

Together

fighting against hate crimes



Empowering civil society and Law Enforcement Agencies
to make hate crimes visible

TRAINING MANUAL



With financial support from the Fundamental Rights
and Citizenship Programme of the European Union

TOGETHER!
**Empowering civil society and Law
Enforcement Agencies to make hate
crimes visible**

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Disclaimer

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Introduction

Acknowledgement

This manual has been drafted by Matilde Frucillo, who has coordinated a group of experts that provided precious inputs regarding the legal and methodological aspects of the curriculum. This group of experts include: María Concepción Antón, María Helena Bedoya, Nicoletta Charalambidou, Ulderico Daniele, Alexandra Dubova, Annita Koni, Mikel Mazkarian, Grazia Naletto, Paolo Scalia, Andrea Špírková and *Kateoima Ublíiová*. In order to discuss and work on the structure and contents of the curriculum, three experts meetings have been held in Barcelona, Rome and Nicosia, between January and June 2015.

Background

This manual is a product of the project *«Together! Empowering civil society and Law Enforcement Agencies to make hate crimes visible»*, co-financed by the Fundamental Rights and Citizenship Program of the European Union.

The specific objectives of the project are:

- To strengthen the capacity of Law Enforcement Agencies (LEAs), Non Governmental Organizations (NGOs) and community-based organizations to identify and report hate crimes and to interact with victims;
- To improve data collection on hate crimes by creating and implementing standard methodologies and tools for data collection aimed at LEAs and civil society organizations (CSOs);

- To strengthen networking and collaboration between LEAs and civil society (CS) on information exchange and follow up on hate crimes.

Together! is carried out by a consortium of organizations based in four European countries. The consortium consists of: SOS Racismo Gipuzkoa, SOS Racisme Catalunya (Spain), KISA (Cyprus), Organisation for Aid to Refugees – OPU (Czech Republic), Lunaria, CGIL Lombardia, University of Roma Tre (Italy).

Purpose of the Curriculum

This curriculum provides a step-by-step description of how to conduct a workshop for police officers and civil society organisations on hate crimes identification, reporting and effective response. The general curriculum has to be customized for use in respective countries as indicated in the manual.

The training manual focuses on the development of knowledge and skills to improve police and civil society response to hate crimes. The overall goal of the curriculum is to equip trainers with the necessary tools to deliver training for the police and members of civil society (NGOs, community-based organizations etc.) on recognizing, monitoring of, reporting on, preventing and investigating hate crimes.

After attending a session of «training of trainers» and studying this manual, trainers - preferably working in two-person teams - will be able to deliver training that enables police officers and civil society organisations to:

- ✓ Recognize and understand the dynamics of hate crimes and the impact that hate crimes have a) on those who are targeted and b) on the stability of the entire society;
- ✓ Understand and be able to apply relevant legislation on hate crimes;
- ✓ Increase monitoring and reporting skills;
- ✓ Gain and put into practice skills to respond to and to investigate hate crimes;
- ✓ Increase officers' awareness of their duties to protect all citizens.
- ✓ Increase understanding of the benefit that a civil society/law enforcement cooperation can bring to an effective response to hate crimes

Target audience

The principal beneficiaries of the manual are:

- ✓ Educators and trainers working in national/regional/local police training institutions;
- ✓ External trainers who are involved in training police or civil society organisations on how to respond to hate crimes;
- ✓ Trainers and curriculum writers who are involved in human rights training;
- ✓ People working with civil society organisations in various human rights areas, such as victims assistance, refugees and immigrants protection, minority integration, community support etc...

Methodological Principles of the Training

Interactive and Motivational

- The training is highly interactive because learning by doing has been demonstrated to be the most effective approach.
- The training is motivational. It is aimed not only at building technical skills and knowledge, but also at demonstrating the adverse impact hate crimes have on society and motivating police to investigate and respond to hate crimes. As well, it allows civil society to increase data on the phenomenon and increase citizens' awareness of its destructive impact on the stability of society.

Human rights based

- The programme follows a human rights-based approach, because respect for fundamental Human Rights, prevention of discrimination and equality before the law are essential elements to guarantee the security of individuals and communities.

Inclusive

- The effectiveness of training for police and civil society is greatly enhanced by the use of concrete examples and case studies that require an active engagement of the participants in applying the theoretical knowledge. The follow-up presentations are useful instruments for the trainer to verify the proper understanding of the trainees.

Adapted and flexible

- The adaptation of materials to local needs is important due to the existence of variations and differences in legal/regulatory frameworks of every State (and sometimes within the same country), the extent of hate crimes and the types of target/victim groups affected. The curriculum is inherently flexible and adaptable to the specific needs and requirements of the target group/audience and the programme needs to be tailor made to the specific legal context of the country in question.

Transparent and accountable

- The impact of the training should be assessed in order to identify difficulties that need to be overcome, to recognize good practices that can be replicated and to help national training authorities make informed decisions on the next steps.

Structure of the training

This manual includes a «long» and a «short» version of the curriculum, in order to suit the time availability of the trainees. Both long and short version has been designed adequately in order to achieve the goals of the Curriculum. The long version is structured in four parts (duration of 16 hours approximately); the short version is divided into two parts (duration of 8 hours approximately). Each part can be singularly delivered, even though it would be preferable to deliver all in one round. From a pedagogical perspective it is important that trainers do not change the order or sequence of the modules in the training, as changing the order will imply confusion and lack of understanding of the final message.

Every part is composed by **thematic modules**: each module includes **Instructions for trainers**, **Hand-outs** and **Power Point slides**.

- The «Instructions for the trainers» part includes conceptual and practical information that will help the trainers to deliver the module. On the other hand, it includes a detailed methodological description of how to carry out the activities of each module.
- The «Hand-outs appendices» include the material that the trainers might distribute to the participants to deliver the various learning objectives and related activities of the modules.
- Every module is complemented by «Power Point slides», a discretionary and adjustable tool to deliver the information to

the trainees. Slides are available online at <http://www.togetherproject.eu/materials>.

The structures of the long and the short version of the curriculum are available at the end of this section.

Moreover, the following materials are available online at *Together!* web page:

- **Videos about the impact of hate crimes on victims, communities and society:** those videos have been produced to be used in training sessions, to facilitate trainees' empathic connection with victims of hate crimes. Videos underline the psychological and social impact of hate crimes on victims, their families and communities; and also on the stability and cohesion of the entire society. Videos are available in Czech, Greek, Italian and Spanish, with subtitles in English.
- **A tool for data collecting** aimed at NGOs and community-based organisations and designed to help them at information gathering on hate crimes. During the training sessions participants will be provided with methods to systematically and efficiently collect data on hate crimes, in order to increase their skills in using data collected for lobbying and advocacy.

Curriculum

The first two parts of the curriculum long version are the same for civil society and police representatives, as they are aimed at providing trainees with an understanding of the influence of stereotypes and prejudices on behaviours, as well as the extent of hate crimes in the country in question. Additionally, the curriculum focuses on learning about the impact of those crimes on the victims and on the larger society.

In its third part the curriculum will be diversified: for LEAs it will concentrate on investigations and interaction with victims; for members of civil society emphasis will be put on their role to reach out to communities at risk, support victims and raise awareness. This «operational» part has to be delivered only after the modules showing the consequences of these crimes have been completed. Experience shows that when the modules addressing strategies and skills for action are dealt with earlier in the day, some participants will be resistant because they have not yet acquired an understanding of the nature and seriousness of hate crimes.

The modules in the last part of the curriculum are applicable to both LEAs and CSO as this part concerns the advantages of civil society and LEAs cooperation for an effective response to hate crimes.

The conceptual parts explaining the definition of hate crimes, specific characteristics and other important theoretical elements have been developed with the support of the material produced by the Organisation for Security and Cooperation in Europe (OSCE). The OSCE Office for Democratic Institutions and Human Rights (ODIHR) issued several manuals, guidelines and other supporting material for civil society organisations and institutions about how to respond to hate crimes (available at: www.tandis.odihhr.pl). Additionally the manuals «*LIGHT ON: Investigating and reporting on line speech*» produced by the United Nations International Crime and Justice Research Institute (UNICRI) and «*Facing Facts*», produced by CEJI, have been consulted.

Preparation for Delivering the Training

The trainer has to customize the material to the specific situation of the country, therefore he/she needs to be or become familiar with the socio-political and legal background and with the most recent developments. On the other hand, the collection of accounts of hate crimes and incidents perpetrated in the trainees country or region allows trainers to:

- Gather information on the nature/extent of hate crimes and bias incidents that occur in the country or region where the training will be delivered;
- Reduce the defensiveness of participants who do not believe that hate crimes exist in their community;
- Enhance the credibility of the trainer by providing information that is directly relevant to the local context.

Preparing Case Studies

Case studies are a crucial element of the training resources. Case studies should illustrate specific issues which are highlighted in the modules. Ideally, the trainers should base their case studies on actual hate crimes and hate incidents that have occurred in the country or region. Case studies will enable participants to:

- Apply the knowledge gained during previous sessions to analyse specific cases;

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- Put into practice the skills acquired during the training to devise responses to specific cases.

The most effective way to develop case studies is to base them on facts that are similar to events that have occurred in your country. This approach results in workshop participants viewing the case studies as relevant to their work. It is recommended to develop varied cases that have different bias motivations and different types of crimes.

Case studies have to be concise. Each case study should not exceed one page.

The case study will include some of the facts but not all of them. Case studies should include some issues that are not always clear so that the participants are required to reason through and engage with different aspects of a hate crime. Some cases might have facts that could be interpreted in different ways. This allows the participants to articulate the rationale of their viewpoint. Some cases have more facts that the facilitator shares with participants during the feedback session. This allows participants to compare what they consider to be the best approach to the response that was given in the case discussed.

Key facts include the location of the incident, some of the potential bias indicators, elements of the response given by law enforcement or the role played by civil society organisations.

What is most important in developing case studies is to include scenarios raising difficult questions that trainees may be called upon to resolve.

Evaluation

An evaluation should be conducted at the end of the training. The main purpose of a final evaluation is to assess the effectiveness of the training session or programme. This can involve:

- Collecting data about participants reactions and learning;
- Comparing intended results to actual results;
- Identifying areas for improvement;
- Assessing whether or not the training session addressed any gaps or problems previously identified.

By following the training, trainers should distribute a questionnaire to the participants. Handouts 13.1 and 13.1cs at the end of the manual are sample evaluation forms.

Practical arrangements

Time

This Long version of the curriculum is intended for a two-day or four-part training workshop, with two 15-minute breaks and breaks for lunch. The curriculum can be compressed into a one-day training programme, with two 15-minute breaks and a break for lunch. The agenda for this shorter training is also included in this curriculum.

Training Team

Each training team should consist of two trainers. Skills of each team in conducting workshops will grow as the team members conduct more workshops and become increasingly comfortable with each other and also with the curriculum.

General Advice

The topic of the training is quite sensitive and it might happen that trainees come to the training sessions with the belief that the problem is not significant. Moreover, at least some participants will have their own biases about non-majority groups. In order to help the trainer to handle potential challenging situations, «**Tips for trainers**» have been inserted in each module, with advice on how to prevent or solve problems that could occur during the training delivery. In addition, a **list of difficult questions and relative answers** (that may help trainers as a guide-line to answer trainees' doubts in a positive and constructive way) is available at the end of the manual. These advices have been compiled as a result of the extensive experience of the manual drafter who has encountered several «difficult situations» in delivering training on responding to hate crimes. Obviously the list is not exhaustive, and the tips are only suggestions but have been tested in «real life».

Substantive Teaching Materials

Most of the substantive materials required to deliver the course are in this curriculum, including the annexes and handouts. However, trainers will need to make sure they have got all the course materials assembled and in sufficient amount in order to be prepared in advance of the training session.

Equipment and Supplies

The workshop should be held in a large comfortable room. Participants should sit in chairs (without tables) arranged in a U shape (with the trainers presenting from the open end of the U). At the front of the room a table should be placed for a power point projector and workshop materials. A table should be placed at the back or side of the room for refreshments.

The following supplies and equipment should be available:

- Computer and screen for presentations;
- Easel and chart paper;
- Name-tags;
- Markers: one black or blue marker for every five participants and a set of multi-colours markers;
- Blank cards or pieces of paper (three for each participant);
- Pencil or pen (one for each participant);
- Tape.

Pre-Workshop Preparations

On the day of the training, trainers should:

- Arrive at least 60 minutes earlier;
- Check that the equipment and food have been delivered in the training room;
- Set up the equipment and make sure that the equipment works;
- If necessary, rearrange chairs and tables.

Handouts

Many modules instruct trainers to distribute handouts to participants. These handouts are available at the end of each module of the curriculum. Unless there are instructions to distribute a hand-out, they should be distributed only at the end of the training. When hand-outs are provided during the training, some participants will read the hand-outs instead of listening to the trainers.

Vocabulary and definitions

The definitions used in this manual refer to national and international legislation which regulate hate crimes. It's important to underline that international legislation (e.g.: International Convention on the Elimination of All Forms of Racial Discrimination) uses the category of «race» which has not any scientific basis when applied to humankind.

Structure - LONG VERSION

PART 1

Duration: 4 hours approximately

MODULE 1: INTRODUCTIONS AND GROUND RULES

Time: 45 minutes

Objectives:

- Introducing trainers and participants.
- Developing the ground rules.
- Explaining the objectives of the workshop.
- Asking participants what their expectations are.

MODULE 2: STEREOTYPES AND PREJUDICES

Time: 1 hour and 45 minutes

Objectives:

- Raising participants' awareness on the impact of preconceptions, biases and prejudices on their own professional behaviour.
- Making participants face their stereotypes.
- Demonstrating the negative impact that stereotypes can have on participants work.
- Exploring common stereotypes.

MODULE 3: HATE CRIMES: WHAT ARE THEY?

Time: 1 hour and 15 minutes

Objectives:

- Providing participants with a basic understanding of the features of Hate Crimes.
- Providing participants with the tools to identify the elements constituting hate crimes.
- Exploring bias motivation and providing participants with the tools to identify it.
- Identifying the differences between hate crimes and other related phenomena.
- Exploring what types of people commit hate crimes and how can we describe their patterns or behaviour.

PART 2

Duration: 4 hours and 15 minutes approximately

MODULE 4: LEGAL FRAMEWORK

Time: 1 hour and 15 minutes

Objectives:

- Inserting hate crimes legislation in the international legal framework of state obligations in order to describe the legislative options to regulate hate crimes.
- Increasing knowledge on the specific legislation of each country.
- Appreciating the different ways to address hate crimes through legislation.
- Recognizing the duty to investigate hate crimes as a legal obligation under the European Court of Human Rights jurisprudence.
- Appreciating how regional human rights frameworks together with local hate crimes laws affect the obligations of police investigations.

MODULE 5: WHY ARE HATE CRIMES DIFFERENT?

Time: 1 hour

Objectives:

- Explaining why hate crimes are different from other crimes and deserve special attention.
- Presenting the impact of hate crimes on victims.
- Demonstrating the impact of hate crimes on society stability (cycle of hate).
- Showing how the «normalisation» of intolerant and bias behaviours can lead to a dangerous escalation of violence.

MODULE 6: BIAS INDICATORS

Time: 1 hour and 30 minutes

Objectives:

- Providing participants with tools to recognize bias indicators.
- Enabling participants to assess the evidences of bias motivation involved in an incident.
- Enabling participants understand and apply bias indicators in the context of a criminal case.

PART 3

Duration: 4 hours and 15 minutes approximately

MODULE 7: RECAPITULATION

Time: between 30 and 45 minutes

Objectives:

- Summarizing the main concepts of day one.
- Testing participants understanding of the presented concepts.
- Clarifying any unclear concept.

FOR LEAS

MODULE 8: data collection AND INVESTIGATION

Time: 1 hour and 30 minutes

Objectives:

- Increasing LEAs awareness on the importance of collecting information properly on a potential hate crime.
- Increasing LEAs confidence in overcoming barriers to reporting hate crimes.
- Increasing LEAs confidence in investigating hate crimes.
- Identifying strategies and skills for an effective response and investigation.

MODULE 9: INTERACTING WITH VICTIMS

Time: 1 hour and 30 minutes

Objectives:

- Presenting the specific impact of hate crimes on victims.
- Increasing LEAs awareness on the importance of dealing with victims in a cautious way.
- Providing LEAs with information and support on ways to interact with victims in a sensitive manner.
- Increasing LEAs capacity to interact with victims sensitively in order to investigate hate crimes effectively.
- Promoting a victim centred approach.
- Enabling participants to recognize appropriate responses to hate crime cases.

FOR CS

MODULE 8: OVERCOMING UNDER-REPORTING AND INCREASE AWARENESS ON HATE CRIMES

Time: 1 hour and 30 minutes

Objectives:

- Clarifying the reasons of under-reporting.
- Presenting the barriers for victims to report.
- Suggesting strategies to overcome the barriers.
- Increasing CS knowledge on ways to raise citizens' awareness on the impact of hate crimes on the entire society.
- Providing CS with tools to facilitate citizens understanding of the importance of reacting against intolerance and preventing the escalation of violent crimes.
- Increasing CS capacity to establish a regular cooperation with communities of minorities.
- Clarifying CSOs opportunities to play a crucial role in facilitating citizens understanding of hate crimes.

