJP), then Principal Deputy Assistant Attorney General, joined the Deputy Attorney General in presenting the new resources.[10]

First, DOJ leadership hailed the launch of a new hate crimes website, a one-stop portal for the general public, law enforcement officials, educators, public officials, media, and other stakeholders to access DOJ resources about hate crimes. See https://www.justice.gov/hatecrimes/. The website aggregates DOJ resources about effective hate crime laws, prevention programs, best police policies and procedures, community awareness building practices, victim service resources, and law enforcement training initiatives, as well as information about reporting hate crimes and a summary of recent hate crimes prosecutions.

> *"The Department of Justice is committed to using every tool at its disposal to combat this type of violence and the grants announced today at the law enforcement roundtable will help strengthen our ability to identify and prosecute these violent hate crimes."*
>
> **—John Gore**
> then Acting Assistant Attorney General
> Civil Rights Division

10. Office of Public Affairs, "Justice Department Releases Update on Hate Crimes Prosecutions and Announces Launch of New Hate Crimes Website," press release, October 29, 2018, https://www.justice.gov/opa/pr/justice-department-releases-update-hate-crimes-prosecutions-and-announces-launch-new-hate; Office of Public Affairs, "Deputy Attorney General Rod J. Rosenstein Delivers Remarks at a Law Enforcement Roundtable Regarding Improving Identification and Reporting of Hate Crimes," press release, October 29, 2018, https://www.justice.gov/opa/speech/deputy-attorney-general-rod-j-rosenstein-delivers-remarks-law-enforcement-roundtable.

Next, DOJ leadership announced that a $10 million technical assistance program launched in March 2018 would now include the prosecution and prevention of hate crime. The Collaborative Reform Initiative Technical Assistance Center, a partnership with the IACP and nine leading law enforcement leadership and labor organizations, was extended to cover hate crime, allowing law enforcement to access significant resources to build and improve their hate crimes investigation and reporting practices.[11]

> *"Through programs like today's roundtable and the extension of Collaborative Reform technical assistance to hate crimes, we can offer the support and assistance that state, local, and tribal law enforcement agencies request to improve their own hate crimes efforts."*
>
> **—Phil Keith**
> Director
> COPS Office

Finally, DOJ leadership announced a grant by OJP's National Institute of Justice (NIJ) of more than $840,000 to the University of New Hampshire to conduct a national survey of hate crime incidents and victimization. The multiphase study will provide detailed data about hate crimes, analyze local policies that impact hate crime reporting, and identify successful investigation and prosecution strategies. The study will survey 3,000 law enforcement agencies to collect information on rates of reported hate crime incidents; gather profiles of hate crime offenders; and capture challenges in defining, investigating, and documenting hate crimes. The second follow-up phase will survey 250 prosecutors about cases that ended in arrest. The study will run through 2021 and will include a report on the findings.[12]

11. COPS Office, "Collaborative Reform Initiative," accessed April 7, 2020, https://cops.usdoj.gov/collaborativereform; and IACP, "Collaborative Reform Initiative Technical Assistance Center (CRI-TAC)," accessed April 7, 2020, https://www.theiacp.org/projects/collaborative-reform-initiative-technical-assistance-center-cri-tac.
12. For more information about other NIJ-funded research, visit the list of recently funded awards: National Institute of Justice, "Awards Related to Hate Crimes," accessed August 21, 2019, https://www.nij.gov/funding/awards/Pages/awards-list.aspx?tags=Hate Crimes.

"Crimes motivated by racial, ethnic, sexual or religious animus carry a particularly vile moral quality, but because they are defined, recorded, and investigated differently across states, we do not fully comprehend their impact on public safety. This study will shed new light on the prevalence and character of hate offending in the United States, and even better, it will show us what policies and practices are working to solve these crimes, bring perpetrators to justice and deliver support to victims."

—Matt Dummermuth
then Principal Deputy Assistant Attorney General
Office of Justice Programs

In addition to presenting remarks highlighting these announcements, DOJ leadership remained involved in the proceedings of the entire roundtable. See appendix C starting on page 51.

"Simply because hate crimes are not reported does not mean they are not happening. We need you to help us understand the reasons that keep victims from reporting hate crimes. We also need to understand the barriers that law enforcement officers and agencies face in reporting hate crimes to the FBI. Together, we can discover ways to improve the reporting of hate crimes so that we can more effectively target our resources to the places they are most needed."

—Rod Rosenstein
then Deputy Attorney General

Challenges to hate crime UCR reporting: What do the data say?

Panelists included Kristi L. Donahue, Management and Program Analyst and UCR Program's Hate Crime Coordinator, Federal Bureau of Investigation (FBI); Barbara Oudekerk, PhD, Statistician, Victimization Unit, Bureau of Justice Statistics (BJS), OJP; and Maxwell Marker, then Acting Assistant Director, Criminal Investigations Division–Branch I, FBI.

The panelists provided a comprehensive briefing on DOJ's gathering of hate crime statistics. The panelists from the FBI focused on the challenges posed by law enforcement agencies regularly reporting no known cases and provided participants with information concerning 2017 FBI hate crimes data.[13]

The DOJ administers two statistical programs to measure the magnitude, nature, and impact of crime in the nation: (1) the UCR Program and (2) the National Crime Victimization Survey (NCVS). Each of these programs produces valuable information about aspects of the nation's crime problem. Because the UCR and NCVS programs are conducted for different purposes, use different methods, and focus on somewhat different aspects of crime, the information they produce together provides a more comprehensive panorama of the nation's crime problem than either could produce alone.

The Uniform Crime Reporting program

The FBI UCR Program collects crime statistics from federal, state, local, and tribal law enforcement agencies that voluntarily report crime data brought to their attention. The types of bias crimes reported to the FBI UCR Program are established by the Hate Crime Statistics Act and its subsequent amendments—race, religion, disability, sexual orientation, ethnicity, gender, or gender identity.

Unfortunately, there appear to be problems with underreporting and nonreporting to the UCR.[14] According to the 2017 FBI Uniform Crime Reporting Hate Crime Statistics (released in November 2018),

- 87 percent of the agencies that participated reported zero hate crimes in all of 2017;
- 500 agencies (approximately 3 percent) did not participate at all in the 2017 Hate Crime collection.[15]

13. The FBI's UCR Program report typically issues a year after submission of data by state and local law enforcement. See the FBI's overview of 2017 statistics at FBI, "FBI Releases 2017 Hate Crime Statistics," press release, November 13, 2018, https://ucr.fbi.gov/hate-crime/2017/resource-pages/hate-crime-summary; and FBI, "About Hate Crime Statistics, 2017 and Recent Developments," accessed April 7, 2020, https://ucr.fbi.gov/hate-crime/2017.
14. See "About Hate Crime Statistics, 2017," Criminal Justice Information Services Division, accessed April 7, 2020, https://ucr.fbi.gov/hate-crime/2017. For the most up-to-date statistics, see "Hate Crime Statistics," Criminal Justice Information Services Division, accessed April 7, 2020, https://www.fbi.gov/services/cjis/ucr/hate-crime.
15. Data for 2017 were submitted by 16,149 law enforcement agencies (up from 15,524 agencies in 2016).

