

hate crimes



A hate crime is a criminal offense committed against persons, property or society that is motivated, in whole or in part, by an offender's bias against an individual's or a group's race, religion, ethnic/national origin, gender, age, disability or sexual orientation. Hate crimes include not only violence against individuals or groups but also crimes against property, such as arson or vandalism, particularly those directed against community centers or houses of worship. The following is a checklist of questions law enforcement considers in making a determination as to if a crime is, or is not a potential hate/bias crime:

1. What are the perceptions of the victim(s) and witnesses about the motivation behind the crime?
2. Were there any comments, gestures or written statements by the perpetrator that reflect bias?
3. Was the victim engaged in activities promoting his/her group or community at the time of the crime?
4. Did the incident coincide with a holiday or date of significance to a particular group?
5. Were there any differences between perpetrator and victim, whether actual or simply perceived by the perpetrator?
6. Have there been similar incidents in the same area that indicate a possible pattern?
7. Did the incident occur in an area that has seen activity by organized hate groups?
8. Is there an absence of any other motive, such as economic gain, that would explain why the crime was committed?

The hate crime statute in the District of Columbia, the Bias-Related Crime Act of 1989, 22 D.C. Code 3701 - 3704, is one of the most far-reaching and comprehensive hate crime statutes in the nation. It broadly defines a bias-related crime as a "designated act that demonstrates an accused's prejudice based on the actual or perceived race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, family responsibility, physical handicap, matriculation or political affiliation of a victim of the subject designated act." A "designated act" is defined as a criminal act, including arson, assault, burglary, injury to property, kidnapping, manslaughter, murder, rape, robbery, theft or unlawful entry or attempting, aiding, abetting, advising, inciting, conniving or conspiring to commit any of these criminal acts.

Under the statute, a person found guilty of committing a designated act with a bias-related motive is subject to a prison term and/or a fine that is 1.5 times the maximum that could be imposed upon conviction of the designated act. In addition to the enhanced penalties for crimes motivated by hate, the statute also provides hate crime victims with the opportunity to seek civil damages from their victimizers.

Hate / Bias Crimes Hotline: (202) 727-0500

GLLU factsheet

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