MODULE 9: VICTIMS ASSISTANCE

Time: 1 hour and 30 minutes

Objectives:

- Increasing CS awareness on the importance of dealing with victims in a cautious way.
- Providing CS with information and support on ways to interact with victims in a sensitive manner.
- Enabling participants to offer concrete and effective help to victims.
- Promoting a victim centred approach through which victims are clearly informed about the options at their disposal.
- Providing examples of CS work aimed at supporting victims effectively.

PART 4

Duration: 4 hours approximately

MODULE 10: COOPERATION LEAS-CS

Time: 1 hour

Objectives:

- Raising participants' awareness on the importance of cooperation between CS and LEAs.
- Providing examples of ways to cooperate.
- Providing information on the positive outcome of cooperation for preventing and effectively responding to hate crimes.

FOR LEAS

MODULE 11: MONITORING and REPORTING

Time: 1 hour

Objectives:

- Raising participants' awareness on the importance to reporting hate crimes properly and consistently.
- Demonstrating how the analysis of data collected through an efficient monitoring can assist in preventing and investigating hate crimes effectively.
- Equipping participants with a reporting tool that can be used to have a common approach to reporting.

FOR CS

MODULE 11: DATA COLLECTION

Time: 1 hour

Objectives:

- Raising participants' awareness on the importance to monitoring and reporting to effectively respond to hate crimes.
- Providing participants with information on methods by which systematically and efficiently collect data.
- Increasing participants' skills in using data collected for lobbying and advocacy.
- Equipping participants with a reporting tool that can be used to have a common approach to reporting.

FOR LEAS AND CS

MODULE 12: VERIFICATION

Time: 1 hour and 15 minutes

Objectives:

- Summarizing how to recognize hate crimes.
- Reviewing which steps should be undertaken to respond to hate crimes properly and act according to the roles (CSOs and LEAs).
- Verifying that participants have a clear understanding of what can be done to prevent hate crimes and respond to them effectively.
- Clarifying any participants' doubts.
- Answering to final questions.

MODULE 13: EVALUATIONS AND CONCLUDING REMARKS

Time: 30 minutes

Objectives:

- Having participants fill out evaluations.
- Reviewing expectations and verifying if they have been met.

Structure - SHORT VERSION

PART 1

Duration: 4 hours and 15 minutes approximately

MODULE 1: INTRODUCTIONS AND GROUND RULES

Time: 20 minutes

Objectives

- Introducing trainers and participants.
- Developing the ground rules.
- Explaining the objectives of the workshop.
- Asking participants what their expectations are.

MODULE 2: STEREOTYPES AND PREJUDICES

Time: 45 minutes

Objectives

- Raising participants' awareness on the impact of preconceptions, biases and prejudices on their own professional behaviour.
- Making participants face their stereotypes.
- Demonstrating the negative impact that stereotypes can have on participants work.

MODULE 3: HATE CRIMES. WHAT ARE THEY?

Time: 1hr and 15 minutes

Objectives

- Providing participants with a basic understanding of the features of Hate Crimes.
- Providing participants with the tools to identify the elements constituting hate crimes.
- Exploring bias motivation and providing participants with the tools to identify it.
- Analysing the most common bias indicators.
- Identifying the differences between hate crimes and other related phenomena.

MODULE 4: NATIONAL LEGAL FRAMEWORK

Time: 45 minutes

Objectives

- Inserting hate crimes legislation in the international legal framework of state obligations in order to describe the legislative options to regulate hate crimes.
- Increasing knowledge on the specific legislation of each country.
- Appreciating the different ways to address hate crimes through legislation.
- Recognizing the duty to investigate hate crimes as a legal obligation under the European Court of Human Rights jurisprudence.
- Appreciating how regional human rights frameworks together with local hate crimes laws affect the obligations of police investigations.

MODULE 5: WHY ARE HATE CRIMES DIFFERENT?

Time: 1 hour

Objectives

- Explaining why hate crimes are different from other crimes and deserve special attention.
- Presenting the impact of hate crimes on victims.
- Demonstrating the impact of hate crimes on society stability (cycle of hate).

PART 2

Duration: 4 hours 15 minutes approximately

FOR LEAs

MODULE 6: INVESTIGATING HATE CRIMES

Time: 30 minutes

Objective:

- Increasing LEAs awareness on the importance of collecting information properly on a potential hate crime.
- Increasing LEAs confidence in overcoming barriers to reporting hate crimes.
- Increasing LEAs confidence in investigating hate crimes.
- Identifying strategies and skills for an effective response and investigation.

MODULE 7: INTERACTING WITH VICTIMS

Time: 45 minutes

Objective:

- Presenting the specific impact of hate crimes on victims.
- Increasing LEAs awareness on the importance of dealing with victims in a cautious way.
- Providing LEAs with information and support on ways to interact with victims in a sensitive manner.
- Increasing LEAs capacity to interact with victims sensitively in order to investigate hate crimes effectively.
- Promoting a victim centred approach.

FOR CS**MODULE 6: MAKE HATE CRIMES VISIBLE!**

Time: 30 minutes

Objective:

- Clarifying the reasons of under-reporting.
- Presenting the barriers for victims to report.
- Increasing CS knowledge on ways to raise citizens' awareness on the impact of hate crimes on the entire society.
- Clarifying to CS the importance to establish a regular cooperation with communities of minorities.
- Clarifying CSOs opportunities to play a crucial role in facilitating citizens understanding of hate crimes.

MODULE 7: VICTIMS SUPPORT

Time: 45 minutes

Objectives:

- Increasing CS awareness on the importance of dealing with victims in a cautious way.
- Providing CSO with information and support on ways to interact with victims in a sensitive manner.
- Promoting a victim centred approach through which victims are clearly informed about the options at their disposal.
- Providing examples of CS work aimed at supporting victims effectively.

FOR LEAs AND CS

MODULE 8: STRATEGIES TO IMPROVE COMMUNITY-POLICE RELATIONS

Time: 30 minutes

Objective:

- Raising participants' awareness on the importance of cooperation between CS and LEAs.
- Providing examples of ways to cooperate.

MODULE 9: MONITORING AND REPORTING

Time: 45 minutes

Objective:

- Raising participants' awareness on the importance to monitoring and reporting to effectively respond to hate crimes.
- Providing participants with information on methods by which systematically and efficiently collect data.
- Increasing participants' skills in using data collected for lobbying and advocacy.
- Equipping participants with a reporting tool that can be used to have a common approach to reporting.

MODULE 10: EVALUATIONS AND CONCLUDING REMARKS

Time: 30 minutes

Objective:

- Having participants fill out evaluations.
- Reviewing expectations and verifying if they have been met.

**LONG VERSION
PART 1**

Module 1

Introductions and ground rules

Objectives

- Introducing trainers and participants.
- Developing the ground rules.
- Explaining the objectives of the workshop.
- Asking participants what their expectations are.

Activity one: Introduction

Time: 15 minutes

Materials:

- Folders with agenda for participants
- Pens
- Papers
- Markers
- Pre-printed name tags
- List of participants

INSTRUCTIONS

- ✓ Ask participants to introduce themselves to the rest of the group, giving information about: who they are, where they come from and what their professional/personal experience on the subject matter is.

As an **Alternative:** divide participants into pairs and ask them to discuss the mentioned information. Each person in the couple is then responsible to introduce his/her colleague to the rest of the group.

- ✓ Trainers introduce themselves by providing their names, briefly describing their backgrounds, and focusing on their role as the training facilitators. Introductions allow trainers to establish their credibility as workshop leaders.

Tip for trainers: **Participants would much rather learn from you and learn together as a group than hearing extensively about your accomplishments! Because time is of the essence, keep introductions brief!**

- ✓ Ask participants to suggest «ground rules» for the workshop. Write these suggestions on the chart papers, post them on the wall and keep them there throughout the course, referring to them if necessary. You may add your own ground rules. It is important that all members of the group, including the trainer, feel comfortable with the rules and commit to respecting them. Typical ground rules include: respect the right of participants to express a view you disagree with, not interrupting, protect the confidentiality of participants in conversations you have after the workshop, etc...

Activity two: Clarify objectives and expectations

Time: 30 minutes

Materials:

Cards

Pens

Projector

Slide: Workshop Objectives (PPT 1.1)

INSTRUCTIONS

- ✓ Show the power point slide «Workshop Objectives.» Emphasize that participants contributions are vital, that this is a voyage of discovery for all of them and they will be expected to work and not simply listening.
- ✓ Distribute one card to each participant. Ask participants to write anonymous answers to the question: *What piece of advice, information or skills do you expect to get from this training?*
- ✓ Ask participants to post the cards on the wall and tell them that their expectations will be compared at the end of the course to what has been discussed and covered during the course. Do not forget to express your expectations too.

Module 2

Stereotypes and prejudices

Objectives

- Raising participants' awareness on the impact of preconceptions, biases and prejudices on their own professional behaviour.
- Making participants face their stereotypes.
- Demonstrating the negative impact that stereotypes can have on participants work.
- Exploring common stereotypes.

Activity one: Case study

Time: 50 minutes

Materials:

Case study

Pens

Paper

Markers

Blackboard or flip-chart

Handouts: Initial case study and questions (H2.1, H2.1cs),

Additional information (H2.2, H2.2cs), Final information (H2.3,

H2.3cs)

INSTRUCTIONS FOR LEAs

- ✓ Hand out document H2.1.
- ✓ Distribute papers and ask participants to answer the following questions.
Imagine you are one of the officers who have to assist the victim:
 - *What would be your assumptions about the case?*
 - *What happened?*
 - *What would be the best practice to manage this situation?*
- ✓ Write down the answers on the blackboard.
- ✓ Hand out document H2.2.
- ✓ Give the participants the opportunity to change their previous answers.
- ✓ Ask participants to share their answers and the reason why they have changed them.
- ✓ Write the new answers on the blackboard.
- ✓ Hand out document H2.3.
- ✓ Ask participants «*Would you answer in a different way if you had known that the woman is a black female¹?*».
- ✓ Then ask participants if their opinion about the case has changed.
- ✓ Write down the answers.
- ✓ Invite participants to analyse if they have faced any similar situations in their work or have experienced a similar episode in their lives.
- ✓ Explain that, in all human beings, previous experiences biases and prejudices form an underlined pattern that supports reactions and behaviours.
- ✓ Emphasize how bias and prejudice can affect their capacity to gather and analyse information that can be crucial to solve the case or support the victims.
- ✓ Underline that assumptions and preconceptions can influence their competence and hamper their work, having consequences on their professional behaviour

¹It is possible to change the target group according to the previous participants answers.

INSTRUCTIONS FOR CSOs

- ✓ Hand out document H2.1cs.
- ✓ Distribute papers and ask participants to answer the following questions:
 - *What would be your assumptions about the case?*
 - *What happened?*
- ✓ Write down the answers on the blackboard.
- ✓ Discuss about the relevant information of the case. Mention that it is not necessary to analyse it in depth. Underline the racist element characterising the case.
- ✓ Then ask participants to answer to a new set of questions:

1) In your opinion, what would be the police officers expectations about the case? Why?

Invite participants to think about the preconceived ideas they possibly have about how the police agents would act in such a case. Make them notice that sometimes those ideas can have a negative impact on possible cooperation with LEAs (e.g. in monitoring of, reporting on hate crimes, assisting victims etc...). Explain that in all human beings previous experiences, biases and prejudices form an underlined pattern that support reactions and behaviours.

2) As a member of CS, do you have a role in this situation? Do you imagine a possible cooperation with LEAs?

Explain that CS representatives assume that LEAs behaviour is influenced by racism, xenophobia and bias, but there are other reasons such as lack of resources, resources and organizational norms and values etc.

Notes for trainers

Many experiments have been conducted to show the extraordinary extent to which the information obtained by an observer depends upon the observer's own assumptions, preconceptions, biases and prejudices. A corollary of this principle is that it takes more information, and more unambiguous information, to recognize an unexpected phenomenon than an expected one.

Assumptions have many diverse sources, including past experiences, professional training, and cultural and organizational norms. All these influences predispose analysts to pay particular attention to certain kinds of information and to organize and interpret this information in certain ways. Perception is also influenced by the context in which it occurs.

Different circumstances evoke different sets of expectations and assumptions. People are more attuned to hearing footsteps behind them when walking in an alley at night than along a city street in daytime, and the meaning attributed to the sound of footsteps will vary under these differing circumstances. A military intelligence analyst may be similarly tuned to perceive indicators of potential conflict.

One bias attributable to the search for coherence is a tendency to favour causal explanations. Coherence implies order, so people naturally arrange observations into regular patterns and relationships. If no pattern is apparent, our first thought is that we lack understanding, not that we are dealing with random phenomena that have no purpose or reason. The prevalence of the word «because» in everyday language reflects the human tendency to seek to identify causes. People look for the causes into their personal experiences, beliefs, attitudes and prejudices.

Activity two: Our own stereotypes

Time: 30 minutes

Materials:

Projector

Chart Paper

Markers

Blackboard/flip-chart

Slide: Definition of Stereotypes (PPT 2.1)

INSTRUCTIONS

- ✓ Ask participants to suggest a definition of stereotypes. After you receive two or three suggested definitions show the slide «Stereotypes Definition.»
- ✓ Ask participants to list the different reasons people are stereotyped. Write their reasons on the chart paper. In addition to race, nationality, gender, sexual orientation, religion and disability there are many more reasons we stereotype people with, including physical appearance (weight, hair colour...), language or accent, the kind of work they do, their hobbies or pastimes (golf, sailing, chess...), where they live, their family status (single, married, divorced, single parent) and their socio-economic status (poor or rich). You can ask for examples of some of these categories.
- ✓ Discuss how everyone has stereotypes. For example, it is very difficult to grow up watching advertisements on television and not having a stereotyped point of view on whether men or women have the responsibility in a heterosexual relationship for washing clothes and cleaning toilets.

As an **Alternative:** If media portrait immigrants exclusively as poor and desperate to reach Europe, it will be difficult for European citizens to consider them as people that can also contribute to the economic development of the country they reach.

- ✓ Facilitate a discussion around the following questions:
 - *Can you describe an incident in which you or your family was stereotyped?*
 - *Can you describe a stereotype which you either had in the past or currently have about a racial, national, ethnic, religious, or sexual orientation group.*
 - *How or from whom did you learn this stereotype?*
 - *What is the risk to our communities and countries if stereotypes continue to grow in usage?*
- ✓ Explain that these questions are difficult because most of us do not want to tell others that we have had stereotypes about these groups.
- ✓ Conclude that stereotypes can lead people to discrimination and hate crimes.

APPENDICE. Handouts

For LEAs

INITIAL CASE STUDY AND QUESTIONS (H2.1)

Location: _____ Date²: _____ Time: 01:00am

Victim profile: Male, Caucasian, 32 years old, 1.85 high, 89 weigh

A patrol car is required to drive a victim who is badly injured to the hospital. A woman who identified herself as the victim's girlfriend called the police asking for help. She told the operator that a group of people had attacked her boyfriend when they were leaving a night club. She was afraid of reporting the incident, but she explained that the offenders showed up from the dark and after insulting them, started to hit her boyfriend.

Additional information (H2.2)

Information provided from a witness.

The attack started with the phrase '*Do you enjoy fucking bitches, man?*'.

Final information: (H2.3)

The woman is a black female

²Write down one suitable place and date in each context.

For CS**INITIAL CASE STUDY AND QUESTIONS (H2.1CS)**

Location: _____ Date³: _____ Time: 01:00am

Victim profile: Male, Caucasian, 32 years old, 1.85 high, 89 weigh

A patrol car is required to drive a victim who is badly injured to the hospital. A woman who identified herself as the victim's girlfriend called the police asking for help. She told the operator that a group of people had attacked her boyfriend when they were leaving a night club. She was afraid of reporting the incident, but she explained that the offenders showed up from the dark and after insulting them, started to hit her boyfriend.

The attack started with the phrase '*Do you enjoy fucking bitches, man?*'.

The woman is a black female.

³Write down one suitable place and date in each context.

Module 3

Hate Crimes: what are they?

Objectives

- Providing participants with a basic understanding of the features of Hate Crimes.
- Providing participants with the tools to identify the elements constituting hate crimes.
- Exploring bias motivation and providing participants with the tools to identify it.
- Identifying the differences between hate crimes and other related phenomena.
- Exploring what types of people commit hate crimes and how can we describe their patterns or behaviour.