Law enforcement must determine offender motivation in order to report hate crimes to the UCR. Reporting agencies may be reluctant to ascribe bias motivation to offenders until incidents can be thoroughly investigated or offenders apprehended. The added step of updating initial intake records following additional investigation is a records management challenge.[16]

The FBI's UCR Program is in the process of transitioning all state, local, and tribal law enforcement agencies nationwide to the National Incident-Based Reporting System (NIBRS) by January 1, 2021. NIBRS includes a designated field for law enforcement agencies to report hate crimes, so reporting via NIBRS will improve the quality, reliability, and accuracy of hate crime data. NIBRS captures details on each single crime incident—as well as on separate offenses within the same incident—including information on victims, known offenders, relationships between victims and offenders, arrestees, and property involved in crimes,[17] unlike data reported through UCR, which is an aggregate monthly tally of crimes and follows the hierarchy rule (in a multiple-offense situation, score only the highest ranking offense).[18] The DOJ is also working to improve hate crime data collection before NIBRS is adopted nationwide. For example, in 2018, the FBI trained nearly 900 law enforcement agencies about hate crime data collection in hopes of improving reporting participation.

The National Crime Victimization Survey

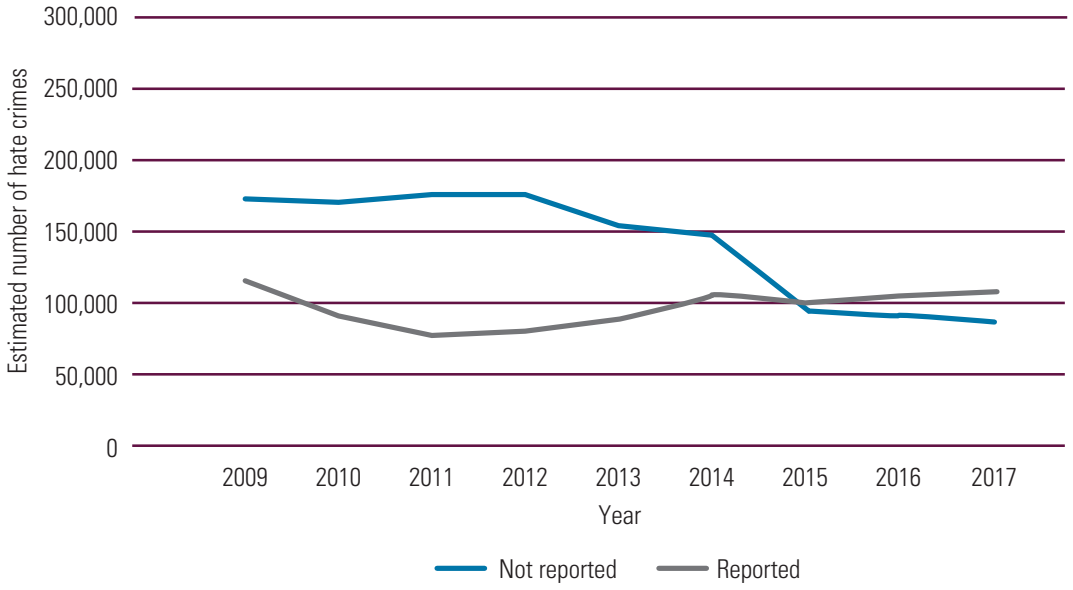
The NCVS is an annual data collection conducted by the U.S. Census Bureau for the BJS. Each year, data are obtained from a nationally representative sample of about 240,000 interviews on criminal victimization, involving 160,000 unique persons in about 95,000 households. Persons are interviewed on the frequency, characteristics, and consequences of criminal victimization in the United States. The NCVS collects information on nonfatal personal crimes (i.e., rape or sexual assault, robbery, aggravated and simple assault, and personal larceny) and household property crimes (i.e., burglary, motor vehicle theft, and other theft) both reported and not reported to police. In addition to providing annual level and change estimates on criminal victimization, the NCVS is the primary source of information on the nature of criminal victimization incidents.[19]

16. IACP, *Investigation of Hate Crimes*, Concepts and Issues Paper (Alexandria, VA: International Association of Chiefs of Police, 2016), https://www.theiacp.org/sites/default/files/2018-08/HateCrimesPaper2016v2.pdf; CJIS Division UCR Program, *Hate Crime Data Collection Guidelines* (see note 4).
17. Criminal Justice Information Services, "National Incident-Based Reporting System (NIBRS)," Federal Bureau of Investigation, accessed April 7, 2020, https:/www.fbi.gov/services/cjis/ucr/nibrs.
18. Federal Bureau of Investigation, *Uniform Crime Reporting Handbook* (Washington, DC: U.S. Department of Justice, 2004), https://ucr.fbi.gov/additional-ucr-publications/ucr_handbook.pdf.
19. Bureau of Justice Statistics, "Data Collection: National Crime Victimization Survey (NCVS)," accessed April 7, 2020, https://www.bjs.gov/index.cfm?ty=dcdetail&iid=245.

Comparing the NCVS with the UCR data collection reveals different pictures of the incidence of bias-motivated offenses nationwide. From 2013 to 2017, the NCVS reported an average of 204,600 hate crime victimizations, compared to 7,500 victims reported to the UCR. Of the 204,600 hate crime victimizations reported in the NCVS, only half were reported to the police.[20]

The percent of hate crime victimizations that go unreported to police has decreased in recent years. On average from 2009 to 2011, about 69 percent of hate crime victimizations were not reported to police, compared to 44 percent on average from 2015 to 2017. Figure 1 shows trends in the number of hate crimes reported and not reported to police over time.

Figure 1. Number of hate crime victimizations reported and not reported to police, 2009–2017*



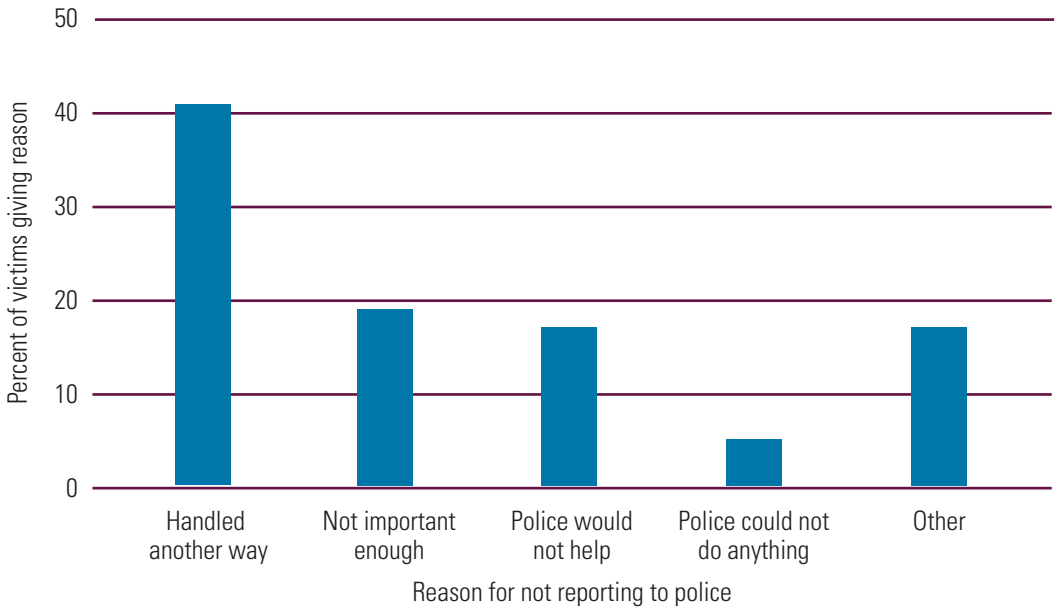
Source: Oudekerk, *Hate Crime Statistics*, 7 (see note 1).

* Estimates are based on three-year rolling averages centered on the most recent year. For example, 2017 estimates are based on 2015, 2016, and 2017.

20. Barbara Oudekerk, *Hate Crime Statistics*, briefing prepared for the Virginia Advisory Committee, U.S. Commission on Civil Rights, (Washington, DC: U.S. Department of Justice, 2019), https://www.bjs.gov/content/pub/pdf/hcs1317pp.pdf.

