



## CITY OF SAINT PETER BIAS/HATE CRIME RESPONSE PLAN

*The Saint Peter Human Rights Network Belief Statement: "Hate, violence and prejudice are unacceptable in our community. We are a community open to all persons of all races, colors, religions, genders, sexual orientations, ages, abilities and national origins, striving to understand and empower one another."*

### **Purpose:**

The purpose of this plan is to establish a local response showing strong community support for the victim and zero community tolerance for bias/hate crimes. The Saint Peter Human Rights Commission (SPHRC) will not investigate such crimes. It will provide or coordinate support to victims in such crimes and leadership in the community in the prevention of bias and hate crimes through education and collaborative community action against prejudice and bigotry.

### **The Commission seeks:**

- A commitment from the Saint Peter Police Department that the Commission will be notified as soon as possible after a confirmed bias/hate crime complaint. Contact is to be made through the Chief of Police.
- The participation of the Saint Peter Human Rights Network which can be activated to support victims of bias/hate crimes.
- The participation of the Saint Peter Human Rights Network in the development of a community response if appropriate and with consent of the victim.
- To raise awareness of hate crime issues within the community.
- The expansion and participation of community organizations in the Human Rights Network.
- The cooperation of the local media in support of the victims of bias/hate crimes and in developing community awareness of human rights issues and in providing the community with information regarding the Human Rights Network and the Bias/Hate Crime Response Plan.

### **Hate Crime Defined:**

A hate crime, as defined by criminal statute, is a criminal act committed against a person, institution, or property, for which the primary motivation is the victim's affiliation with a protected class. State law established the following protected classes: *race, color, religion, gender, sexual orientation, age, disability and national origin*. As of 2004, the law allows for the perception of either the victim or the police officer regarding the bias motivation of the crime to cause it to be categorized as a hate crime. Convictions resulting from hate crimes carry enhanced penalties.

Hate crimes are different from discrimination complaints. Although discrimination is against the law, it is not a crime, but rather a civil matter.

### **Partnership:**

In order to provide timely, meaningful support to victims of bias/hate crimes, the Commission must partner with the citizens and organizations in the community. The key partners include:

- The Saint Peter Police Department
- The Saint Peter Human Rights Commission
- The Saint Peter Human Rights Network
- The Saint Peter media

## **RESPONSE TO A BIAS/HATE CRIME:**

### ***Immediate Response - law enforcement***

Police Department commitment to report bias/hate crimes to the SPHRC is necessary for this plan to be viable. The rights and wishes of the victim of a bias/hate crime must be given the utmost consideration at each step of this plan.

If an officer becomes aware of an incident which may be defined as a “bias/hate crime”, as part of the investigation of the situation, the officer will:

1. Explain the definition of a “bias/hate crime” and the option of making a referral to the Human Rights Commission to the victim. The role of the SPHRC is to support the victim and, if appropriate, develop a community response to the hate crime. The SPHRC will not conduct a criminal investigation of the incident.
2. If the victim would like the support of the SPHRC, assist the victim in completing the Saint Peter Police Department Bias/Hate Crime Referral Report. Immediately forward the referral to the Saint Peter Chief of Police. The Chief of Police will contact the SPHRC chairperson.
3. If the victim does not feel the need for SPHRC support, give them the telephone number of the SPHRC staff liaison in the event support is needed at some future time.