Activity one: Identifying protected characteristics and exploring motivations

Time: 40 minutes

Materials:

Chart Paper

Markers

Projector

Slides and Handouts: Hate crimes definition (PPT 3.1, H3.1); Crime (PPT 3.2, H3.2); Exploring motivation (PPT 3.3, H3.3); Target (PPT 3.4 H3.4); Association-Perception (PPT 3.5, H3.5); Protected characteristics (PPT 3.6, H3.6); Bias vs Hate (PPT 3.7, H3.7)

INSTRUCTIONS FOR LEAs**a) Initial brainstorming: Defining hate crimes**

- ✓ Trigger group participation and interaction by asking participants:

– *How would you define a hate crime in your own words?*

Emphasize that there are no right or wrong answers to giving a definition. At this point it is more important to gauge the knowledge of participants as they begin the training than assessing the ‘right’ answers.

b) Feedback

- ✓ On a flip-chart take notes of the most relevant concepts that have emerged. These comments can be used later during the facilitator’s presentation to clarify certain points, to reinforce other concepts and clear up any potential misunderstandings.

- ✓ The feedback received from the group will likely fall into three categories, and it can be helpful to organize the flip-chart into those three categories. During the subsequent presentation sessions «Hate crime definition» and «Exploring motivation», the trainer can then refer back to concepts and questions already raised by the participants. Those three categories are:

- *Core definition of hate crimes*
- *Related concepts outside the hate crime definition:* these represent concepts and ideas that fall outside the hate crime definition and will be discussed during *Activity 3* of this module: «Differences between hate crimes and related concepts».
- *Motives:* These are usually questions, concerns and more specific issues that are raised by the participants in relation to the hate crimes motive or motivation and that should be reserved for discussion on «Discussing Motives».

Note for trainers

This entry-point discussion on the substantive topic may generate a lot of questions. Inform participants that their questions will be clarified in the upcoming presentations and REFER BACK to concepts rose here frequently.

Core definitions

- ✓ Present the core concepts about hate crime, referring back to the participants' own definitions for illustrative points.
- ✓ Give a brief lecture on the elements of the definition of hate crime, supported by hate crimes definition: PPT 3.1.
- ✓ Start with the two elements that must be proved in a hate crime:
 - The perpetrator has committed a criminal act.
 - The perpetrator was motivated by bias against groups sharing protected characteristics.

1) *Criminal Act*

Refer back to participants' responses in the definition that highlight different kinds of crime.

Show slide PPT 3.2. Focus on types of common crime (murder, assault, property damage) that are already defined in the criminal code.

2) *Motivation*

Underline that it is this second element that sets hate crime apart from other types of crime: that the crime was committed based on some bias motivation. Normally motive is not one of the essential elements of a crime, but in a hate crime, motive is the key issue.

Discussing motivation:

Motive' is *why* the perpetrator selected the victim of the crime.

- **For LEAs only:** Discuss with participants how usually (for any investigation) **investigating motive has impacted to their cases.**

– Answers may range from «positive» («it helped me understand the theory of the case and to build evidence against the perpetrator») to «negative» («it distracted the investigation because I had to listen to unsupported theories and claims by the victim») to «ambivalent» («it's not part of the charge... it doesn't really matter»).

- **FOR CS only:** Ask participants to identify some common motives of crimes.

– Answers can include: revenge, jealousy, greed, etc.

✓

- ✓ Show the PPT 3.3 and underline that hate crimes are one of the few crimes in which the perpetrators' motivation is the critical element of the offence. In a typical assault police do not need to establish the attacker's motivation. With hate crimes, however, establishing the bias motivation is often the most important part of the investigation and prosecution.

Targets of Hate Crime:

- ✓ Show the PPT 3.4.
- ✓ Ask participants who or what can be a target of a hate crime: aim to have participants to identify people or property.

Association and Perception

- ✓ Show the slide Association/Perception PPT 3.5.
- ✓ Provide the following case examples to participants as a follow-up.

Case Example: Association. In Poland, a human rights activist who worked on Holocaust memorial events and Jewish cultural centres had his home attacked on several occasions. The man was not Jewish himself. The perpetrators left anti-Semitic graffiti at his residence.

- ✓ Ask whether the conduct should be considered a hate crime. Why or why not?
- ✓ Emphasize that in hate crimes, the focus is on offender's bias motivation and not on actual membership in a particular groups.
- ✓ The willingness for the offender to act on bias and prejudices against those who support or associate with other groups sends a message, not just to targeted group, but to the rest of society condemning democratic values of pluralism.
- ✓ Show the following case example to participants as a follow-up.

Case Example: Perception of the Offender. In New York City, two brothers from Central America are walking home together, arm and arm, and late at night. Such physical closeness between men, especially male relatives, is common in Central America. They were both attacked physically, one of them fatally wounded, because the perpetrator thought that they were a gay couple.

- ✓ Ask whether the conduct should be considered a hate crime. Why or why not?
- ✓ Emphasize again the focus is on offender's bias motivation, not on actual membership in a particular group. Therefore, anybody can be the victim of a hate crime.

Tip for trainers:

Motive is the key aspect of hate crimes. By exploring motive in general terms, many participants will realize that determining motives for a crime is already a part of their investigation techniques. Thus, investigating hate crime cases is not requiring substantially more from police than what they already do. What it does require is developing different investigation techniques and considerations for uncovering motives of bias and prejudice as opposed to other motives.

Protected Characteristics

- ✓ Tailor-make this presentation to the country in question. Show the slide (PPT 3.6) on protected characteristics and focus on the legislation of the country in question.
- ✓ Through concrete examples relevant for the country in question animate a discussion on the importance of characteristics as an element of the victims' identity and external recognition.
- ✓ Underline that the social and historical context influence the decision on which characteristics should be included in the legislation to be «especially protected» as grounds of bias or hate crimes. Characteristics that have been the basis for past attacks should be included and since criminal law attempts to respond to the new needs arising from issues connected to changes in the society, also characteristics that are the basis for contemporary incidents should be included.
- ✓ Animate a debate on whether it is preferable to have a very comprehensive list of characteristics protected by the legislation or a more limited one.
- ✓ Ask participants the question whether CSOs dealing with human rights should be involved in the decision process aimed at deciding on the legislation to be adopted or, eventually on the changes of the law in force.

Tip for trainers: Participants will have the tendency to deeply elaborate to answer to the mentioned questions: underline that there is no perfect situation and there are pro and contra in both cases. A too long or opened list risks to reduce the seriousness or importance of the most frequent hate crimes (e.g.: because of nationality, race and religion); a too specific or restricted can exclude new situations (like homeless and age). Open list leaves too much to interpretation by judges or prosecutors. Every country has to find a compromise solution that takes in account the specific background and involves the relevant and concerned stakeholders. In order to avoid a too theoretical debate connect to the national legislation and channel the discussion through the specific local socio-political framework.

Hate vs. Bias

– Explain that prejudice or bias is the underlying reason for the targeting of the victim. It can be based in feelings of hate and animosity, but it can also be rooted in negative stereotypes and perceptions about a particular group.

– Display PPT 3.7: explain the difference between the emotion of hate and bias, and that a HC does not require that the perpetrator feels hate. The perpetrator might have no feelings about the victim and even do not know him or her.

Tip for trainers: Remind participants that the concentration in the hate crime concept is on responding to common criminal activity that is motivated by bias. As they happen every day and everywhere, it is something that every police officer can apply to his or her daily work in responding to crimes and civil society organisations encounter in working with victims and communities.

Activity two: Difference between hate crimes and related concepts and categories

Time: 20 minutes

Materials:

Chart Paper

Markers

Projectors

Slide: Difference with other concepts (PPT 3.8).

INSTRUCTIONS

- ✓ Start with a clarification:

Many States have a broad, criminal legal framework to combat racism, xenophobia and other related forms of intolerance. This may include criminalization of other forms of bias and prejudice, such as certain forms of speech and acts of discrimination. It is important to note that while such laws are based on similar bias and prejudices as discussed in the hate crime model, they are very specialized laws that have additional legal aspects and considerations. Those additional legal requirements result in a different approach to police investigation than in responding to common crimes that may have been motivated by bias.

Regarding the relations between hate crimes and other concepts such as hate speech and discrimination, it's important to underline that, according to national legislations:

- a) Hate crime *doesn't always* involve hate speech;
 - b) Hate speech is *not always* a hate crime;
 - c) Discrimination can be but *is not always* a hate crime.
- ✓ Show PPT 3.8: explain the difference between hate crimes and the related concepts.

Note for Trainers:

Underline that similarities and differences between hate crimes and the other related concepts (according to each national legal framework) will be analysed more specifically in module 4. It is important to prepare some examples in order to facilitate understanding of the relations amongst these concepts.

- ✓ Provide a specific and concrete example in order to make sure that the information is fully and unequivocally understood (you should review the *Frequently Asked Questions with Suggested Responses* at the end of the manual).

Activity three: Offender Typology

Time: 15 minutes

Materials:

Chart Paper

Markers

Projector

Slides: Why is important to take in account offenders typology (PPT 3.9), Offender typologies (PPT 3.10 and PPT 3.11).

INSTRUCTIONS

- ✓ Ask participants why is important to identify offender typology and note their answers on the board.
- ✓ Show PPT 3.9, on the reasons why is important to take in account offender typology.
- ✓ Explain that it is important for law enforcement officials to identify and understand the motives and methods of people and groups who commit hate crimes. This allows law enforcement agencies to:
 - Identify and locate offenders.
 - Understand possible crime motives.
 - Assess the risk of escalation, including further injury or damage.
 - Assess victims’ perceptions of vulnerability.
 - Assess how to work with the community.

Note for Trainers:

According to available research, most hate crimes are carried out by otherwise law-abiding people who see little wrong with their actions. Alcohol and drugs sometimes help fuel these crimes, but the main determinant appears to be personal prejudice, a situation that colours people’s judgement, blinding the aggressors to the immorality of what they are doing. Such prejudice is most likely rooted in an environment that disdains someone who is «different» or sees such difference as threatening. One expression of this prejudice is the perception that society sanctions attacks on certain groups.

As for the perpetrators of hate crimes, a surprisingly large number may be youthful thrill-seekers, rather than hardcore mission offenders. Often, the perpetrators hoped their acts of violence would gain respect from their friends, a feeling that explains why so many hate crimes are committed by gangs of young men.

The second most common perpetrator of hate crimes is the «defensive offender» who feels that he’s responding to an attack by his victim (a perceived insult, interracial dating, the integration of his neighbourhood, or his battered wife’s decision to leave).

The least common offender is the «mission offender»: a fanatic, imbued with the ideology of racial, religious, or ethnic bigotry and often a member of, or a potential recruit for, an extremist organization. While the oldest organized hate groups appear to be on the decline, new strategies are emerging whereby organized hate groups incite impressionable individuals to commit acts of violence against targeted minorities.

Recently, a fourth category of hate crime offenders has started to be used in offender typology: «retaliatory offenders». Retaliatory hate crimes are incidents in which offenders act in a response to an ordinary crime or hate crime perpetrated by «the others»– an individual or a group sharing protected characteristics. The crime, or perceived crime, which triggers retaliatory hate crime, could have been committed in another part of country, or sometimes even in a different state. Sometimes, retaliatory hate crimes are triggered by rumours of crimes attributed to a particular section of the population by the media. Retaliatory attacks based on revenge tend to have the greatest potential for fuelling additional hate offences.

APPENDICE. Handouts

HATE CRIME DEFINITION (H3.1)

Hate Crimes elements

The term «hate crime» or «bias crime» describes a type of crime, rather than a specific offence within a penal code. The term describes a phenomenology, rather than a legal definition.

Hate crimes always comprise two elements: a *criminal offence* committed with a *bias motive*.

CRIME (H3.2)

The first element of a hate crime is that an act is committed that constitutes an offence under ordinary criminal law. Hate crimes always require a base offence to have occurred. If there is no base offence, there is no hate crime. Hate crimes could include murder, an act of intimidation, threats, property damage, assault, or any other criminal offence.

The second element of a hate crime is that the criminal act is committed with a particular motive, referred to as «bias». It is this element of bias motive that differentiates hate crimes from ordinary crimes.

EXPLORING MOTIVATIONS (H3.3)

Motivation

Normally motive is not one of the essential elements of a crime, but in a hate crime, motive is the key issue.

Hate crimes are one of the few crimes in which the perpetrators' motivation is the critical element of the offence. In a typical assault police do not need to establish the attacker's motivation. With hate crimes, however, establishing the bias motivation is often the most important part of the investigation and prosecution.

Bias does not need to be the only motive for the crime. Multiple bias motivation is also possible (e.g.: economic gain and racism).

TARGET (H3.4)

Target of hate crimes can be people or property associated with a group that shares a protected characteristic.

ASSOCIATION - PERCEPTION (H3.5)

Association

The target may be one or more people, or it may be property associated with a group that shares a particular characteristic. People or property may be targeted for hate crimes because of who they are and what they are associated with: a person working as a Roma rights defender can be attacked and even she/he is not Roma the bias or prejudice against Roma) should be taken in account as a possible bias motivation

Perception

The perpetrator might target the victim because of actual or even perceived affiliation with the group. For example, a perpetrator may attack someone because he thinks the victim is gay. If the victim is not gay, the attack can still be prosecuted as a hate crime because the perpetrator selected his victim because of sexual orientation. Perpetrators should not benefit from their mistaken identity.

PROTECTED CHARACTERISTICS (H.3.6)

A protected characteristic is a common feature shared by a group, such as «race», language, religion, ethnicity, nationality, gender sexual orientation or any other similar common factor that is fundamental for to self-identity. While there are no precise answers to which types of groups should be protected, it should be considered from the perspective of characteristics that are noticeable to others as markers of identity.

Protected characteristics generally cannot be changed and are fundamental such as the skin colour. But not all unchangeable or fundamental characteristics are markers of group identity. For example, blue eyes may be described as an immutable characteristic, but blue-eyed people do not usually identify together as a group, nor do others see them as a cohesive group, and eye colour is not typically a marker of group identity.

Conversely, there are a few characteristics which are changeable but are nevertheless fundamental to a person's sense of self. For example, even though it is possible to change one's religion, it is a widely-recognized marker of group identity, which a person should not be forced to surrender or conceal. Therefore, the right to freedom of religion or belief protects one's right to worship as part of the core values of fundamental human rights.

It is a decision of the legislator of each country to decide which characteristics should be considered as protected and legislation of EU member states vary on this topic. The table below includes the characteristics commonly protected by legislation of EU member states

«Race»/Somatic characteristics (such as colour of skin)	Nationality/national origin	Gender
Ethnicity/origin/minority	Skin colour	Transgender
Citizenship	Religion or belief	Mental or Physical Disability
Language	Sexual orientation	Other

Social and historical context

Hate crimes don't occur in a vacuum, but rather in the context of a society dealing with multicultural and pluralist issues. Every society's cultural issues are different and the hate crime model should be viewed alongside other tools to combat experiences of discrimination against historically oppressed groups.

HATE VERSUS BIAS (H3.7)

A hate crime does not require that the perpetrator feels hate. Instead, it requires only that the crime is committed out of bias motivation. Bias means that a person holds prejudiced ideas about a group.

Since hate crimes are committed because of what the targeted person, people or property represent, the perpetrator may have no feelings at all about an individual victim.

DIFFERENCE WITH OTHER CONCEPTS (H3.8)

Hate speech:

- Hate speech lacks the first element of a hate crime: a stand-alone criminal offence separate from the bias expression. In other words, a speech act without the bias expression is NOT ALWAYS a criminal offense depending on the specific national legislation.
- Hate speech offences are also often very complicated that may require detailed interpretation of the language used. It must also be balanced with freedom of expression rights. Therefore, restrictions on speech require much more detailed and in-depth training than can not be addressed under the hate crime concept alone.

Incitement to violence:

– It is part of hate crime. There may be instances where speech becomes so virulent in public settings that it creates public disorder or constitutes imminent threats of violence. As those are already stand-alone offences (public disorder and violent threats), the hate crime concept can and should apply to such circumstances.

Discrimination

– Acts of discrimination alone (exclusion from businesses, termination from employment, etc.) are NOT criminal offences without the bias motivation for those actions.

– Discrimination crimes are usually part of a more comprehensive approach to anti-discrimination legislation, which also requires more specialized and specific training.

Hate-motivated incident

– An act which involves prejudice and bias of the sort described above but which does not amount to a crime is described as a «hate-motivated incident». Although hate-motivated incidents do not always involve crimes, such incidents often precede, accompany or provide a context for hate crimes. Hate-motivated incidents can be precursors to more serious crimes.

– As police officers often respond to a variety of incidents from criminal to sub-criminal, keeping note of significant hate-motivated incidents could be helpful in the investigation of previous or future hate crimes.

Genocide

– Genocide describes a different phenomenon than hate crime. Genocides require an intention to destroy – in whole or in part – a national, ethnic or religious group. This is qualitatively and quantitatively different from hate crimes, as are all crimes under international law that require widespread, systematic acts of violence.

WHY IS IMPORTANT TO TAKE IN ACCOUNT OFFENDERS TYPOLOGY (PPT 3.9)

To become familiar with the main typologies of offender or perpetrator helps to identify and locate offenders. Moreover it supports investigation of hate crimes and can be a tool to prevent escalations from hate incidents to crimes.