A DOJ report regarding hate crime victimization from 2004–2015 reported that almost a quarter (23 percent) of hate crime victims who did not report the crime believed that police would not want to be bothered or to get involved, would be inefficient or ineffective, or would cause trouble for the victim.[21] Figure 2 shows victims' reasons for not reporting hate crimes to police.

Figure 2. Most important reason for not reporting hate crimes to police, 2011–2015



Source: Barbara Oudekerk, *Measuring Hate Crime: Findings from the National Crime Victimization Survey,* presentation at the Hate Crimes Roundtable, October 29, 2018; Masucci and Langton, *Hate Crime Victimization,* 5 (see note 20).

NCVS reports only on violent hate crimes against persons (not vandalism or other crimes), excluding murder. The NCVS is undergoing a redesign with an anticipated rollout in 2023.

NCVS data are based on victims' perceptions regarding incidents; UCR results depend upon police investigations. The investigation must show the offender's criminal act was motivated by bias. This difference in the burden of proof—low in the NCVS, high in police investigations—certainly accounts for some of the discrepancy. That said, the magnitude of the difference in reported hate crimes between the two statistical programs is significant and presents the possibility that significant underreporting is taking place.[22]

21. Madeline Masucci and Lynn Langton, *Hate Crime Victimization, 2004–2015*, Special Report (Washington, DC: Bureau of Justice Statistics, 2017), 5, https://www.bjs.gov/content/pub/pdf/hcv0415.pdf.
22. Both the UCR and NCVS collections show the top-reported bias motivations consistently:
    1. Race/Ethnicity
    2. Religion
    3. Sexual orientation

FBI, "FBI Releases 2017 Hate Crime Statistics" (see note 13).

Minding the (resource) gap: Raising awareness of federal training and outreach tools

Civil Rights Division Policy and Strategy Section Acting Head Sheila Foran led a panel discussion highlighting DOJ resources that support law enforcement investigation and reporting of hate crimes. Panelists included Jim Felte, Chief of the Civil Rights Division's Criminal Section;[23] Phil Keith, Director of the COPS Office; Gerri Ratliff, Deputy Director of the Community Relations Service; and Jeff Veltri, then Unit Chief of the FBI's Civil Rights Unit.

Panelists identified key outreach and training resources of interest to law enforcement, a few of which are featured in the sections that follow. See appendix B (starting on page 43) for an updated list of resources and training opportunities offered by DOJ components.[24]

Federal Bureau of Investigation (FBI)

The FBI is the lead investigative agency for criminal violations of federal civil rights statutes, including hate crimes. The FBI routinely provides education and training to both law enforcement and community partners on the importance of identifying and reporting hate crime incidents.

The FBI's Criminal Justice Services Division and Civil Rights Unit co-hosted the first in a series of six joint hate crime trainings beginning in 2019. During the interactive presentation, FBI Civil Rights Special Agents describe federal hate crime statutes, discuss landmark cases, and analyze scenarios and case studies. Meanwhile, Criminal Justice Information Services Uniform Crime Reporting Program hate crime experts provide an overview of the UCR hate crime program, discuss hate crime reporting scenarios, and highlight the importance and benefits of the reporting hate crime incident data. This training can be provided free to law enforcement by contacting the FBI Civil Rights Unit or the Uniform Crime Reporting Program. See https://www.fbi.gov/contact-us/fbi-headquarters or email UCRHATECRIME@fbi.gov.

23. At the time of the roundtable, Mr. Felte was the Acting Chief of the Criminal Section of the Civil Rights Division. His title has been updated here to reflect current status. The roundtable agenda and participant list located at appendix C have not been revised to reflect participants' current status.
24. The resource list has been updated to include developments following the Law Enforcement Roundtable. For the most current list of resources, see the DOJ hate crimes website, U.S. Department of Justice, "Hate Crimes," accessed April 7, 2020, https://www.justice.gov/hatecrimes.

Office of Community Oriented Policing Services (COPS Office)

Community policing begins with a commitment to building trust and mutual respect between law enforcement and communities. When law enforcement and communities collaborate, they can effectively address underlying issues, change negative behavioral patterns, and allocate resources.

Through the Collaborative Reform Initiative Technical Assistance Center (CRI-TAC), the COPS Office provides state, local, tribal, and campus law enforcement technical assistance in a wide variety of areas including hate crimes. This assistance features a "by the field, for the field" approach to delivering customized technical assistance to law enforcement agencies that may include training, peer-to-peer exchanges, analysis, coaching, or strategic planning. See https://cops.usdoj.gov/collaborativereform.

Community Relations Service (CRS)

In 2018, CRS facilitated 16 hate crime forums in places such as Pennsylvania, Montana, Texas, Oregon, New York, Michigan, Indiana, South Dakota, Utah, Washington, and New Jersey, bringing together federal and local law enforcement, community speakers, federal agencies, and advocacy organizations for a series of three panel discussions. See https://www.justice.gov/hatecrimes/spotlight-hate-crime-forums.

In 2018, CRS updated two trainings for local law enforcement and other audiences: "Engaging and Building Partnerships with Muslim Americans" and "Engaging and Building Partnerships with Sikh Americans." Each of these three-hour trainings includes interactive activities and templates for customized community outreach plans. See https://www.justice.gov/crs/page/file/1049396/download and https://www.justice.gov/crs/page/file/1049406/download.

Civil Rights Division (CRT)

The CRT works closely with the FBI and United States Attorneys' offices (USAO) across the nation to investigate and prosecute hate crimes. Since 2009, the DOJ has charged more than 300 defendants with hate crimes offenses, including 50 defendants in the two-year period FY 2017–2018. In FY 2018, the DOJ charged 27 defendants in 22 cases and obtained 30 convictions. See https://www.justice.gov/crt/criminal-section.

The CRT encourages state and local law enforcement to reach out regarding potential collaboration. Teaming up with federal prosecutors can be a force multiplier. For states without hate crime statutes, adding federal hate crime charges has important symbolic value, highlighting that the crime committed was not only an attack against the specific victim but also an attack against the entire community that shares the protected trait.

Part 4. Roundtable Discussion Outcomes

Breakout session 1. Exploring barriers, highlighting challenges—hate crimes identification and reporting

In this part of the roundtable, participants gathered in small groups to identify barriers to improving hate crimes identification and reporting. Breakout sessions were structured to provide an opportunity for solo focus, followed by exposure to the group's collective ideas and culminating in discussion and consensus. Participants were divided into five groups of seven or eight members. Working first on an individual basis, participants were asked to consider three questions:

1. Data suggest that many victims of hate crimes and hate incidents do not report to the police. What might be the barriers to reporting by victims?

2. Data also show that many law enforcement agencies do not submit hate crimes data to the FBI Uniform Crime Reporting (UCR) Program. What are the barriers to reporting hate crimes to the UCR?

3. Data on hate crimes also may be lacking because hate crimes are not identified as such by law enforcement. What are law enforcement barriers to identifying hate crimes?

Participants generated multiple ideas, identifying a wide range of potential barriers and posting these on flip charts. Reviewing all the ideas generated, participants voted for those that resonated most. Across the five groups, the following top four barriers to victim reporting were identified:

1. Poor law enforcement–community relationships

2. View that law enforcement will do nothing

3. Citizenship status / fear of deportation

4. Lack of training for law enforcement

Participants also observed other barriers to victim reporting:

- Hate crimes are difficult to prove; community members are therefore hesitant to report.
- The public lacks awareness that combating hate crime is a law enforcement priority.
- The LGBTQ community fears that public knowledge regarding sexuality or status will lead to more bias-motivated violence or intimidation.