### ***Immediate response - referral through other than law enforcement:***

1. If the report of a bias/hate crime is made directly to a member of the SPHRC or the Saint Peter Chief of Police, the person receiving the report will encourage the victim to report the incident to the Saint Peter Police Department or other appropriate law enforcement agencies.
2. Offer to go with the victim to report the incident to the Saint Peter Police Department.
3. Obtain an address or telephone number from the victim for future contacts.
4. Explain to the victim the definition of “bias/hate crime” and the option of making a referral to the Human Rights Commission. *The role of the SPHRC is to support the victim.*
5. After the initial meeting, consult with the SPHRC chairperson, if appropriate a second meeting with the victim will be held to explain the option of developing a community response to the bias/hate crime. *A broad-based community response plan will not be initiated unless the victim is supportive of the effort.*
6. The SPHRC will not conduct a criminal investigation of the incident.
7. If the victim would like the support of the SPHRC, immediately notify the SPHRC staff liaison. The staff liaison will contact the SPHRC chairperson.
8. If the victim does not feel the need for SPHRC support, give them the telephone number of the SPHRC staff liaison in the event support is needed at some future time.

### ***Human Rights Commission response to a bias/hate crime referral:***

1. The SPHRC chairperson will contact the Commission members and inform them of the referral. Together they will organize the initial victim contact. A response coordinator and team member will be appointed.

2. The response coordinator will contact the victim by telephone if possible. Express empathy. Ask if you and a SPHRC member might visit in person to discuss the incident and offer support and assistance. If the victim does not desire a visit, follow with a letter offering assistance at a later date if desired. Include information on other services in the community that might be of benefit.
3. Ask permission to report the information to the League of Minnesota Human Rights Commission and the Saint Peter Human Rights Network.
4. If contact by telephone is not an option the response coordinator and team member will visit the victim for the initial victim contact.
5. The SPHRC chairperson will be the designated spokesperson to the media regarding the bias/hate crime response plan.

### **Human Rights Visit Team Members**

1. Human Rights Commission members participating as team volunteers will participate in a training program prior to being selected to be a team volunteer.
2. The SPHRC chairperson will select the team members with greatest consideration towards the victim and the nature of the bias/hate crime. Members may also include Human Rights Network members.

### **Personal Visit**

With a team of at least two, visit with the victim, either at his/her home or other location of the victim's choice. Identify the team, which may include Network members, as members of the SPHRC and explain the purpose for the meeting.

### ***Interview Questions:***

These questions are meant to be a guide. The interview team may wish to add or change these questions. First and foremost in importance is that all interviewers show an appropriate level of concern and be willing to spend enough time to obtain the victim's story. Oftentimes more can be learned through careful listening than through extensive questioning. If you are unsure of the victim's response to a question, rephrase their response to clarify the answer. If your understanding is not correct, the victim then has the opportunity to clarify their response. Be very careful not to place your personal feelings into follow-up reports. Take careful notes of important facts and details.

### ***At the initial contact or visit:***

- Explain the extent of the confidentiality of the conversation.
- What happened?
- Was this the first incident or have there been others?
- Were children involved?
- How can we help you?
- What can we do together to prevent this from happening again?
- Is there anyone else you would like to contact you or that we can contact for you?

### ***At the second contact or visit:***

- If appropriate and warranted and with the advice of the Human Rights Commission and the consent of the Mayor, we would like to organize a community wide response. Consider the victim's wishes as to confidentiality and level of publicity. Would you agree to this?
- Do you mind if we use your name, or would you prefer that we didn't?
- Are you comfortable with us contacting the media?

***This format is a guide. It is not rigid. Questions should be sensitive to the individual circumstances.***

The team members should review future contact information (telephone numbers if possible). Again, offer support and any assistance and explain future follow-up contacts.

### **Human Rights Network - Community Response**

1. Contact the Saint Peter Mayor and Chief of Police and inform them of the incident. Review the information from the referral and interview. Discuss and agree upon the appropriateness of a community response.
2. Contact the League of Minnesota Human Rights Commissions to seek support.
3. The SPHRC Chair may select a Community Response Team made up of at least two members of the SPHRC. The team may also be comprised of Network members.
4. A team consisting of a Human Rights Commissioner and Human Rights Network Bias/Hate Crimes Response team may conduct a secondary interview if appropriate.
5. At the earliest possible time arrange for a meeting of the SPHRC and the Human Rights Network Community Response team to develop a community response plan. Invite the Mayor and Chief of Police to participate in the planning process.
6. The community response plan may include, among other activities:
  - A letter to the editor;
  - Contacting other media;
  - A community meeting;
  - A “quick response - not in our town” activity;
  - Or sending a letter or a representative to local churches and schools. Call a meeting of the Human Rights Network representatives and involve the organizations in the response.
6. Maintain frequent contact with the victim. **Always remember this is about the victim. The victim should be comfortable with the community response plan**