OFFENDER TYPOLOGY (H3.10)

(Based on «US Department of Justice, hate crime training: core curriculum for patrol officers, detectives and command officers».)

Radical and Violent Organised Groups

Offender characteristics:

- Usually members of skin head groups following a specific life style , willing to express a message
- Characterized by specific signs and symbols connected to their dressing style and their general outfit
- To individuate them is easier than to recognize the other typologies

Participating events

- Symbolic dates, like Fûhrer's birthday or death.

Motivation

- Believes he/she has been instructed by a higher order (God, the Fûhrer, the Imperial Wizard, etc.) to rid the world of this evil.
- Has a sense of urgency about his/her mission; believes he/she must act before it is too late.

Victims

- All members of the despised group are potential targets.

Additional characteristics:

- Usually their crimes are of a violent nature.

Thrill-seeking offenders

Offender characteristics:

- Generally groups of teenagers.
- Not usually associated with an organized hate group.

Precipitating events:

- Generally, none.

Motivation:

- To gain a psychological or social thrill.
- To be accepted by peers.
- To gain «bragging rights».

Victim:

- Almost any member of a vulnerable group.
- Members of groups perceived as inferior by offender.

Location:

- Generally outside of the offender's neighbourhood.
- Offenders seek out areas frequented by the targeted group(s).

Additional characteristics:

- Since attacks are random, it is often difficult to identify the offender.
- Attacks often involve desecration and vandalism, although they can involve more violent crimes.
- Hatred of the victim is relatively superficial; offenders may be deterred from repeating the crimes if there is a strong societal response condemning the behaviour.
- Each group member's participation may be limited to a specific aspect of the crime, enabling each offender to avoid acknowledgement of or accountability for the seriousness of the crime.
- Their crimes may be of a violent nature.

Defensive offenders

Offender characteristics:

- Have a sense of entitlement regarding their rights, privileges or way of life that does not extend to the victim.
- Usually have no prior history of criminal behaviour or overt bigotry; not generally associated with an organized hate group, although they may call on an organized hate group for assistance.

Precipitating events:

- Offenders perceive a threat to their way of life, community, place of work, or privileged status.

Motivation:

- To protect/defend against the perceived threat constituted by the presence of «outsiders».
- To use fear and intimidation to «send a message» that will repel the «outsiders».

Victim:

- A particular individual or group of individuals who are perceived to constitute the threat.
- Most often, victims are people of colour.

Location:

- Typically occur in offender's own neighbourhood, school, or place of work.

Additional characteristics:

- If the threat is perceived to subside, the criminal behaviour also subsides.
- Offenders feel little (if any) guilt because they perceive their behaviour as constituting a justifiable response to their feeling of being violated by the mere presence of the victim.
- Retaliatory hate crimes can lead to further retaliatory violence.

Mission offenders

Offender characteristics:

- Often psychotic, suffering from mental illness that may cause hallucinations, impaired ability to reason, and withdrawn from other people.
- Perceives victim groups as evil, subhuman, and/or animal.

Precipitating events:

- None.

Motivation:

- Believes he/she has been instructed by a higher order (God, the *Führer*, the Imperial Wizard, etc.) to rid the world of this evil.
- Believes he/she must get even for the misfortunes he/she has suffered and perceives a conspiracy of some kind of being perpetrated by the groups he/she has targeted.
- Has a sense of urgency about his/her mission; believes he/she must act before it is too late.

Victim:

- Belongs within the category of people he/she perceives as responsible for his/her frustrations.
- All members of the despised group are potential targets.

Location:

- Areas where members of the target group are likely to be found.

Additional characteristics:

- This is the rarest kind of bias crime.
- Crimes are of a violent nature.
- Often they have connections with radical and violent organized groups even if they are not members. Connections established via social media are particularly difficult to identify by LEAs.

Retaliatory/ Reactive offenders

Offender characteristics:

- The offender's action is triggered as a response to an ordinary crime or hate crime perpetrated by someone perceived as «the other» – an individual or a group sharing protected characteristics.
- This type of offender often perceives his actions as a substitute for criminal justice procedures against an alleged or real crime perpetrated by an individual belonging to a specific section of the population.

Precipitating event:

- Ordinary crime (robbery, assault, rape, murder, destruction of property), usually highly publicized, with the identity of perpetrator highlighted by the media.
- Hate crime with similar characteristics.

Motivation:

- Revenge, or in the perception of perpetrator, the administration of justice.

Victim:

- Members of the group sharing the same protected characteristics (somatic characteristics/ethnicity/national origin, religion, sexual orientation, etc.) as the alleged or real perpetrator of the «trigger» crime.

Location:

- Areas where members of the target group are likely to be found.

PART 2

Module 4

Legal framework

IMPORTANT: This section provides an overview of what a hate crime law is and identifies in more detail the legal obligations for investigation of hate crimes under human rights law. After the basic overview, this section is highly dependent on customization to the state's legislation that can be applied to hate crimes. It is necessary that prior to the training participants become acquainted with the legislation applicable to addressing hate crimes in their countries. A compendium of the main international and regional instruments to legally address and prosecute hate crimes will be sent to them in advance requesting a proper preparation for the training.

Objectives

- Inserting hate crimes legislation in the international legal framework of state obligations in order to describe the legislative options to regulate hate crimes.
- Increasing knowledge on the specific legislation of each country.
- Appreciating the different ways to address hate crimes through legislation.
- Recognizing the duty to investigate hate crimes as a legal obligation under the European Court of Human Rights jurisprudence.
- Appreciating how regional human rights frameworks together with local hate crimes laws affect the obligations of police investigations.

Activity one: Presentation on Legal approaches to hate crimes, international legal framework regulating hate crimes, jurisprudence of the European Court of Human Rights on legal obligation to investigate potential bias motivation and victims' rights

Time: 20 minutes

Materials:

Chart Paper

Markers

Projector

Slides and Hand-outs: How to legally address a Hate Crime? (PPT 4.1, H4.1), Models (PPT 4.2, H4.2), Mixed motive (PPT 4.3, H4.3), Association and perception (PPT 4.4, H4.4), International framework (PPT 4.5, H4.5), Jurisprudence of the European Court of Human Rights (PPT 4.6, H4.6), Victims rights (PPT 4.7, H4.7)

INSTRUCTIONS

- ✓ Introduce the session as a chance to look more closely at and criminal code provisions of the respective countries in order to individuate the provisions that apply to hate crimes in view of the international legal instruments to prevent and respond to hate crimes. That includes, looking at legal obligations of the police to investigate hate crime under the jurisprudence of the European Court of Human Rights.
- ✓ Explain that a person may commit a hate crime in a country where there is no specific criminal sanction on account of bias or prejudice. In fact, only few national legislations include a qualified law exclusively devoted to hate crimes «hate crimes law». However, in the majority of cases it is possible to find in the criminal codes provisions to address the bias or hate crimes. This provision allows for bias motivation to be considered as a sentencing enhancement for the underlying crime.
- ✓ Use the accompanying PPT 4.1, 4.2, 4.3, 4.4 slides for the presentation delivery.

Notes for trainers

This presentation should only provide participants with instruments to be able to analyse local legislation and not be aimed at any evaluation on the quality of the specific model. It is not advisable to initiate a discussion on what is the preferable model. Instead, specify that the impact of hate crime has the same detrimental effect on the community and victims regardless of whether it is based on discriminatory selection or hostility.

- ✓ Explain that just as the HATE CRIME CONCEPT is grounded in the fundamental human rights' principles of equality and non-discrimination, HATE CRIME LAWS are also grounded in international and regional obligations to combat discrimination and equality, particularly discrimination that reaches its violent form in bias-motivated crime.
- ✓ Mention that International human rights treaties make a number of statements relating to equality and non discrimination and that International human rights' treaties requires all signatory states to punish violent acts and incitement to violent acts that are committed against race or ethnicity
- ✓ List the most relevant examples like:

- Universal Declaration of Human Rights (UDHR);
 - UN Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief;
 - International Convention on the Elimination of All Forms of Racial Discrimination (CERD);
 - European Union Framework Decision on Racist and Xenophobic Crime (2008);
 - OSCE Ministerial Council Decision No.9/09, Combating Hate Crimes, Athens 2009 (political commitment taken by OSCE participating States, not legally binding).
- ✓ Explain that starting from the assumption that hate crimes violate the principle of equality enshrined in state constitutions and international human rights law the European Court of Human Rights and Fundamental Freedoms has underlined that States have a positive duty to protect their citizens from crime, which means prevention but also effective investigation and punishment of offenders. Without an effective response there is a risk that these crimes provoke crisis of confidence in the rule of law.
 - ✓ Present the slide on victims' rights (PPT 4.7) and mention that the recently adopted EU Directive establishing minimum standards on the rights, support and protection of victims of crime, provides victims (including of hate crimes) with several rights and protections which will require by state institutions to set up rules and regulations to ensure that the procedures of victims interview take place in the respect of the provisions of the Directive.
 - ✓ Present slides PPT4.5 and 4.6, underlying the obligation to disclose the bias motivation.

Tip for trainers:

Whenever participants tend to stray from the main goals of the topic and provide examples that steer away from the core concepts around hate crime, REMIND them that it is based in the PRINCIPLE of EQUALITY and NON-DISCRIMINATION and should always be considered from that viewpoint.

Activity two: Assessment of the conformity of relevant local hate crime laws to the international legal framework regulating hate crimes and evaluation of the effectiveness of the local legislation

Time: 50 minutes

Materials:

Chart

Paper

Markers

Hand-out: *Specific document: «National legal provisions regulating hate crimes».*

INSTRUCTIONS

- ✓ Divide participants in working groups and ask them to discuss about the local legislation framework in view of the international and regional obligations on hate crimes.
- ✓ Ask working group members to assess local legislation applicable to hate crimes in terms of effectiveness. Provide the following list of questions to be answered in the discussion:
 - *Are there qualified hate crime laws in their criminal code?*
 - *In case of lack of qualified hate crime laws are there provisions of the criminal code that can be applied to hate crimes?*
 - *Are these provisions in line with the international legal framework?*
 - *Are the hate crimes laws or legal provisions instrumental to effectively respond to hate crimes according to the previously presented legislation the European Court of Human Rights?*
- ✓ Give 30 minutes to discuss and ask working groups rapporteurs to present the outcome of the working group analysis

Tip for trainers:

While some participants may be able to identify parts of the local legislation that apply to hate crimes, many participants will be looking for some provision specifically entitled «hate crime law.» Because such labels don't usually exist in legislation, many will say they don't have such laws.

APPENDICE. Handouts

HOW TO LEGALLY ADDRESS HATE CRIMES (H4.1)

Specific criminal provisions address bias motivation through:

1. Substantive offence.
2. Penalty enhancements (specific or general).

? It is necessary to prove the motive, not just the intent.

Different Approaches

1. The substantive offence is a separate offence that includes bias motive as an integral legal element
2. Penalty enhancement: Aggravating circumstances provisions that increase a sentence based on bias motivation:
 - Specific penalty enhancement: aggravating circumstances of specific crimes.
 - General penalty enhancement: applicable to nearly all crimes in criminal code.

Other general laws or policies

Other laws that could be applied to hate crimes could include types of offences usually associated with hate crimes, but the provisions may lack specific aspect of bias motivation.

- Incitement to hatred laws with aggravating circumstances of violence.

MODELS (H4.2)

A hate crime doesn't always require the emotion of hate. When examining what type of evidence of motivation is required, there are two different models.

Hostility model:

- Under the hostility model, the offender must commit the offence because of a hostility, hatred or enmity against the targeted group. This model adheres most closely to the popular concept of a «hate crime», which looks to the offender's racist hostility as the reason behind the crime.

- However, proving a motive is often difficult, and proving something as subjective as a particular emotion –such as hate– can be problematic for an investigation and prosecution.

Discriminatory selection model:

– Under the discriminatory selection model, the offender chooses the target based on that target’s presumed protected characteristic. For example, an offender who targets gay men for assault does not necessarily «hate» gays, but «gay-bashing» is popular amongst his peer group and commits the crime for acceptance.

– There is a casual link between the offender’s conduct and the target of crime: the offender chose the target because he was gay.

– This model is better suited to address the realities of hate crime, which stem from prejudice and bias, but not always the emotion of hate. The causal link is also generally easier to investigate as no proof of subjective feeling is required.

MIXED MOTIVE (H4.3)

Does hate or bias need to be the only motive?

- While many hate crimes are driven completely by hate under the hostility model, the real workings of crime are much more complex than that. Motivation for any crime usually composes several factors, and that is often the case with hate crimes, as well.
- The common examples include greed and bias motivation. Two offenders are looking to rob someone for economic gain. They decide to choose the local store run by the immigrant because they are tired of seeing the immigrants «getting ahead» of the locals and want to teach them a lesson.
- Legislation can be explicit to include mixed motives, for example, requiring bias motivation «in whole or in part». Legislation can also be limiting, by stating that the bias motivation must be a «substantial factor» in the commission of the crime. Legislation that includes crimes committed «because of» hatred or bias against a particular group are generally more open to interpretation, and allow the possibility to consider more than one motive.

ASSOCIATION AND PERCEPTION (H4.4)

- In many instances, people associated or affiliated with a protected group are targeted, even if they are not part of the groups themselves.
- Also, many times a perpetrator mistakes a persona or a target for being part of the group, when in fact they are not.

- Some legislation explicitly includes association or presumption of the offender.
- Other legislation that includes crimes committed «because of» a hatred or bias against a particular group are generally more open to interpretation, and allow the possibility to consider the application of the concepts.

INTERNATIONAL FRAMEWORK (H4.5)

– Universal Declaration of Human Rights (UDHR): The first line refers to «*recognition of the inherent dignity and of the equal and inalienable rights of the human family.*»

– UN Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Belief: requires states to «*prevent and eliminate discrimination on the grounds of religions.*»

– ARTICLE 4, International Convention on the Elimination of All Forms of Racial Discrimination (CERD)

(Available at <<http://www2.ohchr.org/english/law/cerd.htm#4>>)

TEXT: 4. States Parties condemn all propaganda and all organizations which are based on ideas or theories of superiority of one race or group of persons of one colour or ethnic origin, or which attempt to justify or promote racial hatred and discrimination in any form, and undertake to adopt immediate and positive measures designed to eradicate all incitement to, or acts of, such discrimination and, to this end, with due regard to the principles embodied in the Universal Declaration of Human Rights and the rights expressly set forth in article 5 of this Convention, inter alia:

(a) Shall declare an offence punishable by law all dissemination of ideas based on racial superiority or hatred, incitement to racial discrimination, as well as all acts of violence or incitement to such acts against any race or group of persons of another colour or ethnic origin, and also the provision of any assistance to racist activities, including the financing thereof;

(b) Shall declare illegal and prohibit organizations, and also organized and all other propaganda activities, which promote and incite racial discrimination, and shall recognize participation in such organizations or activities as an offence punishable by law;

(c) Shall not permit public authorities or public institutions, national or local, to promote or incite racial discrimination.

– ARTICLE 4, European Union Framework Decision on Racist and Xenophobic Crime (2008)

(Available at <<http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32008F0913:EN:NOT>>)

In 2008, the European Union adopted its Framework Decision on combating certain expressions of racism and xenophobia by means of a criminal law. Framework Decisions are binding on all Member States, with the objective to ensure harmonization on judicial and police criminal matters.

This Framework Decision aims to ensure that racist and xenophobic offences are sanctioned in all Member States by at least a minimum level of effective, proportionate and dissuasive criminal penalties.

Specifically, Article 4 requires that Member States «shall take the necessary measures to ensure that racist and xenophobic motivation is considered an aggravating circumstance, or, alternatively that such motivation may be taken into consideration by the courts in the determination of the penalties.»

TEXT: Racist and xenophobic motivation.

For offences other than those referred to in Articles 1 and 2, Member States shall take the necessary measures to ensure that racist and xenophobic motivation is considered an aggravating circumstance, or, *alternatively* that such motivation may be taken into consideration by the courts in the determination of the penalties.»

OSCE Ministerial Council Decision No.9/09: Combating Hate Crimes (political commitment not legally binding)

TEXT: (selected articles) The Ministerial Council calls on the participating States to:

- Collect, maintain and make public, reliable data and statistics in sufficient detail on hate crimes and violent manifestations of intolerance...
- Enact, where appropriate, specific, tailored legislation to combat hate crimes, providing for effective penalties that take into account the gravity of such crimes
- Take appropriate measures to encourage victims to report hate crimes, recognizing that under-reporting of hate crimes prevents States from devising efficient policies

(Available at: <<http://www.osce.org/cio/40695> >)

JURISPRUDENCE OF THE EUROPEAN COURT OF HUMAN RIGHTS (H4.6)

Duty for prompt and reasonable investigation to identify perpetrators of criminal acts that involve ill-treatment or death:

- Procedural obligations to investigate the commission of ill-treatment or murder by state agents or private individuals against victims under Articles 2 and 3.