Regarding obstacles to law enforcement's submission of hate crimes data to the UCR, participants identified the following:

- Variations in local, state, and federal laws or definitions of hate crime, which make it difficult to know whether and when to classify something as a hate crime for UCR purposes
- Miscoding and the need to update records as more evidence is gathered
- Gaps in training and investigation
- Lack of adequate staffing at local levels
- Obtaining leadership buy-in at local levels regarding prioritizing hate crime reporting
- Cost of improving record management systems to make reporting easier
- No faith in prosecution of complaints
- Lack of resources
- Potential backlash to increased hate crime submissions to the UCR[25]

Regarding barriers to law enforcement's identification of incidents as hate crimes, participants identified the following:

- Gaps in investigative training
- Lack of adequate staffing at local levels

25. Political leaders—including mayors and police commissioners—may prefer to avoid the appearance of a sudden surge in hate crimes. When jurisdictions with a history of nonreporting begin submitting hate crimes data to the UCR, it may be helpful to highlight that data help law enforcement obtain resources to combat the issue.

- Obtaining leadership buy-in at local levels regarding prioritizing hate crime identification
- No faith in prosecution of complaints
- Lack of resources
- Jurisdictional challenges in tribal communities

Participants also engaged in candid discussion of other potential barriers to hate crime identification and reporting, including cultural and personal issues for officers:

- Politics – don't want to classify certain groups as contributing to hate crime
- Personal implicit biases
- Normalization of bad behavior

Breakout session 2. Brainstorming solutions to barriers and challenges

The same small group structure was used to generate roundtable participant ideas for addressing each of these barriers. Solutions identified include the following:

- Make combating hate crime a priority so the law enforcement agency sends the message that discrimination and harassment will not be tolerated.
- Ensure sufficient resources are devoted to the prevention, investigation, and reporting of hate crimes.
- Ensure sufficient staff have the capacity to handle hate crimes investigation and reporting challenges.
- Review agency management, organizational structure, personnel, and information systems and identify changes necessary to prioritize hate crime enforcement.
- Provide new recruits and existing officers and deputies with training on hate crime and other related issues to ensure responding officers and deputies are trained to investigate and report hate crimes or incidents.
- Engage in building community partnerships so that law enforcement becomes aware of potential hate-related problems before they result in a serious crime.

- Create special hate crime task forces with members from various law enforcement agencies and representatives of the community to coordinate hate crime law enforcement, assist victims, and strengthen the partnership between law enforcement and the community.
- Create a public awareness campaign within the community that provides information, awareness, and resources for community members and victims of hate crimes. The awareness campaign can range from calling out intolerance to providing resources for potential victims.

Action steps by local law enforcement to enhance hate crimes investigation and reporting

For the next part of the roundtable, participants worked in pairs to identify concrete steps they could take at their own law enforcement agencies in the coming year and beyond to enhance hate crimes investigation and reporting. Participants used a template action plan to concretize what would be required to implement potential action steps, including identifying lead staff for implementation, estimating required resources, and establishing estimated time frames. Participants were encouraged to include in their action plans a commitment to review their agency's hate crimes UCR reporting history and consider barriers to improving UCR reporting perceived by their agency staff.

Participants' individual action plans were not collected or reviewed. The action plan exercise was intended to spur thinking about low-cost steps agencies could undertake quickly as well as longer term and more resource-intensive ideas for agency changes to enhance hate crimes investigation and reporting.

Action steps for the greater law enforcement community to enhance hate crimes investigation and reporting

The roundtable culminated in participants working together to generate ideas for actionable steps for the greater law enforcement community—including national policing associations as well as the Federal Government—to address challenges in identifying, reporting, and tracking hate crimes.

Following a rich and robust discussion incorporating information from presentations and feedback from throughout the roundtable, three major recommendations and sets of potential action steps on improving the identification and reporting of hate crimes emerged:[26]

1. Develop comprehensive training for law enforcement on identifying and reporting hate crimes.

- Assess current requirements for law enforcement training on hate crime nationwide, and evaluate the quality and quantity of such training. Accomplish this through partnering with the International Association of Directors of Law Enforcement Standards and Training (IADLEST) and working with POST (Peace Officer Standards and Training) directors.
- Create state and federal training standards.
- Produce a hate crime training curriculum for all law enforcement levels, from academy cadets to experienced officers to leadership and command staff.
- Include segments on how to improve law enforcement's capacity to identify and report hate crimes.
- Develop training on understanding communities targeted by hate crime through building awareness of victims' culture and language. Include training on appropriate questions to ask in the wake of hate incidents.[27] Include segments on how to strengthen connections with a wide range of community-based organizations.
- Collaborate with national or local organizations to vet trainings to ensure that curricula meets community needs and stays current.
- Establish evaluation protocols to ensure trainings are effective and continue to meet evolving needs.

2. Support law enforcement efforts to develop strong community bonds through systematic hate crime education and outreach efforts.

- Support efforts by law enforcement to develop coalitions within communities to encourage the most vulnerable to come forward and report. Victims have to believe they will be listened to before they will report any crime. But because victims of hate crimes are targeted based on their identity or perceived identity, confounding factors

26. These recommendations and action steps are also set forth in the introduction to this report.
27. Bias or hate incidents can be defined as acts of prejudice that do not involve violence, threats, or property damage. It is important to note that not all hate incidents are hate crimes. See "Learn About Hate Crimes" (see note 2).

that can impact their willingness to report include issues of mistrust, insecurity, and embarrassment, as well as language barriers. Positive relationships between law enforcement and the community encourage the reporting of hate crimes, and law enforcement needs assistance to build and sustain strong community-police relationships and implement sound strategies.

- Promulgate best practices checklists that help law enforcement prioritize partnerships with community groups representing the full spectrum of stakeholders (e.g., create a list of community-based organizations, including points of contact; calendar participation in a full range of community functions hosted by local organizations; brainstorm informal opportunities to engage with communities). All of these engagement opportunities grow trust, especially if they occur consistently.
- Generate a "see something, say something" messaging campaign. By partnering with advocates on such a campaign, law enforcement can build trust. Based on success in other areas including school safety and countering terrorism, this campaign can include promoting the use of tip lines by community members and potential victims.
- Fund victim advocates to train law enforcement regarding understanding victims' culture, and support victims advocate programs that assist hate crime victims in understanding law enforcement's process while police investigate the crime.
- Convene broad stakeholder representatives (school leadership, elected officials, public health departments, the private sector, and law enforcement) to build a multidisciplinary approach to hate crime prevention throughout communities.

3. Reward innovative, effective practices to improve law enforcement identification and reporting of hate crimes.

- Support states and localities to report hate crime data to the FBI UCR Program by helping them understand what qualifies and how it should be captured. The FBI Handbook provides clear direction on what should and what should not be reported as a hate crime.[28]
- Support the creation of specialized bias crime units.
- Assist agencies in teaming up to develop multiagency hate crime task forces.

28. For more information on collecting and submitting hate crime data to the FBI UCR Program, see CJIS Division UCR Program, *Hate Crime Data Collection Guidelines* (see note 4).

- Incentivize states and localities that track changes in victim and law enforcement reporting following the adoption of best practices and that revise training and outreach efforts as necessary to increase victim and law enforcement reporting.
- Include hate crimes in drop-down menus in CAD and investigative reporting software systems.

Conclusion

"Hate crimes come in many varieties, from mass murder to assault to physical threats, but all hate crimes have one thing in common: Hate crimes are perpetrated by criminals to terrorize victims, families, and entire communities with violence and fear. Hate crimes of any kind strike at our most basic American values. Targeting people because of who they are, what they believe, where they worship, who they love, or whether they have a disability targets the bedrock principles on which our nation was founded."

