

## *Hate Crimes Identification and Investigation*

Trainee Name	Date
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*As you watch the video, follow along and complete the questions in this guide. You may stop the video and view a section again if needed. The goal is for you to complete this guide and then discuss the material with your designated agency trainer or facilitator.*

There are seven victim characteristics listed in Penal Code Section 422.55, which defines a hate crime. Which of the following is NOT one of those characteristics?

- A. Disability
- B. Race or ethnicity
- C. Member of a protected class
- D. Religion

In the first scenario, when a white male suspect punches a black male victim at the rear of the bar, the investigating deputy arrests the suspect for a hate crime. When the sergeant asked why this qualified as a hate crime, what reasons did the deputy cite to justify this charge?

- A. The suspect made a spontaneous statement to the deputy that he punched the victim because of the victim's race
- B. There was no other apparent reason for the assault
- C. There was no contact between the suspect or victim prior to the assault
- D. The suspect tore off his shirt to show a specific tattoo
- E. All of the above
- F. B, C and D only

If a Hispanic suspect shouts racial epithets at a Hispanic male and then punches this Hispanic male, this incident may still qualify as a hate crime even though both suspect and victim share the same characteristic.

True \_\_\_\_\_ False \_\_\_\_\_

In order to charge a suspect with a hate crime, the prosecution must be able to prove which of the following?

- A. That one of the seven characteristics actually applied to the victim
- B. That the suspect perceived the victim to have one of the seven characteristics
- C. That the victim was of a protected class
- D. All of the above
- E. The prosecution must prove that A *or* B applied, or that A *and* B applied

In most criminal acts, there is no requirement to prove motive in a court of law. Hate crimes are unique, however, in that the motive for the crime is required to be proven.

True \_\_\_\_\_ False \_\_\_\_\_



Which of the following statements is correct?

- A. A hate crime is most often committed against only the victim and there is no intent to “send a message” to the rest of the community
- B. A hate crime is most often committed as a “message crime” to all persons who share that characteristic

If law enforcement is called to or is visiting a community building such as a mosque and the unique customs of that community are unfamiliar to the officer(s), what might be considerations of how best to handle this situation?

- A. Simply follow the person who is greeting you and do as they do
- B. Establish open and respectful communication with the person who is greeting you. Professionally convey to them that you are unfamiliar with their customs and ask for guidance
- C. If you are in a law enforcement uniform and are on-duty, you are allowed to enter any area with no risk of transgression of the culture
- D. In order to be certain there is no transgression of their culture, law enforcement should not enter the building

If a victim asks an officer’s advice on whether or not to speak to the media, according to subject matter experts, which of the following would be the best response?

- A. Although victims have a right to speak to the media, it would not be advisable for victims to do so because they may give statements that would be inconsistent with their statement to the police
- B. It would not be in law enforcement’s interests to give advice to citizens on whether or not they should speak to the media
- C. It would be advisable for victims to speak to the media so that others in the community may be aware of criminal activity within the community

Which of the following reasons might be why a victim of a hate crime could be reluctant to report the crime or incident to the police?

- A. Some cultures may have a belief that honor and saving face are important. There may be a sense of shame around what occurred, a sense of fear that when the public finds out, they and their family might be shamed or targeted again for a hate crime
- B. They may not want to present who they are or what they are; there could be a secondary victimization if it became known at their job because they would not be accepted
- C. Some immigrants may be reluctant because of their immigration status
- D. All of the above
- E. A and B only

When documenting a hate crime in a police report, why is it so important to record the exact words a suspect used, even if this was profanity or racial epithets? What are some other considerations in documenting the exact words?

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