Duty to take all reasonable steps to uncover racially or religiously motivated crime:

- Procedural obligations to investigate the commission of ill-treatment or murder by state agents or private individuals that is motivated by bias against race or religion under Articles 2 and 3 in conjunction with the principle of non-discrimination under Art 14.

European Court of Human Rights Jurisprudence

? Case law of the European Court of Human Rights: Duty to investigate and bring to justice bias-motivated crime

There have been a number of decisions from the European Court of Human Rights concerning the duty of police and prosecutors to investigate and uncover bias-motivated crime.

? Case of Angelova and Illiev v. Bulgaria (2007)

In 1996, Mr. Angel Iliev died after being beaten and stabbed by a group of teenagers. The attackers were arrested within hours. They admitted that they had been looking for Roma to attack and expressed their hatred of Roma and other minorities. Five of the attackers were indicted for «hooliganism of exceptional cynicism and impudence», but for nine years nothing further was done to bring them to justice. The European Court of Human Rights held that Bulgaria was in breach of its obligations to protect and prosecute human rights violations and that it was «completely unacceptable» that, being aware of the racist motives of the perpetrators, there had been a failure to bring the case to justice promptly.

? Case of Šečić v. Croatia (2007)

In 1999, Mr. Šemso Šečić was collecting scrap metal with two other individuals when two unidentified persons approached the group and began to beat Mr. Šečić with wooden planks while shouting racist abuse.

The police had concluded that the attack had been committed by members of a 'skinhead' group, who had been involved in similar previous incidents. However, the police failed to question members of the group or investigate any other credible leads. For instance, during a televised programme, a journalist interviewed a member of the 'skinhead' group who referred to the attack against Mr. Šeèiæ. The police failed to pursue appropriate legal measures that would require the journalist to identify the interviewed party.

On that basis, the Court held that «...State authorities have the additional duty to take all reasonable steps to unmask any racist motive and to establish whether or not ethnic hatred or prejudice may have played a role in the event.» Failing to do so and, «...treating racially induced violence and brutality on an equal footing with cases that have no racist overtones would be to turn a blind eye to the specific nature of acts that are particularly destructive of fundamental rights.» Therefore, the state had failed in its obligation to take reasonable steps to investigate the racist motivation in the case.

? *Case of Mianoviæ v. Serbia (2010)*

The applicant, Mr. •ivota Mianoviæ is a leading member of the Vaishnava Hindu religious community in Serbia, otherwise known as Hare Krishna. Between September 2001 and June 2007, the applicant was subjected to a series of physical attacks by unknown assailants, which on three occasions were so serious that his injuries required treatment in hospital. On each occasion, the applicant reported the attacks to the police, insisting that they had been religiously motivated hate crimes which he suspected were carried out by members of an extremist organisation such as Srpski vitezov a branch of the far right organisation Obraz. Despite there being official recognition of the extremist nature of organisations such as those which the applicant complained of Serbian police still found reason to doubt the claims of the applicant. In their report of 12 April 2010, inter alia, the police noted that: (a) most of the attacks against the applicant had been reported around Vidovdan, a major orthodox religious holiday; (b) the applicant had subsequently publicised these incidents through the mass media and, whilst so doing, «emphasized» his own religious affiliation; (c) the nature of the applicant's injuries had been such that their self infliction could not be excluded; and (d) the injuries had all been very shallow, which could be considered peculiar and would imply great skill on the part of the applicant's attackers who had never managed to hold him down but had «assailed him from a distance. The Court held that:

«Just like in respect of racially motivated attacks, when investigating violent incidents State authorities have the additional duty to take all reasonable steps to unmask any religious motive and to establish whether or not religious hatred or prejudice may have played a role in the events».

VICTIMS' RIGHTS (H4.7)

DIRECTIVE 2012/29/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA

TEXT:

Art. 57 Victims of human trafficking, terrorism, organised crime, violence in close relationships, sexual violence or exploitation, gender-based violence, hate crime, and victims with disabilities and child victims tend to experience a high rate of secondary and repeat victimisation, of intimidation and of retaliation. Particular care should be taken when assessing whether such victims are at risk of such victimisation, intimidation and of retaliation and there should be a strong presumption that those victims will benefit from special protection measures.

Art. 58 Victims who have been identified as vulnerable to secondary and repeat victimisation, to intimidation and to retaliation should be offered appropriate measures to protect them during criminal proceedings. The exact nature of such measures should be determined through the individual assessment, taking into account the wish of the victim. The extent of any such measure should be determined without prejudice to the rights of the defence and in accordance with rules of judicial discretion. The victims' concerns and fears in relation to proceedings should be a key factor in determining whether they need any particular measure.

Module 5

Why are hate crimes different?

MODULE 5: WHY ARE HATE CRIMES DIFFERENT?

Objectives

- Explaining why hate crimes are different from other crimes and deserve special attention.
- Presenting the impact of hate crimes on victims.
- Demonstrating the impact of hate crimes on society stability (cycle of hate).
- Showing how the «normalisation» of intolerant and bias behaviours can lead to a dangerous escalation of violence.

Activity: Discussion on videos presenting the impact of hate crimes, presentation on the escalation

Time: 1 hour

Materials

Video

Papers

Markers

Projector

Slides and Hand-outs: Impact of hate crimes (PPT 5.1, H5.1),
Cycle of hate (PPT 5.2, H5.2)

INSTRUCTIONS

- ✓ Show the video on hate crimes impact.
- ✓ Divide participants in working groups of 4 or 5 people.
- ✓ Ask participants to answer the following questions:
 - *Do you think that hate crimes differ from other crimes?*
 - *If no, why?*
 - *If yes, how?*
- ✓ Give 20 minutes for discussion.
- ✓ After presentations of the Rapporteurs show the PPT 5.1.
- ✓ Start by recalling that hate crimes have the effect of denying the victim's right to full participation in society. They are designed to intimidate the victims and the victims' community on the basis of their personal characteristics. Unlike victims of many other criminal acts, hate crime victims are selected on the basis of *what* they represent rather than *who* they are. Thus, they are sometimes described as symbolic crimes.
- ✓ Explain that since the perpetrator selects the victim because of his or her membership of a group, one member of such a group is interchangeable with any other. Hence, although hate crimes can be committed against member of the majority population, it is the most marginalized communities which tend to be the victims of hate crimes in great disproportion.
- ✓ Underline that such crimes send a message to the victim that they are not welcome. The message that is conveyed is intended to reach not just the immediate victim but also the larger community of which that victim is a member.
- ✓ Show PPT 5.2. Explain that hate crimes continue and escalate if not stopped. Hate crimes are usually part of a pattern of escalating conduct beginning with non-criminal acts of bias that -if not confronted- finally turn into hate crimes. They send a message of refusal and rejection also to other members of the victims' community sharing the same characteristics, who could equally be a target. When these crimes grow in number communities can split apart and retaliatory violence may result. Hate crimes, therefore, can damage the fabric of society and fragment communities.

- ✓ Underline the importance to react on time to the episodes of intolerance and bias motivated incidents because the observation of the phenomenon has shown that hate crimes do not take place suddenly but are often the result of an escalation that starts with slurs, and minor incidents underestimated by the institutions as «normal».
- ✓ Explain that it is fundamental to understand that if those bias motivated incidents instead of being limited and stigmatised are perceived as normal by the rest of the community, there is a likelihood of triggering an increasingly violent escalation in the manifestation of hate.
- ✓ Conclude by saying that social acceptance of discrimination against particular groups is an important factor in causing hate crimes to increase.

Tip for trainers

It is helpful to describe particular hate crimes to illustrate some of the point described above.

APPENDICE. Hand-outs**IMPACT OF HATE CRIMES (H 5.1)**

Hate crimes have a deep impact on the victims, on their families, communities and entire society. The psychological effects deriving from these crimes are devastating. Hate crimes and hate-motivated incidents frequently leave victims in fear of future attacks and of increased violence because these crimes undermine the sense of security and safety for victims and their family and friends.

By targeting a person's identity hate crimes can lead to deeply destructive impact on individual victims. The immediate victim may experience greater psychological injury and increased feelings of vulnerability because he or she is unable to change the characteristic that made him or her being a victim. Additionally, hate crimes send the message that victims are not accepted as part of the society in which they live. As a consequence, those attacked may experience both a sense of extreme isolation and greater and longer lasting fear than that experienced by other victims of crime.

Studies reveal that consequences of hate crimes are greater than those of other crimes. For example, hate crime victims spend longer periods of time in hospitals, lose more time from work and have more intense and longer lasting feeling of lack of safety than do victims of similar crimes committed for other motives

Secondary Victimization

Secondary victimization causes further suffering to the victim because of limited attention or negligence by the so-called formal control bodies (judges and police) and informal control bodies (civil society and minority communities).

Secondary victimization occurs when the seriousness of the hate crime that victims have experienced is minimized by the broader community and particularly by police or other government officials. In such a case the victim, who is not adequately helped, can even be «morally condemned».

Community Impact

Hate crimes have a similarly destructive impact on the family and friends of the victim and on others who share the characteristics that were the object of the prejudice and hatred behind the attack. The community that shares the characteristic of the victim may also

be frightened and intimidated. Other members of the targeted group can feel not only at risk of future attack, but they may experience the attack as if they were themselves the victim. These effects can be multiplied where a community has historically been victims of discrimination and subject to prejudice for generations.

ESCALATION AND HATE CYCLE (H5.2)

Hate crimes continue and escalate if not stopped. Hate crimes are usually part of a pattern of escalating conduct beginning with non-criminal acts of bias that, if not confronted, finally turn into hate crimes. As the world has seen in the past 60 years, hate crimes can escalate to mass killings and even genocide.

When hate crimes are not thoroughly investigated and prosecuted, this can send a signal that the perpetrators are free to continue their activities, which may encourage others to commit similar crimes. Impunity for the perpetrators of hate crimes contributes to rising levels of violence. In the worst cases, hate crimes can cause retaliatory attacks by the victim groups, creating a spiral of violence. Patterns of violent hate crimes can be an important indicator of fissures in society, and provide early warning where societies are lurching into social or ethnic conflict.

Hate crimes affect a far wider circle of people than ordinary crime, and have the potential to cause social division and civil unrest. By creating or emphasizing existing social tensions, these crimes can have the effect of causing division between the victim group and society at large. Hate crimes can exacerbate existing intergroup tensions, and play a part in inter-ethnic or social unrest. In internal conflicts, widespread hate crimes usually accompany the escalation phase. In situations where relations between ethnic, national or religious groups are already sensitive, hate crimes can have an explosive impact.

If government officials -in particular LEAs- do not respond robustly and swiftly to hate crimes this can have serious consequences that reach beyond the targeted communities or even the national borders:

- Targeted communities can lose confidence in law enforcement and government officials, and become increasingly alienated;
- Some members of targeted communities may decide to retaliate, thus engaging in criminal activity themselves;

- Retaliation may provoke further civil disturbances that may increase the number of individuals harmed and increase property damage; and
- Hate crimes can escalate into significant ethnic conflict or in some instances into genocide.

Normalisation

The normalisation of hate can be understood as the tendency of regarding visual and verbal biased and racist manifestations as a normal element of daily interactions and social relations. Furthermore, rather than revealing the social disvalue of racism, normalisation is in direct relation to the frequently applied practice by the perpetrators of playing the part of the victims (in terms of ‘we are only defending ourselves and our rights’).

These behaviours have become so embedded in social processes and structures that the normalisation of hate has also affected the realm of politics. Also as a consequence of the most recent economic and social crisis -and the diffused discontent amongst populations- the normalisation of hate is becoming a widespread trend and is cause for increasing concern.

The diffusion of this «exclusionary racist logic» perceiving the supposed cultural characteristics of minorities and immigrant communities as a ‘problem’ or ‘threat’ is a process that needs to be seriously addressed by institutions at a national, regional and international level, together with civil society. Biased behaviours, such as stereotyping attitudes and belittling jokes, have the potential to degenerate and lead to more violent acts such as assaults and vandalism and gradually reach the peak of the crime.

Module 6

Bias indicator

Objectives:

- Providing participants with tools to recognize bias indicators.
- Enabling participants to assess the evidences of bias motivation involved in an incident.
- Enabling participants understand and apply bias indicators in the context of a criminal case.

**Activity one: Presentation of the concept of bias indicators
and list of the most common indicators**

Time: 30 minutes

Materials:

Paper

Markers

Projector

Slides and Hand-outs: Definition of Bias Indicators (PPT 6.1, H6.1), List of indicators PPT 6.2, H6.2)

INSTRUCTIONS

- ✓ Introduce the session as a chance to apply bias indicators to hate crime cases.
- ✓ Show PPT 6.1. Explain that the concept of bias indicators was developed to assist police officers in analysing whether an incident may be a hate crime. This process is used by police to determine whether enough evidence exist to pursue further investigation to determine whether a hate crime was committed. ✓
- ✓ Show the slide listing indicators and ask participants if they have any questions about particular bias indicators.
- ✓ Remind participants that determining whether evidence establishes that the perpetrator acted because of bias is the most significant difference between investigating hate crimes and investigating most other crimes.
- ✓ At the end of this activity distribute the handout (H6.2) containing the list of bias indicators necessary for the activity two of the same module 6.

Activity two: Individuating bias indicators

Time: 1 hour and 10 minutes

Materials:

Paper

Markers

Hand-outs: Case Studies H6.3 and H6.4

INSTRUCTIONS

- ✓ Divide the participants into small groups of 4-5 persons and hand out one case study per 2 groups.
- ✓ Ask the participants to review the case and discuss the questions provided. Allow 30 minutes for discussion.
- ✓ Have each group begin by sharing the key facts of the case. Each group will have one member report back to the entire group to share the results of their discussion. Ask them to answer the following question:
 - *Do you considered the case a hate crime? Explain their conclusion and whether it was unanimous.*
- ✓ Ask participants of working groups that have analyzed Case #1 to identify any bias indicators in the Case Study. The bias indicators include the perception of the victim and the location of the incident (the sign was outside of a Roma organization's offices).
- ✓ Encourage other groups' members to share their perspectives, especially those with different opinions from the majority of the group. Ask:
 - *Do you think that there is enough evidence at this point to arrest the teenage boy for a hate crime?*
 - *What other information does the responding police officer would want to know?*

Additional questions include: *Was the teenager Roma? Was there any evidence such as the weather or road conditions which would suggest that this was either accidental or intentional? Has the teenager been involved in prior anti-Roma incidents? Did the teenager say any anti-Roma words? Why does the staff of the Roma organization believe this was a hate crime?*

– Ask members of working groups that have analyzed Case #2 to identify any bias indicators in the Case Study. No bias indicators are present in the facts given in this Case Study. Ask participants:

– What other information the responding police officer would want to know to determine if this is a possible hate crime?

– Why the elderly couple might not believe that this was a hate crime, even if witnesses tell the police that they heard the young men yell ethnic slurs directed at the couple?

– Aim for discussion of 20 minutes for each case.

APPENDICE. Hand-outs

DEFINITION OF BIAS INDICATOR (H.6.1)

Objective facts, circumstances, or patterns connected to a criminal act or acts which, standing alone or in conjunction with other facts or circumstances, suggest that the offender's actions were motivated in whole or in part by any form of bias.

LIST OF BIAS INDICATORS (H6.2)

Bias Indicators

- Victim/witness perception
- Comments, written statements, or gestures
- Drawings, markings, symbols, and graffiti
- Differences between perpetrator and victim on ethnic, religious or cultural grounds
- Involvement of organized hate groups or their members
- Location and timing
- Patterns/frequency of previous crimes or incidents
- Nature of violence
- Lack of other motives

Victim/Witness Perception

- Does the victim or witnesses perceive that the criminal act that occurred was motivated by bias?
- Was the victim engaged in activities promoting his/her group at the time of the incident?

Comments, Written Statements, Gestures or Graffiti

Perpetrators of hate crimes frequently make their prejudices clear before, during or after the act. The crucial evidence in most hate crimes consists of the words or symbols used by the perpetrators themselves. Those who commit hate crimes generally want to send a message to their victims and to others and these messages, from shouted insults to graffiti, are powerful evidence of motivation.

- Did the suspect make comments, written statements or gestures regarding the victim’s membership or perceived membership in a group?
- Were drawings, markings, symbols or graffiti left at the scene of the incident?
- If the target was property, was it an object or place with religious or cultural significance, such as a cultural centre or a historical monument?

Differences between Perpetrator and Victim on Ethnic, Religious or Cultural Grounds

- Do the suspect and victim differ in terms of their racial, religious or ethnic/national background or sexual orientation?
- Is there a history of animosity between the victim’s group and the suspect group?
- Is the victim a member of a group that is overwhelmingly outnumbered by members of another group in the area where the incident occurred?