—John Gore
then Acting Assistant Attorney General for Civil Rights

The roundtable roadmap: A guide to improving hate crimes identification and reporting

The DOJ's roundtable on improving the identification and reporting of hate crimes brought together law enforcement and other leaders from around the country to explore successful practices and challenges in identifying, reporting, and tracking hate crimes. Throughout the event, representatives from diverse law enforcement agencies and national policing organizations engaged in collaborative brainstorming and action planning with federal government leaders.

The result is a valuable roadmap for change. At the roundtable, DOJ leadership announced several critical and innovative education, training, and research resources on hate crimes investigation and prevention developed in connection with the Hate Crimes Enforcement and Prevention Initiative. The initiative is moving forward on all three major recommendations for improving the identification and reporting of hate crimes.

1. First, plans are underway to develop comprehensive hate crime training—including on identifying, investigating, and reporting hate crimes—for law enforcement at every level.

2. Next, the DOJ is developing an outreach program to support law enforcement efforts to develop strong community bonds through systematic hate crime education and outreach efforts.

3. Finally, the DOJ is also working to incentivize and reward innovative, effective practices to improve law enforcement identification and reporting of hate crimes.

Identifying, investigating, and reporting hate crimes when they occur sends the message that law enforcement take these crimes seriously and reassures the public that their law enforcement agency has systems in place to identify and investigate hate crimes. Complete and accurate data allow appropriate resources to be directed towards solving and preventing hate crime—a goal everyone shares.

Appendix A. Field-Driven Checklist for Improving the Identification and Reporting of Hate Crimes

This list is not intended to include every practice that can improve the identification and reporting of hate crimes but instead captures practices identified by roundtable participants.

Leadership and internal structure

- ☐ Set the tone by taking hate crime seriously to shift the culture within the agency and in the community.
- ☐ Demonstrate zero tolerance for prejudice and bias throughout the agency.
- ☐ Ensure sufficient resources are devoted to the prevention, investigation, and reporting of hate crimes.
- ☐ Establish policies that specify how hate crimes are investigated and who within the agency should be notified when a suspected hate crime occurs.
- ☐ Ensure all agency personnel (including civilians and dispatchers) receive training on the identification of hate crime in the academy and through in-service.
- ☐ Ensure patrol and first-line supervisors receive training on the reporting of hate crimes.
- ☐ Ensure appropriate investigators and detectives receive training on the investigation of hate crimes.
- ☐ Establish a bias crime coordinator position to manage agency responses to reports of a hate crime, help code hate crimes, and reinforce training during roll call or in-service.
- ☐ Assign community liaison officer(s) to build relationships with specific advocacy groups so if a hate crime or hate incident occurs, they can immediately reach out to impacted community or advocacy groups.
- ☐ Establish a bias crime detective position.

- ☐ Reward performance that demonstrates respect for "no hate" values, community coalition building, and conflict resolution work.

- ☐ Develop tools to assist rank and file with responding and identifying hate crimes.

Investigations

- ☐ Emphasize the importance of interacting with victims, survivors, and the community in a victim-centered, trauma-informed manner.

- ☐ Develop anonymous hotlines and apps that allow electronic reporting.

- ☐ Create special hate crime task forces with members from various law enforcement agencies and representatives of the community to coordinate hate crime law enforcement, assist victims, and strengthen the partnership between law enforcement and the community.

- ☐ Maintain continuous communication with victims and survivors during the ongoing investigation.

Data

- ☐ Develop stronger data collection systems that accurately collect and interpret data.

- ☐ Maintain statistical data and develop monthly statistical reports as well as comprehensive reports twice yearly for law enforcement and other leaders.

- ☐ Consider tracking hate incidents that do not rise to the level of a hate crime.

- ☐ Participate in the FBI UCR Program.

Community capacity building

- ☐ Establish regular and consistent communication with the community.
- ☐ Educate the community on what constitutes a hate crime or incident and the importance of reporting.
- ☐ Build, strengthen, and sustain positive relationships with the community, particularly at-risk populations.
- ☐ Participate in and sponsor community events and activities that promote diversity and tolerance.
- ☐ Partner with community groups, including advocacy organizations, educators, local leaders (including religious leaders), and community health centers to co-host hate crime discussions or form hate crime task forces to grow trust and understanding.
- ☐ Enlist the help of advocacy groups to encourage reporting by victims and the community.
- ☐ Create a public awareness campaign in the community that provides information, awareness, and resources for community members and victims of hate crimes.
- ☐ Engage school resource officers and youth, especially in schools.

Appendix B. Federal Training and Outreach Tools

Federal Bureau of Investigation (FBI)

The FBI is the lead investigative agency for criminal violations of federal civil rights statutes, including hate crime. Hate crime incidents are reported by law enforcement agencies throughout the United States to the FBI under the Hate Crimes Statistics Act. The FBI routinely provides education and training to both law enforcement and community partners on the importance of identifying and reporting hate crime incidents.

Outreach is a critical component of the FBI's civil rights program. The FBI engages with various local and national organizations to identify violations of federal law designed to protect the civil rights of individuals in the United States. Many FBI field offices participate in working groups with state and local law enforcement partners as well as community groups within their area of responsibility. These working groups combine community and law enforcement resources to develop strategies to address local hate crime problems.

The FBI Civil Rights Unit developed a national training initiative in 2016. This initiative aims to strengthen the civil rights educational footprint throughout the nation by providing standardized training and materials that field offices may provide to their law enforcement partners, nongovernmental organizations, and community groups. The FBI conducts hundreds of seminars, workshops, and training sessions annually for federal and local law enforcement, minority and religious organizations, and community groups to promote cooperation and provide education about civil rights statutes.

In March 2019, the FBI's Criminal Justice Services Division and Civil Rights Unit co-hosted the first in a series of six joint hate crime trainings. During the interactive presentation, FBI Civil Rights Special Agents describe federal hate crime statutes, discuss landmark cases, and analyze scenarios and case studies. Meanwhile, Criminal Justice Information Services Uniform Crime Reporting Program hate crime experts provide an overview of the UCR hate crime program, discuss hate crime reporting scenarios, and highlight the importance and benefits of the reporting hate crime incident data. This training can be provided free to law enforcement by contacting the FBI Civil Rights Unit or the Uniform Crime Reporting Program. See https://www.fbi.gov/contact-us/fbi-headquarters or email UCRHATECRIME@fbi.gov.

Office of Community Oriented Policing Services (COPS Office)

Community policing begins with a commitment to building trust and mutual respect between law enforcement and communities. When law enforcement and communities collaborate, they can effectively address underlying issues, change negative behavioral patterns, and allocate resources.

Through the Collaborative Reform Initiative Technical Assistance Center (CRI-TAC), the COPS Office provides state, local, tribal, and campus law enforcement technical assistance in a wide variety of areas including hate crime. This assistance features a "by the field, for the field" approach to delivering customized technical assistance to law enforcement agencies that may include training, peer-to-peer exchanges, analysis, coaching, or strategic planning.

The COPS Office's partnership with the Not In Our Town (NIOT) campaign has produced valuable tools to help keep hate crime out of communities across the country. Since 2011, the COPS Office and NIOT have collaborated to produce 10 web clips and films. They have also developed 14 valuable action guides to assist organizers in getting the most out of post-screening discussion. Law enforcement and community groups have found these tools effective and important. The DVDs are available free of charge to law enforcement agencies, civic leaders, community groups, schools, national organizations, and others to be used for public screenings and discussions, town hall meetings, internal trainings, conference workshops, and other activities.