***Follow-up contact with the victim:*** Whatever the response to the bias/hate crime, a follow-up contact should be made within one week, in person or by telephone. Check on any recurrences, other problems, and offer continued support. If appropriate, a follow-up visit after one month may also be appropriate.

### ***Review Response:***

1. The SPHRC shall review the overall process. Note the effectiveness of the response and suggestions for future responses. Invite the Mayor, Chief of Police and Network members involved to provide a review and suggestions.
2. The SPHRC shall send letters of appreciation to the Human Rights Network Team members involved in the plan and other supportive organizations and individuals.
3. The SPHRC shall provide the Mayor and Chief of Police with a summary report.

# SAINT PETER POLICE DEPARTMENT BIAS/HATE CRIME REFERRAL

There is reason to believe that you have been a victim of a crime because of your race, national origin, religion, age, gender, disability or sexual orientation. The City of Saint Peter has as Human Rights Commission which is willing to support you in this matter.

You may contact the Human Rights Commission staff liaison for additional information at \_\_\_\_\_.

**OR**

Your signature on this form authorizes the Saint Peter Police Department to refer their report on this incident to the attention of the Human Rights Commission and a Commission member will then contact you.

NAME: \_\_\_\_\_

DATE: \_\_\_\_\_

POLICE CASE # \_\_\_\_\_

CONTACT INFO: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SIGNATURE: \_\_\_\_\_

REPORTING OFFICER: \_\_\_\_\_

# BIAS/HATE CRIME RESPONSE PLAN

## AFTER THE INITIAL CONTACT....

The following form is to be used to document the initial contact with the victim. Please complete the form immediately after the contact has been made.

Explain the extent of the confidentiality of the conversation.

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What happened?

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Was this the first incident or have there been others?

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Were children involved?

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What help, if any, assistance would the victim like from the SPHRC?

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What did the victim feel we do together to prevent this from happening again?

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Other people the victim would like the SPHRC to contact on their behalf? (Please provide names, relationship to victim, and all pertinent contact information)

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## CONSENT FOR COMMUNITY-WIDE RESPONSE

The Saint Peter Human Rights Commission is willing and able to organize a community-wide response on behalf of victims of bias/hate crimes. This action will only be taken with the full authorization of the victim.

By completing the information below, you are hereby authorizing the SPHRC to initiate a community-wide response to the crime committed. Only the actions authorized by you on this form will be undertaken. No further actions will be taken without your direct authorization.

If you have any questions about any of the options indicated, please ask for further information before completing the form.

Name of victim: \_\_\_\_\_

Address: \_\_\_\_\_

Phone #: \_\_\_\_\_

(Please indicate whether cell or land line)

\_\_\_\_\_ I DO NOT wish to have a community-wide response organized on my behalf. I want all information pertaining to the incident kept confidential.

\_\_\_\_\_ I DO wish to have a community-wide response organized on my behalf. Said authorization includes specific permission for the SPHRC to release the following information to the media and the public:

\_\_\_\_\_ My name

\_\_\_\_\_ My contact information (address and phone number)

\_\_\_\_\_ A copy of the Police report regarding the crime

\_\_\_\_\_ I DO wish to have a community-wide response organized on my behalf. Said authorization shall be limited to the following activities:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The authorization you have provided above shall continue until such time as you provide a written request to change. No further action will be taken by the SPRHC without additional authorization from you.

Signature of victim: \_\_\_\_\_

Date: \_\_\_\_\_