Organized Hate Groups

- While not all hate crimes are perpetrated by organized groups, members or associates of such groups are often involved in the commission of such crimes.
- Do objects or items left at the scene suggest the crime was the work of a paramilitary or extremist nationalist organization?
- Is there evidence that such a group is active in the neighbourhood (e.g., posters, graffiti or leaflets)?
- Did the offender use behaviour associated with membership in a hate organization, such as using Nazi salutes?
- Did the offender have clothing, tattoos or other insignia associating him/her with a particular extremist or hate group?
- Did a hate group recently make public threats towards a particular group?

Location and Timing

- Did the incident occur on a date of particular significance (e.g., a religious holiday or national day)?

-
- Did the incident occur during a specific part of the day, when other members associated with the victim group frequent the area when the incident occur (e.g., during prayers)?
 - Was the victim in or near an area or place commonly associated with or frequented by a particular group (e.g., a community centre or mosque, church or other place of worship)?
 - Did the incident occur only a short time after a change in a minority's presence in the area (e.g., the first minority family to move into the area, the opening of a refugee centre)?

Patterns/Frequency of Previous Crimes or Incidents

- Have there been similar incidents in the same area against the same group?
- Has there been a recent escalation of incidents against the same group, beginning with low-level harassment and non-criminal activity to more serious criminal conduct such as vandalism or assault?
- Was there a previous incident that may have sparked a retaliatory response against the targeted group?
- Has the victim or community recently received threats or other forms of intimidation in the form of phone calls or mail?

Nature of Violence

As hate crimes tend to be message crimes, the degree of violence, damage and brutality tend to be serious.

- Did the incident involve unprovoked and extreme violence or degrading treatment?
- Was the incident carried out publicly or in a way to make it public, such as the recording and posting on the Internet?
- Did the violence involve racist symbols or did the property damage involve symbols meant to defile or desecrate, such as excrement or animal parts?

Multiple Biases

It can happen that more than one bias is recognized.

CASE STUDY 1 (H6.3)

A teenager in a car drives onto the sidewalk and knocks down and destroys an informational display about Roma people. The display is located outside of a Roma organization's offices. The staff of the Roma organization tells the police that they believe the youth is anti-Roma and hit the sign intentionally.

The teenager says he lost control of his car and that the incident was an accident.

CASE STUDY 2 (H6.4)

An elderly couple that recently immigrated to your nation has opened a small grocery store in your city. A group of young men broke the windows of the store and screamed at the elderly couple.

The elderly couple does not believe this was a hate crime.

PART 3

FOR LEAs:

Module 7 Recapitulation

Objectives:

- Summarizing the main concepts of day one.
- Testing participants understanding of the presented concepts.
- Clarifying any unclear concept.

Activity: Questionnaire and discussion

Time: 30 minutes

Materials:

Papers

Markers

Questionnaire multiple choice answer (H7.1)

Slide: Questionnaire answers (PPT 7.1)

INSTRUCTIONS

- ✓ Ask participants to answer to the multiple choice questionnaire individually in 20 minutes.
- ✓ Deliver a power point presentation with the questionnaire's answers.
- ✓ Conduct a questions and answers session to clarify any unclear concept.

APPENDICE. Hand-outs

Questionnaire (H7.1)

1) *What are the two elements that have to exist in order to talk about Hate Crimes?*

.....

2) *Is motivation a key issue in hate crimes?*

- ∨ Yes, always
- ∨ No, never
- ∨ Sometime

3) *Is «mistaken identity» a defence argument?*

- ∨ Yes
- ∨ No
- ∨ It depends from the circumstances

4) *Is it a necessary condition that the perpetrator personally knows the victim of hate crimes?*

- ∨ Yes
- ∨ No
- ∨ Only in case of murder

5) *How do we consider «ethnicity» in the context of hate crimes?*

- ∨ Definition
- ∨ Protected characteristic
- ∨ Element

6) *Who are thrill seekers?*

- ∨ Offender Typology
- ∨ Special investigation teams
- ∨ Religious group

7) *On which principle is hate crime grounded?*

- ∨ Anti-corruption
- ∨ Support to vulnerable groups
- ∨ Equality and non-discrimination

8) *Which of the following statements, deriving from the jurisprudence of the European Court of Human Rights and Fundamental Freedoms, is true?*

- ∨ Police and prosecutors have a duty to investigate and uncover bias-motivated crime (hate crimes)
- ∨ The investigation of hate crimes is part of States' internal affairs
- ∨ The fight against terrorism should have priority over prosecuting hate crimes

9) *What of the following definitions applies to hate crimes?*

- ∨ Social crimes
- ∨ Message crimes
- ∨ Violent crimes

10) *List at least 3 bias indicators:*

.....

Module 8

Data collection and investigating

Objectives:

- Increasing LEAs awareness on the importance of collecting information properly on a potential hate crime.
- Increasing LEAs confidence in overcoming barriers to reporting hate crimes.
- Increasing LEAs confidence in investigating hate crimes.
- Identifying strategies and skills for an effective response and investigation.

Activity One: Presentation of barriers to report

Time: 1 hour

Materials:

Papers

Markers

Flip-chart

Slides and Hand-outs: Barriers to investigating Hate Crimes (PPT 8.1, H8.1), Barriers to reporting hate crimes by victims (PPT 8.2 and PPT 8.3, H8.2 and H8.3)

INSTRUCTIONS

- ✓ Divide the participants into small groups of 4-5 persons and ask them to answer to the question:
 - *Why victims do not report?*
 - *What are the difficulties encountered by LEAs in collecting data to conduct investigations on hate crimes?*
 - *How to solve these difficulties?*
 - *Describe a particular situation in which you faced a barrier to hate crime investigation and explain how you solved it.*
- ✓ Explain that such barriers can make any hate crime investigation difficult. Give 30 minutes for discussion.
- ✓ Each group will have one member report back to the entire group to share the results of their discussion questions.
- ✓ Distribute hand-out H8.1 and review briefly each of the barriers.
- ✓ Deliver the presentation on reasons of under-reporting.
- ✓ Conclude the activity with a few comments on the importance of working to overcome barriers to data collection which are instrumental to effective investigation.

Tip for trainers:

If officers are unresponsive to questions about barriers they have faced when conducting investigations, it may be helpful for you to describe a barrier you have faced and describe the strategies you used to overcome it. Officers may face multiple barriers that prevent them from investigating hate crimes. Many different barriers exist including failure of victims to report hate crimes and failure of police officers to report hate crimes. It is important for police to identify these barriers so that they can develop and implement strategies to overcome them.

Activity two: Case study on investigating hate crimes

Time: 1 hour and 15 minutes

Materials:

Power Point presentation

Papers

Markers

Flip-chart

Slides and Hand-outs: Police Response to Hate Crimes (PPT 8.4, H8.4), How to Interview Victims, Witnesses and Suspects (PPT 8.5, H8.5)

IMPORTANT

This is not a manual on investigation techniques; therefore all the suggestions related to investigations should take in account the legal provisions of the concerned country and be interpreted in view of the more general curricula of the education provided by the respective law enforcement agency.

INSTRUCTIONS

- ✓ Introduce this practical exercise by emphasizing that in order to effectively respond to and investigate hate crimes it is crucial for officers to learn and apply some strategies. Identifying bias indicators and being aware of the special impact hate crimes have on victims are the two key elements to be aware of for developing these strategies.
- ✓ Remind participants about the danger that hate crimes pose in terms of security (Module 5). Since they tend to increase in number and escalate in wider conflict, if not stopped, it is important to react fast to prevent outbursts of violence spreading to entire communities, societies and targeting police themselves.
- ✓ Emphasize that what police officers do and say in the first several minutes at a crime scene can affect the recovery by victims, the public's perception of governmental commitment to addressing hate crimes, and the outcome of the investigation.
- ✓ Describe a hate crime case that you are familiar with that can serve as a teaching tool for this module. Alternatively you can use the hate crime case described below.

In the South of Italy during the summer four persons of African origins working as «farm workers» went by car to a nearby village to buy cigarettes and beers. When they got out of the car a group of young Italians insulted them using racist comments. The Africans ignored the Italians and entered the shop, but one of the Italians pulled out a gun. Consequently, without saying anything, the Africans re-entered the car and returned to the farm.

- ✓ Ask participants:
 - *What would you do if you were called to the store and both the witness who called the police and the group of young Italians were still at the store?*
 - *Which bias indicators would be important?*
- ✓ Refer to the hand-out on bias indicators (H6.1). The most persuasive evidence of bias is the words used by perpetrators during, before or after the incident. It is critically important to ask the witnesses what the Italians said and what the African men said. Officers need to learn exactly what ethnic slurs, if any, were used by the Italians.

- ✓ Ask participants:
 - *Why it is important to quote these words in your report?*

If these words are not in the officers' report, prosecutors may never learn of the most convincing evidence of bias.

 - *What should you ask the young white men?*
- ✓ Remind participants that hate crimes are message crimes. Perpetrators not only want the victims to hear their message of bias and hate but they often want to share those messages with the community because they expect that the community shares their views. Some perpetrators believe that police officers will share their biases and even approve of their bias-motivated violence.
- ✓ Officers should ask perpetrators «what did you say?» to the victims. This is much more effective than asking a perpetrator if he or she used racial slurs. Asking about racial slurs may send the message that the officers oppose that language and cause the perpetrator to be unwilling to describe what occurred. However, it is never appropriate for the officer to affirmatively send the message that he or she does share the perpetrator's bias. This strategy can result in the officers' testimony being discredited at trial.

Interviewing the Victims

In the described case, no witness actually called the police. Instead, about ten minutes after leaving the store the African man driving the car, saw in his rear-view mirror headlights approaching very fast. Then he heard several gunshots. One of the bullets hit the upper arm of one of the African men sitting in the back seat. When the police analyzed the crime scene they determined that the bullet was on a trajectory that would have ended in the base of the driver's head but the bullet ricocheted off the metal portion of the driver's head rest and hit the rear passenger's arm.

- ✓ Ask participants: *How would you approach the interview of the victims?*
It is just as important to ask victims to describe the exact words used by the perpetrators as it is to ask witnesses or perpetrators. Again, this is the most persuasive evidence of bias motivation.
- ✓ If possible start asking open questions and only when you have a general overview of the case ask specific questions in

order to clarify details and obtain personal information like names, contact details etc...

- ✓ Underline that it is very helpful to the victims to hear that the officers are sorry about what happened to them. This serves two important purposes. First, many hate crime victims assume that police and the broader community will not care that they were victimized because of bias. Victims, as a result, feel isolated and alone. Telling the victims that you are sorry about what happened to them, without characterizing it as a hate crime (because it is too early in the investigation to reach that conclusion), dramatically reduces their sense of isolation. Second, this approach builds trust with the victim and increases the likelihood that the victim will be open and candid with you.
- ✓ Explain that if the officers will continue to be active in the case through the trial, they can tell the victims that they will try to update them on the progress of the case. This also is reassuring to the victims.

Interviewing Neighbours and Acquaintances of the Perpetrators

Add now information on how to further gather information. If no witnesses to the crime exist and if the perpetrators deny that crime was bias-motivated police should interview neighbours or acquaintances of the perpetrators. This accomplishes two things. First, because hate crime perpetrators often boast about their crime, officers may obtain information that establishes the bias motivation. Second, since many hate crime perpetrators live in the communities where the crimes were committed, speaking with neighbours sends a message that the police are taking the hate crime seriously. These actions by police may deter the perpetrators or others from committing another hate crime. At the same time, people who are upset and scared by the hate crime will feel reassured that the police are committed to protecting them.

Outreach

It is helpful to reach out to the victims' group or community. Ask participants: *What outreach you could engage in with the African community in the case discussed earlier?* Police could have gone to the farm where the migrants lived and worked to reassure that community that police were taking the crime seriously. Police also could have reached out to a non-governmental organization that provides services to migrant farm workers.

APPENDICE. Hand-outs

BARRIERS TO INVESTIGATE HATE CRIMES (H8.1)

- *Policy gaps.* Lack of support by police commanders or other high government officials may cause the absence of policies or procedures within the police agency for recording hate crimes and details of evidence regarding bias motivations.
- *Reporting gaps:* The lack of formal police-agency procedures for reporting information on hate crimes to regional or national offices.
- *Lack of interest by prosecutors in handling hate crime cases.* It might be easier and faster to solve a case only as a criminal act like murder or assault and ignore potential bias motivation which would require seeking evidence in support of it
- *Priority gaps.* Because of the failure to understand the seriousness of hate crimes some political officials and associated police agencies tend to believe that hate crimes are not an important and serious issue in their country or region, leading them to decide not to record hate crimes or to report them to the public or higher authorities.
- *Lack of resources.* Because of the limited financial and human resources it might happen that management does not invest in increasing LEAs skills investigating hate crimes. A lack of training for police officers often results in insufficient skills to identify hate crimes, collect evidence concerning bias motivations and/or fulfil reporting requirements.
- *Concern about the repercussions of reporting.* Some police agencies may discourage reporting because they believe that there will be adverse consequences to the agency or the community if others perceive that a serious hate crime problem exists.
- *Prejudices.* There can be a failure to report hate crimes on the part of some police personnel because they share the prejudices of the perpetrators. A de facto norm may exist that deters police personnel from responding adequately to members of minority groups who report crimes, denying them respect and equal protection. In this kind of environment, officers might not question victims and perpetrators appropriately about possible hate motivation in reported bias incidents, or might be reluctant to report that the crime involved hate motivation.

**BARRIERS TO REPORTING HATE CRIMES BY VICTIMS
(H8.2 and 8.3)**

- *A belief that nothing will happen:* Many victims lack confidence that law enforcement or government officials will take appropriate action to respond to their hate crime report, either as an ordinary crime or as a hate crime;
- *Mistrust or fear of the police:* Victims who belong to a group that has historically been subjected to harassment, violence or general lack of protection by police may not want to have any contact with police, including reporting hate crimes. Individuals who believe that police have committed hate crimes or are complicit in hate crimes perpetuated by others may be scared to report hate crimes. Immigrants or refugees who have fled their country of origin because of government-supported violence may not trust police in their new country of residence;
- *Fear of retaliation:* Many victims fear that if they report a crime the perpetrators or others with similar views will retaliate against them, their family members or the community to which they belong. In addition, if a hate crime perpetrator is linked to a hate organization, victims may fear being targeted by members of this or other organizations;
- *Lack of knowledge of relevant legal provisions:* Many people may be unaware that hate crime laws exist or how or where to report these crimes;
- *Shame:* Some victims feel ashamed and embarrassed in the aftermath of a hate crime, either believing that their victimization was their own fault or that their friends, family members and/or community will stigmatize them, branding them as socially unacceptable should their treatment be made publicly known. While this is also a factor in ordinary crimes, a sense of shame and degradation may be more acute in an incident of hate crime because individuals are being victimized because of their very identity. The issue of shame may be particularly significant as an obstacle to reporting hate crime attacks in cases involving sexual violence;
- *Denial:* In order to cope with the trauma of a hate crime, some victims deny or minimize the impact and seriousness of the crime;
- *Fear of disclosing their sexual orientation:* For homosexual, bisexual, and transgender individuals, reporting a hate crime may mean publicly disclosing their sexual orientation or gender identity. Victims of anti-

homosexual hate crimes in some countries may be worried that disclosing their sexual orientation could lead to them being further victimized, or even criminally prosecuted for homosexuality;

- *Fear of disclosing their ethnic, religious or political affiliation:* Members of ethnic, religious or political minority groups sometimes fear that disclosing their identity could lead to discrimination or other negative consequences; and
- *Fear of arrest and/or deportation:* Individuals who are not citizens of the country where they have been victimized may fear that, even as crime victims, their involvement with police or government may result in arrest and/or deportation.

In addition to the points above, which relate to victim fears and perceptions, other factors that may lead to under-reporting of hate crimes include:

Hate crime laws do not cover certain forms of discrimination: If hate crime laws do not cover certain forms of discrimination, such as violence motivated by gender identity or sexual orientation, members of groups vulnerable to these attacks are less likely to report evidence in these incidents or describe an attack as a hate crime; and

Victims may be discouraged by police or other authorities from filing a complaint: In some instances, victims who were prepared to file a formal complaint may be deterred from doing so because police officers encourage them not to or tell them that identifying hate motivation is not appropriate for a complaint. Police may, for example, assert that a crime was a minor affair or a youthful prank and that nothing would come of a formal complaint. They may point out that a formal complaint could create further problems of retaliation for the victim or that they have more serious crimes to investigate. In some instances, police may record only part of a statement, excluding details of hate motivation provided by a complainant.

POLICE RESPONSE TO HATE CRIMES (H8.4)*First Response*

- Police officers arriving on the scene should act immediately to:
- Secure the scene;
- Stabilize the victim(s) and request medical attention when necessary;
- Ensure the safety of victims, witnesses and perpetrators;
- Preserve the crime scene; collect and photograph physical evidence such as:
 - Hate literature;
 - Spray paint cans;
 - Threatening letters;
 - Symbolic objects used by hate groups (e.g., swastikas, crosses);
 - Identify criminal evidence on the victim;
 - Request the assistance of translators when needed;
 - Conduct a preliminary investigation; record information on:
 - Identity of suspected perpetrators(s);
 - Identity of witnesses, including those no longer on the scene;
 - Prior occurrences, in this area or with this victim;
 - Statements made by suspects – exact wording is critical;
 - Arrest the perpetrator(s) if probable cause exists.