Two law enforcement trainings—a supervisory course and a line-level course—developed in partnership with the Museum of Tolerance (the educational arm of the Simon Wiesenthal Center in Los Angeles) are also being funded by the COPS Office. Using interactive learning experience opportunities at the museum, the training helps law enforcement examine the process of building trust and respect and challenges participants to enhance their critical thinking skills in the areas of diversity, ethics, and values. See https://cops.usdoj.gov/html/dispatch/07-2019/museum_tolerance.html.

Finally, the COPS Office is actively working with IADLEST to infuse community policing training in POSTs and academies across the country as well as develop regional training hubs.

Civil Rights Division (CRT)

The CRT works closely with the FBI and United States Attorneys' offices (USAO) across the nation to investigate and prosecute hate crimes. Since about 2009, the DOJ has charged more than 330 defendants in more than 210 hate crimes cases. Since January 2017 alone, the DOJ has charged more than 70 defendants for committing crimes motivated by hate. In FY 2018, the DOJ charged 27 defendants in 22 cases and obtained 30 convictions. See https://www.justice.gov/opa/speech/assistant-attorney-general-eric-dreiband-delivers-remarks-commemoration-10th-anniversary at page 4 (describing DOJ prosecution efforts in six recent cases, including the attacks on worshippers at the Tree of Life synagogue in Pittsburgh and on civilians at the "Unite the Right" rally in Charlottesville, Virginia). In FY 2019, the DOJ charged 21 defendants in 19 cases and obtained 18 convictions. The division's efforts included nationally significant cases such as *United States* v. *Fields*, in which the prosecution team secured a life sentence for 29 hate crime convictions against the man who rammed his car into a crowd of peaceful protesters in Charlottesville; *United States* v. *Bowers*, in which hate crime and firearm charges were brought against the man alleged to have massacred 11 worshippers and injured others, including responding law enforcement officers, at a Pittsburgh synagogue; *United States* v. *Bush*, in which hate crime and firearms charges were brought against the man alleged to have murdered two African-American patrons at a Kroger store in Kentucky; and *United States* v. *Earnest*, in which hate crime and firearms charges were also brought against the man alleged to have murdered one and injured three others at a California synagogue and set fire to a California mosque. See https://www.justice.gov/crt/criminal-section.

The CRT encourages state and local law enforcement to reach out regarding potential collaboration. Teaming up with federal prosecutors can be a force multiplier. For states without hate crime statutes, adding federal hate crime charges has important symbolic value, highlighting that the crime committed was not only an attack against the specific victim but also an attack against the entire community that shares the protected trait. Further, federal hate crime laws carry increased penalties.

The Federal Government can also use resources and tools that state and local governments may not be able to access. For example, federal prosecutors can typically gain immediate access to FBI digital forensics experts and can use federal grand juries to compel truthful testimony of witnesses. Finally, DOJ attorneys bring significant depth and breadth of experience to prosecuting hate crimes as well as additional bandwidth to devote necessary time to prosecution efforts.

Through training and outreach programs, the CRT works with the network of USAOs, local communities and organizations, and law enforcement to find, identify, investigate, and prosecute hate crime cases all over the country. These programs include state and local law enforcement trainings, roundtable and panel discussions, stakeholder telephone conferences, and hate crime summits.

Representatives from the DOJ's Civil Rights Division and the FBI also conduct outreach to community groups on the Emmett Till Act. These Emmett Till Act presentations include information on the background and history of hate crime prosecutions, the impetus for the Emmett Till Reauthorization Act, and the types of cases investigated under the act. State or local law enforcement or other government agencies wishing to request an Emmett Till Act training or other DOJ trainings can submit a request through the DOJ hate crimes website. See https://www.justice.gov/hatecrimes/webform/request-hate-crimes-training.

Community Relations Service (CRS)

As "America's peacekeeper," CRS assists when community conflicts and tensions arise from differences of race, color, national origin, gender, gender identity, sexual orientation, religion, and disability. By hosting hate crime forums and places of worship programs and working behind the scenes to facilitate meetings in local communities, CRS helps prevent and resolve racial and ethnic tensions and civil disorders and build communities' capacity to resolve future similar conflicts.

In FY 2019, CRS facilitated 19 Protecting Places of Worship forums bringing together law enforcement, security officials, interfaith leaders, civil rights groups, and community members to educate faith communities on religion-based hate crime, increasing the physical security of religious buildings, and responding to active shooter situations. In light of recent attacks on houses of worship across the faith spectrum, this type of forum provides resources for congregations concerned about the safety and well-being of their members. See https://www.justice.gov/hatecrimes/spotlight-hate-crime-forums; https://www.justice.gov/hatecrimes/resources?f%5B0%5D=field_resource_type%3ATraining. Further, CRS facilitated nine Protecting Places of Worship forums in 2018 (Iowa, Illinois, Missouri, Pennsylvania, Texas, Louisiana, Kansas, Montana, and Washington, D.C.). See https://www.justice.gov/file/1058496/download.

In addition, in FY 2019, CRS facilitated 10 hate crime forums across the United States at which law enforcement and other experts shared best practices with community groups, including campus stakeholders, working to prevent and respond to hate crime. And in 2018, CRS facilitated 16 hate crime forums in places such as Indiana, Michigan, Montana, New Jersey, New York, Oregon, Pennsylvania, South Dakota, Texas, Utah, and Washington, bringing together federal and local law enforcement, community speakers, federal agencies, and advocacy organizations for a series of three panel discussions. See https://www.justice.gov/hatecrimes/spotlight-hate-crime-forums.

In 2018, CRS updated two trainings for local law enforcement and other audiences: "Engaging and Building Partnerships with Muslim Americans" and "Engaging and Building Partnerships with Sikh Americans." Each of these three-hour trainings includes interactive activities and templates for customized community outreach plans. The trainings are designed to increase awareness of civil rights–related issues that Muslim Americans and Sikh Americans encounter, as well as participants' understanding of Muslim Americans' and Sikh Americans' beliefs and religious practices. See https://www.justice.gov/crs/page/file/1049396/download and https://www.justice.gov/crs/page/file/1049406/download.

Building trust through police and community partnerships is a core function for CRS. Strengthening Police and Community Partnerships (SPCP) is a one-day program to engage local law enforcement and community leaders in a dialogue to identify issues and solve problems collaboratively. The SPCP program can be facilitated as a proactive effort (hate crime prevention) or in response to a critical incident (working with a community following a hate crime incident). The outcome of the SPCP program is an action plan with tangible solutions implemented with the help of an SPCP Council formed as part of the program. See https://www.justice.gov/file/1059716/download.

Hate Crimes Enforcement and Prevention Initiative (DOJ-wide)

Protecting Places of Worship. The initiative is coordinating partnerships between the USAOs, the CRS, the CRT, the FBI Civil Rights Unit, and the U.S. Department of Homeland Security to provide multifaceted training for religious institutions on protecting places of worship, including developing emergency prevention and response plans, strengthening physical security of buildings, educating congregants about hate crime and security, and other preventive and mitigating measures. Protecting place of worship training events have been held throughout the country, and additional events are being planned.

United States Attorneys' Offices—Model Hate Crimes Training for Community Outreach. USAOs play an important role in many hate crime training and outreach efforts. Many USAOs participate in hate crime task forces or working groups with state and local law enforcement and community leaders. The initiative has created a model hate crime training for community outreach that DOJ components and USAOs, in particular, can customize to address specific issues and communities in their districts. At the October 2019 anniversary event, the DOJ announced the development of the outreach and engagement program entitled "United Against Hate: Cultivating Community Partnerships." The two-phase program aims to directly address the underreporting of hate crimes by community members to law enforcement. In the second phase of the program, U.S. Attorneys' Offices will have the opportunity to facilitate trainings across the country, convening a wide array of community groups such as advocacy organizations, educators, and local leaders to discuss the impact of hate crimes and explore strategies to build trust with federal, state, local, and tribal law enforcement. The ultimate goal of the program is to further hate crime prevention efforts and improve the accuracy of hate crimes statistics as more people become willing to report hate crimes to law enforcement. See https://www.justice.gov/opa/pr/justice-department-commemorates-10th-anniversary-matthew-shepard-and-james-byrd-jr-hate.

Hate Crimes Website. The comprehensive hate crimes website is designed to provide a centralized portal for the DOJ's hate crime resources for law enforcement, media, researchers, victims, advocacy groups, and other related organizations and individuals. Since the launch during the roundtable, more than 300,000 people have visited the site, and the site has helped more than 400 people find their way to the FBI's hates crimes reporting portal. See https://www.justice.gov/hatecrimes.

Anti-Semitism Summit. The DOJ hosted a day-long Summit on Combating Anti-Semitism in July 2019 featuring remarks from federal leaders from across government. See https://www.justice.gov/hatecrimes/summit-combating-anti-semitism-0. Following opening remarks by Attorney General Barr, the summit featured a panel on Prosecuting Hate Crimes with Civil Rights Division Assistant Attorney General Eric Dreiband, FBI Criminal Investigative Division Assistant Director Calvin Shivers, and U.S. Attorney for

the District of Columbia Jessie Liu. The event closed with remarks from FBI Director Christopher Wray. The summit also included panels on "Combating Anti-Semitism While Respecting the First Amendment" and "Anti-Semitism on Campus," as well as remarks from Secretary of Education Betsy DeVos; Elan S. Carr, Special Envoy to Monitor and Combat Anti-Semitism; and Secretary of the Treasury Steven Mnuchin.

State and Local Prosecutor Training. The initiative conducted a joint hate crime webinar training in March 2019 for state and local prosecutors in collaboration with the National Association of Attorney Generals (NAAG) and the National District Attorneys Association (NDAA) to raise awareness and share best practices for hate crime prosecutions with interested assistant state and district attorneys. Additional webinars on related topics are under development.

Domestic Terrorism Seminar. In August 2018, the DOJ's Hate Crimes Initiative convened the first-ever seminar on Investigating and Prosecuting Hate Crimes and Domestic Terrorism, bringing together 70 civil rights and domestic terrorism prosecutors and agents to discuss how to better collaborate when investigating and prosecuting hate crimes that also constitute acts of domestic terrorism.

More information about the DOJ's efforts to combat hate crime is available at https://www.justice.gov/hatecrimes. This DOJ-wide hate crime website includes a searchable collection of the DOJ's resources for law enforcement, community groups, researchers, and others.

Appendix C. Roundtable Agenda

The roundtable agenda reflects participants' titles at the time of the roundtable. The document has not been revised to reflect participants' current titles.

Day 1. Monday, October 29, 2018

8:30 a.m. – 9:00 a.m. **Registration**

9:00 a.m. – 9:15 a.m. **Opening Remarks: Combating Violence, Combating Hate**

- John Gore, Acting Assistant Attorney General, Civil Rights Division
- Phil Keith, Director, Office of Community Oriented Policing Services

9:15 a.m. – 9:45 a.m. **A Foundation of Trust – Participant Introductions**

- Noel March, Chief of Police, University of Southern Maine Police Department

9:45 a.m. – 10:30 a.m. **Leadership, Culture, and Change: Perspectives from the Field on Improving Hate Crimes Investigation and Reporting**

- Michael Diekhoff, Chief, Bloomington (Indiana) Police Department
- Joseph Sullivan, Deputy Commissioner, Philadelphia (Pennsylvania) Police Department
- Moderator: Will Johnson, Chief of Police, Arlington (Texas) Police Department

10:30 a.m. – 10:45 a.m. **Break**

10:45 a.m. – 11:30 a.m. **Challenges to Hate Crime UCR Reporting: What Do the Data Say?**

- Kristi L. Donahue, Management and Program Analyst and UCR Program's Hate Crime Coordinator, Federal Bureau of Investigation
- Barbara Oudekerk, PhD, Statistician, Victimization Unit, Bureau of Justice Statistics, Office of Justice Programs
- Moderator: Maxwell Marker, Assistant Deputy Assistant Director, Criminal Justice Information Services Division, Federal Bureau of Investigation

11:30 a.m. – 12:15 p.m. **Breakout Groups: Exploring Barriers, Highlighting Challenges – Hate Crimes Identification and Reporting**

12:15 p.m. – 2:00 p.m. **Working Lunch Remarks**

- Introduction by John Gore, Acting Assistant Attorney General, Civil Rights Division
- Rod Rosenstein, Deputy Attorney General of the United States
- Introduction by Will Johnson, Chief of Police, Arlington (Texas) Police Department
- Dennis Shepard, Board Member Emeritus, Matthew Shepard Foundation
- Judy Shepard, President, Matthew Shepard Foundation

2:00 p.m. – 2:45 p.m. **Critical Community Partnerships: Stakeholder Perspectives on Hate Crime Identification and Reporting**

- Cynthia Deitle, Director, Programs and Operations, Matthew Shepard Foundation
- Michael Lieberman, Counsel and Director, Anti-Defamation League
- Dennis Shepard, Board Member Emeritus, Matthew Shepard Foundation
- Judy Shepard, President, Matthew Shepard Foundation

2:45 p.m. – 3:00 p.m. **Break**

3:00 p.m. – 3:40 p.m. **Breakout Groups: Brainstorming Solutions to Barriers/Challenges**

3:40 p.m. – 4:20 p.m. **Report Out: Presentations by Breakout Groups**

4:20 p.m. – 5:20 p.m. **Minding the (Resource) Gap: Raising Awareness of Federal Training and Outreach Tools**

- Jim Felte, Acting Chief, Criminal Section, Civil Rights Division
- Phil Keith, Director, Office of Community Oriented Policing Services
- Gerri Ratliff, Deputy Director, Community Relations Service

- Jeff Veltri, Unit Chief, Civil Rights Unit, Federal Bureau of Investigation
- Moderator: Sheila Foran, Acting Head, Policy and Strategy Section, Civil Rights Division

5:20 p.m. – 5:30 p.m. **Reflections on Day 1**

- Matt Dummermuth, Principal Deputy Assistant Attorney General, Office of Justice Programs

5:30 p.m. **Conclude Day 1**

Day 2. Tuesday, October 30, 2018

8:30 a.m. – 8:40 a.m. **Welcome and Opening Remarks**

- Gerri Ratliff, Deputy Director, Community Relations Service

8:40 a.m. – 9:40 a.m. **Rocked by Hate and Transformed Through Dialogue: Waking In Oak Creek**

- Pardeep Kaleka, Author, Clinician, and Founder, Serve2Unite
- Nazmia Comrie, Senior Program Specialist, Office of Community Oriented Policing Services
- Moderator: Phil Keith, Director, Office of Community Oriented Policing Services

9:40 a.m. – 10:40 a.m. **Promising Practices from the Field: Improving Hate Crimes Identification and Reporting**

- Carmen Curry, Sergeant, Civil Rights Unit, Boston (Massachusetts) Police Department
- Michael Kebba, Acting Captain, Violent Crimes Section, Seattle (Washington) Police Department
- Brandy Willingham, Detective, Phoenix (Arizona) Police Department
- Moderator: Mark Blumberg, Special Litigation Counsel, Criminal Section, Civil Rights Division

10:40 a.m. – 10:55 a.m. **Break**

10:55 a.m. – 11:25 a.m. **Individual Action Plans: Designing a Template for Change**

11:25 a.m. – 11:55 a.m. **Prioritizing Potential Solutions: Informing the Federal Action Plan**

- Sheila Foran, Acting Head, Policy and Strategy Section, Civil Rights Division

11:55 a.m. – 12:00 p.m. **Taking the Roundtable Home: Benchmarking Success at the Local and Federal Levels**

- Phil Keith, Director, Office of Community Oriented Policing Services

12:00 p.m. **Conclude Day 2**

Appendix D. Roundtable Participants

The roundtable participant list reflects participants' titles at the time of the roundtable. The document has not been revised to reflect participants' current titles.