Note: In the presence of the victim, the officer should neither confirm nor deny that the incident is a hate crime; that determination will be made later in the investigative process.

Follow-up Action

- After taking immediate action, police officers should:
- Assign only one officer to interview the victim(s) whenever practical in order to minimize trauma;
- Protect the anonymity of the victim whenever possible;
- Explain to the victim and witnesses the likely sequence of upcoming events, including contact with investigators and the possibility of media coverage;

- Refer the victim to support services in the community, providing written resource lists when possible;
- Tell the victim how to contact the police department to obtain further information on the case;
- Report the suspected hate crime to the supervisor on duty;
- Depending on department policy, refer media representatives to the supervisor on duty or public information officer;
- Document the incident thoroughly on department report forms, noting any particular hate crime indicators and quoting the exact wording of statements made by perpetrators;
- Assist investigators in making any other reports that may be required under federal or state guidelines and laws.

Investigation

- When conducting a thorough follow-up investigation, officers should:
- Interview victims(s) and witnesses thoroughly and respectfully;
- Secure evidence by taking photos of offensive graffiti or other symbols of bias;
- Document the circumstances and apparent motives surrounding the event;
- Locate and arrest any suspected perpetrators not apprehended at the scene;
- Provide police supervisors or public information officers with information that can be responsibly reported to the media;
- Inform the victim of what is likely to happen during the continuing investigation;
- Appeal to witnesses to come forward by canvassing the community;
- Offer rewards for information about the incident when possible;
- Co-ordinate with other law enforcement agencies in the area to assess patterns of hate crimes and determine if organized hate groups are involved;
- Collaborate with the responding officers to complete any written reports required by their department and state agencies details of hate motivation provided by a complainant

-
- Ask the victim to recall, to the best of their ability, the exact words of the perpetrator(s);
 - Refer the victim to medical doctors who should include in the report information on the victims' psychological and emotional state.

Victim Support

Effective ways for police to support victims while investigating the crime:

- Remain calm, objective and professional;
- Express your regret to the victim that he or she was the target of a crime;
- Request the assistance of translators when needed;
- Let the victim defer answering questions if they are too distraught;
- Ask the victim(s) if they have any idea why this happened to them;
- Reassure the victim that they are not to blame for what happened;
- Voice support of any actions the victim took to protect themselves and defuse the situation;
- Allow the victim to vent feelings about the incident or crime;
- Encourage victim to tell the story in their own words;
- Ask the victim if they have family members or friends who can support them;
- Inform the victim of what efforts can be made to enhance their safety;
- Reassure the victim that every effort will be made to protect their anonymity during the investigation;
- Tell the victim about the probable sequence of events in the investigation;
- Provide victims, their families and (if necessary) members of their community with information on existing support organizations;
- Providing victims with written information about their rights;
- Explore the possibility of retaliation or victimization, and if necessary, request the Court to implement the witness protection legislation.

HOW TO INTERVIEW VICTIMS, WITNESSES, SUSPECTS (H8.5)

Move Fast

- It is important to meet with victims soon after the hate crime occurs:
- Victims may need immediate assistance, including medical treatment, repair of damaged property and new housing.
- Victims' memories about the details of hate crimes will be clearer the sooner they are interviewed. If it is possible, it is important to use specific techniques during interviews in order to enhance the amount of victims' memories, such as cognitive interview.
- Some perpetrators of hate crimes continue to commit hate crimes and increase the level of violence if they are not identified and apprehended. Beginning an investigation soon after a hate crime is committed increases the chances that the perpetrators can be stopped before they attack again.

Explain and Refer

The investigating officer should explain at the outset of the first meeting who they are, what they can and cannot do, and what others can do. Being clear about the limits of what can be done and not raising false expectations is essential to building trust:

- Explain the purpose of the interview and how what is learned will be used on behalf of the victim.
- Explain that the interviewee's name and other identifying details will be kept confidential unless the interviewee agrees otherwise, such as for use in an official complaint.
- Explain the various forms of support that are available.
- Refer the victim of a hate crime to appropriate resources, which may include support from non-governmental organizations, counselling, and medical care.
- If information gathered from the interview will be used to combat hate crimes more broadly, explain how this will be done.
- Tell victims that you will update them on the progress in the investigation. However, do not make this statement if you do not think you will be able to provide them with this information because you will not continue to be working on the case. The anxiety of hate crime victims rises (and the reputation of the

police decreases) when victims go weeks or even months without receiving updates from police.

Listen

In meeting with victims, it is important to provide a safe space, a trained interviewer and, above all, to listen to the victim. Describing a hate crime is often difficult and upsetting for the victim, so trained interviewers should conduct the interviews. Interviewers should ensure that they are in a space in which victims will feel safe and confident that they will not be overheard. If the person with whom the victim makes initial contact is unable to conduct an interview (or if the victim does not want to be interviewed by that person), then that person can suggest alternatives and, if possible, assist the victim in contacting the appropriate person.

The most effective way to conduct an interview is to listen to the victim's story without offering advice and telling the victim that you know how they feel. It is, however, completely appropriate to offer verbal support, such as: «I'm sorry this happened to you» or «No one should have to feel like this.» Document the details of the incident as the victim reports them (see below «Taking Notes»).

Validate

Those involved in interviewing victims should take into account that one of the victim's biggest fears is that he or she will not be believed. The response from the first person a victim reports to may be very important in determining whether the victim continues seeking the assistance he or she needs. Police officers – as well as non-governmental organizations and others – can respond to victim accounts by saying that they are sorry about what happened. This validates the victim's feelings without prejudging the results of further investigation and reassures the victim that he or she is valued as a person.

Taking Notes

A record of the interview is important for subsequent action. It is important to take handwritten notes of interviews with victims of hate crimes or hate-motivated incidents. Standard formats for interviews can facilitate note taking as well as ensure that basic information is covered. It is very difficult to help a victim if there is no clear record of what occurred.

Interviewers should keep in mind that it can sometimes be important to record direct quotations precisely in their notes. These may include

particular descriptive phrases used by the interviewee to describe the attack or his or her feelings during or after the attack. Similarly, the interviewee's memory of the precise words used by his or her attackers before, during or after an attack may be important to record as a direct quote, without summarizing or paraphrasing. Such quotes can provide a key indication of whether the victim was the target of a hate crime. Moreover, if the interviewee decides to make a complaint to police or other public authorities, or decides that elements of the case can be used in media or campaign action, these statements may be important to have on record.

After interviewing the victim, it is important to prepare a typed interview summary. This avoids the difficulty that others may have in reading handwritten notes.

Critical Details to Obtain

Interviewers of hate crime victims should elicit detailed information about the incident. The basic elements of who did what to whom, when, where and why are important parts of the victim's account. Interview records should be kept secure. Basic details to obtain in an interview include:

- The victim's name and how to contact him or her (this may include an address and telephone number, or an institution or person in the local community who can contact the victim).
- The date, time and location of the incident.
- A clear description of what happened and what was said. It is particularly important to include the victim's memory of exactly what the perpetrators said, including any offensive or degrading language or slurs. Write the language used by the perpetrator in your official report. The exact language that the victim heard the perpetrator use may be the strongest evidence of the bias motivation for the crime.
- The impact on the victim, including any physical injuries, loss or destruction of property and emotional distress.
- The names, addresses and telephone numbers and description of any witnesses to the incident.
- Details of any prior contact made with local government (or other official bodies) in order to report the incident or in order to seek medical or other attention, as well as the responses of such bodies.

Overcome Language Barriers

Interviewing victims or witnesses who do not speak the same language as the interviewer presents special challenges. It is important to have competent interpreters who have been trained in the sensitivities of the interview process and can be trusted to translate the actual words of the interviewee. Interpreters should have the confidence of interviewees. The contact details of interpreters need to be kept in case of a future trial. If using bilingual members of the community with no training as interpreters, the interviewer should ensure they understand beforehand what the process entails and that they are to interpret faithfully what the interviewee says (without explanation or other interruption). In some cases, members of the victim's family may prefer to interpret for them. In such cases, the interviewer should make clear that they should carefully interpret the interviewee's own words without interruption, and that if they wish to add information they can do so in a separate interview.

Having children interpret for their own family members should be avoided if possible. Children who may already be traumatized by an incident may suffer renewed trauma in translating family members' accounts of abuse and the interviewer's questions. They may also make significant errors when interpreting, such as omitting graphic or uncomfortable details.

Cultural Awareness

Police officers, non-governmental organizations, and others who deal with the victims of hate crimes must be able to work effectively and appropriately with culturally diverse communities and take into account issues of gender within these communities. Competence in dealing with cultural differences (sometimes called «cultural competence») is particularly important when addressing hate-motivated crimes. Those working with victims of hate crimes should have a basic understanding of the cultural differences that affect how or whether a victim reports a hate crime and whether he or she seeks access to support services. When dealing with hate crimes, law enforcement and other criminal justice personnel should take into account the cultural and gender differences within groups facing discrimination.

How to Interview Suspects

Suspects may assume that police have the same biased views that they have. Consequently, when asked the question «why did you attack those people», some suspects will explain not only that they committed

the crime but also express their biases to the police. Such comments by suspects are persuasive evidence of bias motivation.

How to Interview Witnesses

Interviewing people living or working in the area near the location of the hate crime is important for several reasons. Neighbours may have seen or heard the incident or may have heard the perpetrators use slurs toward the victims or their group either before or after the attack. Perpetrators often commit hate crimes because they believe that the community supports their biased views. Consequently, they may express their biases frequently. Interviewing people in the area near the attack also sends the message that the police are taking the matter seriously. This will be very reassuring and calming to others in the community who belong to the same group as the victims. Additionally, these interviews may deter others from engaging in similar bias-motivated crimes.

FOR LEAs:

Module 9

Interacting with victims

Objectives:

- Presenting the specific impact of hate crimes on victims.
- Increasing LEAs awareness on the importance of dealing with victims in a cautious way.
- Providing LEAs with information and support on ways to interact with victims in a sensitive manner.
- Increasing LEAs capacity to interact with victims sensitively in order to investigate hate crimes effectively.
- Promoting a victim centred approach.
- Enabling participants to recognize appropriate responses to hate crime cases.

**Activity: Discussion on how interacting with a victim of hate
crime**

Time: 45 minutes

Materials

Papers

Markers

Flipchart

Slides and Hand-outs: Victims reactions (PPT 9.1, H9.1), Victims' rights (PPT 9.2, H9.2)

INSTRUCTIONS**IMPORTANT**

The module 8 and 9 are connected and are both aimed at providing LEAs with instruments to effectively investigate hate crimes. The case presented in module 8 should be used as a reference also for module 9. In both modules attention is devoted to interviewing for crimes investigation. In module 8 the approach is more operational, as the trainer suggests ways to collect accurate information by victims, witnesses and other people who might be relevant. In module 9, instead, the focus is on the victim and the goal is to provide LEAs with information that they can use in effectively interacting with victims, being aware of the specific impact of the crimes and pursuing the same ultimate goal, meaning combating hate crimes.

- ✓ Introduce this module by explaining that after having discussed good practices in collecting information from different sources, with the scope of effectively conducting the investigation of a hate crime, you are now going to concentrate on victims to enhance specific skills in interacting with them in an informative and cautious way.
- ✓ Underline that officers who recognize a probable hate crime, interact with the victims with empathy, and take action to initiate a hate crime investigation, send a strong message that hate crimes are a serious issue.
- ✓ Refer to the EU DIRECTIVE 2012/29/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing minimum standards on the rights, support and protection of victims of crime should be a reference to demonstrate that the victim centred approach is requested by the EU as a consequence of the recognition of the importance of treating victims in a respectful, sensitive and professional manner.
- ✓ Discuss the impact of hate crimes and hate incidents. It is very useful to describe the impact of a hate crime or hate incident that you are familiar with. Ask participants to assess what kind of reactions victims of hate crimes may have. Ensure that reactions mentioned in Handout H9.1 are discussed. These include:

- Fear and terror;
 - Isolation;
 - Denial;
 - Self-blame;
 - Anxiety, loss of hope and spirit;
 - Anger.
- ✓ You can ask participants for examples of some of these impacts or you can describe examples yourself.
- ✓ Ask the participants to identify mental health symptoms or behaviours that are self-destructive or dangerous to others that victims might engage in if they are experiencing these emotions. These behaviours can include:
 - Drug or alcohol abuse;
 - Cutting or self-mutilation;
 - Violence;
 - Depression;
 - Anxiety;
 - Attempted suicide;
 - Suicide.
- ✓ Mention that studies have shown that hate crime victims experience more significant impacts than victims of similar crimes committed for other reasons. For example, hate crime victims spend more time in hospitals recovering from their injuries, lose more time from work, and have more intense and longer lasting feelings of lack of safety in their communities.
- ✓ Refer to the previously discussed case and Handout on Interviewing victims (H8.3) and to the information given in the previous module on Monitoring and Investigation by underlining that an officer able to interact with the victim with care and attention will also contribute to effective and efficient investigations because this will help the victim to recall and disclose information that can be crucial for the investigation.
- ✓ Underline that it is essential for officers who have to interact with victims to be able to offer immediate help and support to the person who is often traumatised and in a vulnerable condition.

-
- ✓ Ask participants: *In the previously exposed case should you refer victims to other agencies or organizations?* Police should refer victims to organizations or offices that provide support services and also to human rights organizations that address hate crimes.
 - ✓ Ask participants to think about a hate crime case in which racist graffiti was spray-painted on the victims' apartment door. What might be the impact on the victims if the responding officer told them that he did not have time to investigate a case with such minimal property damage? You can comment that the emotional impact of the victims believing that the police do not care about the crime may dramatically exceed the monetary damage of repainting their door. The victims may become more isolated, believing that police and the community do not care about what happened to them. Victims may be very reluctant to report future hate crimes to police.

APPENDICE. Hand-outs

VICTIMS' REACTIONS (H9.1)

Hate crimes attack victims' self-confidence and self-esteem and, very often, they develop emotional and psychological reactions such as:

Fear and terror: Some individuals may cease their everyday activities out of fear for themselves or their families.

Isolation: Some victims may believe that the majority population does not care about or even will approve of the hate crime they were targeted with. This leads victims to feel isolated and alone.

Denial: Many victims of bias-motivated harassment or violence do not want to talk about what occurred because they believe that the conduct will only increase if they report it to the police. Other victims convince themselves that they were targeted for reasons other than bias because the idea that people hate them is too frightening.

Self-blame: Some victims who have been the target of slurs and stereotypes may convince themselves that the stereotypes are true and conclude that their own conduct caused the perpetrators to attack them.

Anxiety, loss of hope and spirit: Some individuals, particularly young people, who are continually subject to slurs and feel that they are at constant risk of violence, may begin to lose hope and spirit. Some individuals have been targets of bias for so long that they lose the capacity to be outraged at their own victimization.

Anger, aggression and violent behaviour: Some individuals move beyond fear and become angry. Anger may lead to violence and acts of retaliation

VICTIMS' RIGHTS (H9.2)

EU DIRECTIVE 2012/29 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing minimum standards on the rights, support and protection of victims of crime, to emphasize that it is a EU requirement for LEAs and other institutions to:

...treat victims in a respectful, sensitive and professional manner without discrimination of any kind based on any ground such as race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age, gender, gender expression, gender identity, sexual orientation, residence status or health.

Module 8

Overcoming under-reporting and increase awareness of hate crimes

Objectives

- Clarifying the reasons of under-reporting.
- Presenting the barriers for victims to report.
- Suggesting strategies to overcome the barriers.
- Increasing CS knowledge on ways to raise citizens' awareness on the impact of hate crimes on the entire society.
- Providing CS with tools to facilitate citizens understanding of the importance of reacting against intolerance and preventing the escalation of violent crimes.
- Increasing CS capacity to establish regular cooperation with communities of minorities.
- Clarifying CSOs opportunities to play a crucial role in facilitating citizens understanding of hate crimes.

Activity one: Underlining the importance of reporting

Time: 45 minutes

Materials:

Papers

Markers

Flip-chart

Slide and Handout: Barriers to report hate crimes (PPT 8.1 and H8.1cs)

INSTRUCTIONS

- ✓ Divide the participants into small groups of 4-5 persons and ask them to answer to the question:
 - *Why victims do not report?*
 - *What are the barriers to reporting?*
 - *Can you share any good practice on strategies to increase victims and witnesses reporting?*
- ✓ Give 20 minutes for discussion.
- ✓ Each group will have one member report back to the entire group to share the results of their discussion questions.
- ✓ Distribute hand-out H8.1cs. Explain that such barriers can make any hate crime investigation difficult.
- ✓ Conclude the activity with a few comments on the importance of working to overcome barriers to data collection which are instrumental to effective prevention and response.