Law enforcement participants

Lawrence Battiste
Chief of Police
Mobile (AL) Police Department

RaShall Brackney
Chief of Police
Charlottesville (VA) Police Department

Michael Brown
Director, Professional Development
National Sheriffs' Association

LeAnne Browning
Captain
Atlanta (GA) Police Department

Tom Casady
Director of Public Safety
Lincoln (NE) Police Department

Madeleine Colaiezzi
Manager, Government Relations
National Sheriffs' Association

Lori Cooper
Sergeant, Civil Rights Unit
Chicago (IL) Police Department

Kym Craven
Executive Director
National Association of Women Law Enforcement Executives

Dwayne Crawford
Executive Director
National Organization of Black Law Enforcement Executives

Carmen Curry
Sergeant, Civil Rights Unit
Boston (MA) Police Department

Michael Diekhoff
Chief of Police
Bloomington (IN) Police Department

Brian Dugan
Chief of Police
Tampa (FL) Police Department

Billy Grogan
Chief of Police
Dunwoody (GA) Police Department

KC Hamp, Sr.
Sheriff
Tunica County (MS) Sheriff's Office

Bill Johnson
Executive Director
National Association of Police Organizations

Will Johnson
Chief of Police
Arlington (TX) Police Department

Michael Kebba
Acting Captain, Violent Crimes Section
Seattle (WA) Police Department

James Krause
Lieutenant
Fairfax County (VA) Police Department

David Kurz
Chief of Police
Durham (NH) Police Department

Laura Lanham
Assistant Chief
Montgomery County (MD) Police Department

Gaynell Lyons
Detective, Hate Crimes Division
Los Angeles County (CA) Sheriff's Department

Noel March
Chief of Police
University of Southern Maine Police Department

Florene McGlothian-Taylor
Sergeant, Inclusion and Anti-bias Unit
Michigan State University Police Department

Ryan Morgan
Captain
Fairfax County (VA) Police Department

Daniel Murphy
Deputy Superintendent, Compliance Bureau
New Orleans (LA) Police Department

Raul J. Nunez
Police Captain
Miami-Dade (FL) Police Department

Travis Patten
Sheriff
Adams County (MS) Sheriff's Office

Robert Peterson
Assistant Sheriff
Orange County (CA) Sheriff-Coroner Department

Tracy Phillips
Senior Advisor, Office of the Executive Director
International Association of Chiefs of Police

David Rausch
Director
Tennessee Bureau of Investigation

Shawn Reynolds
Deputy Chief
Olathe (KS) Police Department

Matthew Ronstadt
Captain
Tucson (AZ) Police Department

Robert Schroeder
Assistant Chief
Louisville Metro (KY) Police Department

Henry P. Stawinski III
Chief of Police
Prince George's County (MD) Police Department

Jennifer Styles
Staff Liaison, Indian Country Law Enforcement Section
International Association of Chiefs of Police

Joseph Sullivan
Deputy Commissioner, Patrol Operations
Philadelphia (PA) Police Department

Johnathan Thompson
Executive Director
National Sheriffs' Association

Don Tijerina
Chief Deputy
Bexar County (TX) Sheriff's Office

Dawn Tondini
Chief of Police
Marion (IL) Police Department

Richard Verticelli
Deputy Chief
Camden County (NJ) Police Department

Brandy Willingham
Detective
Phoenix (AZ) Police Department

Dan Zivkovich
President
International Association of Directors of Law Enforcement Standards and Training

Advocacy/Community presenters

Cynthia Deitle
Director, Programs and Operations
Matthew Shepard Foundation

Pardeep Kaleka
Author, Clinician, and Founder
Serve2Unite

Michael Lieberman
Counsel and Director
Anti-Defamation League

Dennis Shepard
Board Member Emeritus
Matthew Shepard Foundation

Judy Shepard
President
Matthew Shepard Foundation

U.S. Department of Justice representatives

Antoinette Barksdale
General Counsel
Community Relations Service

Mark Blumberg
Special Litigation Counsel
Criminal Section, Civil Rights Division

Michelle Coles
Legislative and Policy Counsel
Civil Rights Division

Nazmia Comrie
Senior Program Specialist
Office of Community Oriented Policing Services

Kristi Donahue
Management and Program Analyst and UCR Program's Hate Crime Coordinator
Federal Bureau of Investigation

Matt Dummermuth
Principal Deputy Assistant Attorney General
Office of Justice Programs

Jim Felte
Acting Chief, Criminal Section
Civil Rights Division

Sheila Foran
Acting Head, Policy and Strategy Section
Civil Rights Division

Stacie Harris
Associate Deputy Attorney General
Office of the Deputy Attorney General

Phil Keith
Director
Office of Community Oriented Policing Services

Maxwell Marker
Assistant Deputy Assistant Director
Federal Bureau of Investigation

Robert Moossy, Jr.
Deputy Assistant Attorney General
Civil Rights Division

Barbara Oudekerk
Statistician, Victimization Unit
Bureau of Justice Statistics, Office of Justice Programs

Nikita Purdy
Policy Advisor
Office of Justice Programs

Gerri Ratliff
Deputy Director
Community Relations Service

Karen Stevens
Senior Counsel
Civil Rights Division

Jeff Veltri
Unit Chief, Civil Rights Unit
Federal Bureau of Investigation

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, territorial, and tribal law enforcement agencies through information and grant resources.

Community policing begins with a commitment to building trust and mutual respect between police and communities. It supports public safety by encouraging all stakeholders to work together to address our nation's crime challenges. When police and communities collaborate, they more effectively address underlying issues, change negative behavioral patterns, and allocate resources.

Rather than simply responding to crime, community policing focuses on preventing it through strategic problem-solving approaches based on collaboration. The COPS Office awards grants to hire community policing officers and support the development and testing of innovative policing strategies. COPS Office funding also provides training and technical assistance to community members and local government leaders, as well as all levels of law enforcement.

Since 1994, 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. Other achievements include the following:

- To date, the COPS Office has funded the hiring of approximately 130,000 additional officers by more than 13,000 of the nation's 18,000 law enforcement agencies in both small and large jurisdictions.
- 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 eight million topic-specific publications, training curricula, white papers, and resource CDs and flash drives.
- The COPS Office also sponsors conferences, round tables, and other forums focused on issues critical to law enforcement.

COPS Office information resources, covering a wide range of community policing topics such as school and campus safety, violent crime, and officer safety and wellness, can be downloaded via the COPS Office's home page, www.cops.usdoj.gov. This website is also the grant application portal, providing access to online application forms.

In 2018, the Hate Crimes Enforcement and Prevention Initiative convened a law enforcement roundtable on challenges and successes in identifying, reporting, and tracking hate crimes. Although hate crimes and other bias-motivated incidents are generally investigated and prosecuted as state, local, or tribal matters, the Federal Government collaborates with state and local partners in the effort to eliminate these crimes from our communities. Through robust discussion and analysis, roundtable participants developed recommendations for enhancing hate crimes investigation and reporting that comprise a valuable roadmap for the journey ahead.

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

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

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

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

e081909026
Published 2020