Activity two: Increasing awareness of the impact of hate crimes

Time: 45 minutes

Materials:

Papers

Markers

Flip-chart

Slide and Handout: Improving cooperation with communities at risk and reaching out to different segments of the community (PPT 8.2cs, H8.2cs)

INSTRUCTIONS

- ✓ Introduce this activity by reminding participants about the risk of normalisation of hate crimes, discussed in the module on impact. Underline that while primary responsibility to prevent and respond to hate crimes rests with the institutions, CSOs can play an important role in addressing the issue of «normalisation».
- ✓ Divide the participants into small groups of 4-5 persons and ask them to answer the question:
 - *Which kind of activities can be organized to inform citizens about hate crimes impact on the stability of the society?*
 - *How to mobilise citizens to prevent escalation from intolerance to violence?*
 - *How to increase confidence in CS by potential members of target communities and establish a regular cooperation between minority communities and CSOs?*
- ✓ Give 30 minutes for discussion.
- ✓ Each group will have one member report back to the entire group to share the results of their discussion questions.
- ✓ Explain that during the immediate crisis of a hate crime, it is important that community members already know and trust CSOs providing support services in their area in order to quickly approach them and seek for adequate support. For this to happen it is necessary that before a hate crime occurs, CSOs inform members of targeted communities about the fact that

its staff and volunteers are trained, willing and able to serve victims of hate crimes.

- ✓ Give an example of the role of CS to effectively respond to hate crimes. Choose one of the obstacles to reporting by victims listed in the hand out on barriers to reporting. This example can be victims' ignorance of the existing legislation and policies to respond to these crimes. Emphasize that to overcome this obstacle CS can empower the communities they serve by informing them on the instruments available to react to hate crimes and by offering their services as facilitators in using these instruments.
- ✓ Underline that CS can contribute to hate crimes prevention by gathering accurate, updated information from community members about hate- motivated incidents.
- ✓ Do not forget to underline that LEAs are ultimately responsible for interpreting the received information and deciding whether it should be considered as «early warning» signs» for taking appropriate action.
- ✓ Conclude by mentioning that is important for CSOs to reach out also to the majority part of the population and inform them about the consequences of bias crimes on the general social cohesion and stability of the entire society. By demonstrating that everyone can be a victim, CSOs can change the general behaviour that these crimes concern «only» minorities or «the others».

APPENDICE. Hand-outs

BARRIERS TO REPORT HATE CRIMES (H8.1cs)

- *A belief that nothing will happen:* Many victims lack confidence that law enforcement or government officials will take appropriate action to respond to their hate crime report, either as an ordinary crime or as a hate crime;
- *Mistrust or fear of the police:* Victims who belong to a group that has historically been subjected to harassment, violence or general lack of protection by police may not want to have any contact with police, including reporting hate crimes. Individuals who believe that police have committed hate crimes or are complicit in hate crimes perpetuated by others may be scared to report hate crimes. Immigrants or refugees who have fled their country of origin because of government-supported violence may not trust police in their new country of residence;
- *Fear of retaliation:* Many victims fear that if they report a crime the perpetrators or others with similar views will retaliate against them, their family members or the community to which they belong. In addition, if a hate crime perpetrator is linked to a hate organization, victims may fear being targeted by members of this or other organizations;
- *Lack of knowledge of relevant legal provisions:* Many people may be unaware that hate crime laws exist or how or where to report these crimes;
- *Shame:* Some victims feel ashamed and embarrassed in the aftermath of a hate crime, either believing that their victimization was their own fault or that their friends, family members and/or community will stigmatize them, branding them as socially unacceptable should their treatment be made publicly known. While this is also a factor in ordinary crimes, a sense of shame and degradation may be more acute in an incident of hate crime because individuals are being victimized because of their very identity. The issue of shame may be particularly significant as an obstacle to reporting hate crime attacks in cases involving sexual violence;
- *Denial:* In order to cope with the trauma of a hate crime, some victims deny or minimize the impact and seriousness of the crime;
- *Fear of disclosing their sexual orientation:* For homosexual, bisexual, and transgender individuals, reporting a hate crime may mean publicly

disclosing their sexual orientation or gender identity. Victims of anti-homosexual hate crimes in some countries may be worried that disclosing their sexual orientation could lead to them being further victimized, or even criminally prosecuted for homosexuality;

- *Fear of disclosing their ethnic, religious or political affiliation:* Members of ethnic, religious or political minority groups sometimes fear that disclosing their identity could lead to discrimination or other negative consequences; and
- *Fear of arrest and/or deportation:* Individuals who are not citizens of the country where they have been victimized may fear that, even as crime victims, their involvement with police or government may result in arrest and/or deportation.

In addition to the points above, which relate to victim fears and perceptions, other factors that may lead to under-reporting of hate crimes include:

- *Hate crime laws do not cover certain forms of discrimination:* If hate crime laws do not cover certain forms of discrimination, such as violence motivated by gender identity or sexual orientation, members of groups vulnerable to these attacks are less likely to report evidence in these incidents or describe an attack as a hate crime; and
- *Victims may be discouraged by police or other authorities from filing a complaint:* In some instances, victims who were prepared to file a formal complaint may be deterred from doing so because police officers encourage them not to or tell them that identifying hate motivation is not appropriate for a complaint. Police may, for example, assert that a crime was a minor affair or a youthful prank and that nothing would come of a formal complaint. They may point out that a formal complaint could create further problems of retaliation for the victim or that they have more serious crimes to investigate. In some instances, police may record only part of a statement, excluding details of hate motivation provided by a complainant.

IMPROVING COOPERATION WITH COMMUNITIES AT RISK, REACHING OUT TO DIFFERENT SEGMENTS OF THE COMMUNITY (8.2CS)

- CS should devote some time and energies to establish contacts with the communities with whom they intend to work. The process might require a step by step approach, as the community members might have a natural mistrust for «foreigners» and «strangers» and not necessarily believe in CSOs good intentions.
- Initially CSOs should let the communities know about their existence and the services they offer; methods to accomplish this goal can be advertising available services in printed and electronic media and developing language-appropriate materials, or placing notices in media outlets that are directed at specific communities.
- Additionally a reach out strategy should be implemented in order to establish regular cooperation with communities. Important entry points are religious, ethnic or other leaders recognised by the communities.
- When the community starts to trust the CSOs the latter can establish regular communication that can take place through meetings either limited or open to different actors. Open community meetings can be a tool to communicate information about hate crimes, but also correct rumours that commonly surface in the aftermath of a hate crime, and provide a safe space for the exchange of views and concerns. In addition, community meetings can provide a forum through which to share reactions and feelings that may otherwise contribute to tension. Finally, having representatives from several different organizations present can reassure the community that the hate crime response is a co-ordinated effort.
- CSOs can also play an important role in increasing public awareness that these are serious crimes against which effective action should and can be taken. For this purpose the engagement of the majority of the population (not only the potential targets of hate crimes) will have as a side effect a better data collection, for monitoring and reporting.
- Below is a list of activities that can be organised to increase the potential to bringing about change by increasing the number and influence of people and organizations pressing for the same goals, by adding the voices of prominent individuals who can lend their own prestige to pressure for change, and by showing that demands

for action to combat hate crimes do not come only from the communities under threat.

Rallies and Demonstrations

Public events such as rallies, demonstrations can provide a powerful, visible community response to hate crimes or incidents. Because these gatherings are usually held outdoors in well-travelled public spaces, they are often attended by individuals who may not otherwise be reached by outreach efforts.

Vigils

Vigils are events at which people gather to contemplate a particular event or situation. They are usually held at night, often with participants holding candles, and can serve as a form of protest to increase community awareness and to bring people together. Vigils can serve the purpose of commemorating and honouring hate crime victims who have been killed or injured, and can be a powerful way to build a supportive, tolerant community in the aftermath of a disturbing hate-motivated incident or crime.

Sport and Sporting Events

– CSOs have been an important part of efforts to combat racism and related intolerance in sport, with the involvement of sport stars, teams, and team management.

–In many countries, football clubs and leagues are committed to highlighting an anti-racism week through events, information campaigns and ceremonies at major matches.

Community Action against Vandalism and Graffiti

– Vandalism is one of the most common hate crimes, and can result in the expensive clean-up and repairs of personal or community property. Organizing a community clean-up of hate graffiti can unite people around a common task that is practical, as well as a symbolic action against hate. Likewise, if an individual's residence has been burgled or a church's windows have been broken, local locksmiths or carpenters can be enlisted to donate services to change locks or replace windows.

Education and Training

– Education is a valuable tool for preventing and responding to hate-motivated incidents and hate crimes. There are many ways to provide

education about hate crime issues, including community workshops, programmes with teachers, students and other youth, training for professionals and informational campaigns for the general public.

Community Education

- Some communities have organized educational campaigns after hate crimes have been committed that involved training local business people, educators and/or service providers on the basis of responding to hate crimes in their community.
- Community workshops can both increase awareness about the extent and impact of hate crimes and provide practical strategies for intervening in situations in which hate is being expressed. If community members are educated about low-key ways to address hate, they may prevent that hate from escalating into a hate crime.

Working with Youth

- Hate crime monitoring and reporting shows that youth are all too often involved in hate crime both as victims and perpetrators. As a consequence, working with youth is a vital part of any hate crime prevention strategy.
- Youth education regarding hate crimes often occurs in schools and universities. This is facilitated by the identification of students who have social influence in diverse populations in the school to be trained as student leaders. Once these students have been trained, they can be involved in working with the larger student population to raise awareness about prejudice, harassment and hate crimes. Student leaders can sit on panels to discuss the issues of prejudice in their school and strategies for low-key intervention. Students are the most powerful influence on their peers. If a school can direct that influence towards the prevention of prejudice, harassment and hate crimes, it will move the school's climate towards one of respect and safety.

Module 9

Victims' assistance

Objectives

- Increasing CS awareness on the importance of dealing with victims in a cautious way.
- Providing CS with information and support on ways to interact with victims in a sensitive manner.
- Enabling participants to offer concrete and effective help to victims.
- Promoting a victim centred approach through which victims are clearly informed about the options at their disposal.
- Providing examples of CS work aimed at supporting victims effectively.

Activity: Role play

Time: 1 hour and 30 minutes

Materials:

Papers

Markers

Flip-chart

Projector

Slide and Hand-out: Good practice in CS support to victims (PPT 9.1cs and H9.1cs)

INSTRUCTIONS:

- ✓ Ask one participant to play the role of the victim and another one the role of the CS representative.
- ✓ Ask the «victim» to approach the CS office after having been a victim of a crime.
- ✓ Ask the «CS officer» to act as if she/he is receiving the victim and has to listen to the victim's story and respond to his/her needs.
- ✓ After approximately 20 minutes of role play ask the other participants to comment.
- ✓ Refer to the information given in the previous module on barriers to reporting.
- ✓ Deliver a presentation on good practice in interacting with victims.
- ✓ Distribute the handout on good practices of CS support to victims and read loudly the examples and comment on them.
- ✓ Underline what is essential for the CS representative to be able to offer immediate help and support to the person who is often traumatized and in a vulnerable condition. The first question to be asked should be aimed at checking what the most urgent needs are.
- ✓ Devote sometime to discussing CS role in supporting victims when filing a report. Underline that the CS representative should ensure that the victim fully understand the implications and consequences of reporting, and his/her decision about reporting is informed.
- ✓ Underline that an important issue for CSOs providing victim support is ensuring the best interests of the victim are respected. This is particularly important when determining whether a formal complaint is made to authorities, whether the name of the victim is released to the media, or whether details of an incident are used in advocacy calling attention to hate crimes. After victims are informed of their options, CSOs should always take into account their wishes in these cases. CSOs should inform victims about any support services they provide and their collaboration in broader actions to combat hate crimes.

APPENDICE. Hand-outs**GOOD PRACTICE IN CS SUPPORT TO VICTIMS (9.1CS)***Victims' assistance*

Many CSOs dealing with hate crimes work hard to eliminate the obstacles that lead victims to choose not to formally report hate crime incidents. Their work includes helping to create an environment of confidence in which victims and their families feel able to file a complaint with authorities without fear of dismissive treatment or reprisal and with a well-founded belief that doing so will do them and their community some good.

Emergency Assistance

Many NGOs have 24-hour emergency telephone and internet hotlines for hate crime victims, through which they, their families or their friends can report hate-motivated incidents and situations in which they feel an attack is imminent. CSOs can offer advice, a range of counselling and direct support services, and assistance to victims who wish to contact the police or other local authorities.

Many victims feel more comfortable in reporting hate crimes to law enforcement and other official agencies if they are accompanied by a person whom they trust with experience in these matters. Accompaniment by CSO representatives can help ensure that official bodies treat complainants with respect, record testimony fully and accurately, and observe established procedures. Accompaniment can also provide victims and their families with the sense of security they need to approach official bodies and to bring a complaint into the open.

Representing Victims

In many cases, CSOs can represent victims in interactions with police and other public bodies, such as schools or housing authorities. In some cases, where specific CSOs are acknowledged as «third parties» that can report crimes on behalf of victims, CSOs may make the initial criminal complaints of hate crimes to public authorities. CSOs may also represent victims in efforts to secure medical assistance or compensation for injuries and damage to property. CSOs can also serve as the legal representatives of hate crime victims in criminal cases, in civil court cases seeking financial damages and compensation, and in other situations

CSOs can also play the important role of *amicus curiae* in support of hate crimes victims who have submitted an application to the

European Court of Human Rights and Fundamental Freedoms (See European Disability Forum in case *Đorđević v. Croatia* in 2012).

Medical Services

In many cases CSOs have programmes for medical services, including psychological counselling. CSOs often refer hate crime victims to other organizations and assist in gaining access to state health services for medical help.

Advocating for Services

CSOs can be advocates for victims with local government and other government agencies in securing social benefits, such as medical care, repair of damaged property, or new housing. In cases in which hate crime victims also face discrimination in accessing social benefits that should be available to all, CSOs can seek remedies through direct contact with political authorities, through the courts and through public campaigns.

Empowering Victims

CSOs, through support and encouragement, can help victims regain a sense of confidence in their community and control of their lives. CSOs can help convince governments to give a higher priority to responding to hate crimes and help convince the public that every hate crime harms the larger society. CSOs can give each victim a voice and ensure that this voice is heard.

Community Support for Victims

Community members can contribute to reducing victims' sense of isolation by showing their support for victims. Organizing community members to write letters of support or to send donations to victims is an effective way to make a community statement against hate. Victims often need monetary assistance to pay for costs incurred as a result of the crime, including medical bills, lost wages and repairing or replacing damaged property. It is sometimes possible to partner with local media outlets to publicize the method for sending donations or letters of support.

How to interact with victims

Meeting with Victims: Listen, Validate, Refer

When victims turn first to CSOs, the CSO response will often determine whether they will subsequently report the crime to law enforcement or other agencies. The first meeting between a CSO representative and a victim can be crucial. CSOs with extensive

experience in dealing with hate crime victims have developed some basic guidelines to ensure that victims are dealt with in a way characterized by respect, sensitivity and practical utility. These guidelines form the basic norms for interviews with hate crime victims. There are several basic elements to take into account by CSOs when victims come to them to report hate crimes, as set out below.

Move Fast

It is important to meet with victims soon after the hate crime occurs, for a number of practical reasons:

- Victims may need immediate assistance, including medical treatment, repair of damaged property and new housing;
- Victims' memories about the details of hate crimes will be clearer the sooner they are interviewed.

Explain and Refer

CSO representatives should explain at the outset of the first meeting who they are, what they can and cannot do, and what others can do. Being clear about the limits of what can be done and not raising false expectations is essential to building trust. CSO representatives meeting with victims should, therefore:

- Explain the purpose of the interview and how what is learned will be used on behalf of the victim;
- Explain that the interviewee's name and other identifying details will be kept confidential unless the interviewee agrees otherwise, such as for use in an official complaint;
- Explain the various forms of support that are available, both directly from the CSO and from other private and public agencies;
- Refer the victim of a hate crime to appropriate resources, which may include counselling, medical care and/or law enforcement; and
- If information gleaned from the interview will be used to combat hate crimes more broadly, explain how this will be done.

Listen

In meeting with victims, it is important to provide a safe space, a trained interviewer and, above all, to *listen* to the victim. Describing a hate crime is often difficult and upsetting for the victim, so trained interviewers should conduct the interviews. Interviewers should ensure that they are in a space in which victims will feel safe and

confident that they will not be overheard. If the person with whom the victim makes initial contact is not able to conduct an interview, he or she can let the victim know whom to speak with and, if possible, assist the victim in contacting the appropriate person.

The most effective way to conduct an interview is to listen to the victim's story without offering advice. It is, however, completely appropriate to offer verbal support, such as: «I'm sorry this happened to you» or «No one should have to feel like this.» Document the details of the incident as the victim reports them. (See below, «Taking Notes».)

Validate

CSOs involved in interviewing victims should take into account that one of the victim's biggest fears is that he or she will not be believed. The response from the first person a victim reports to may be very important in determining if the victim continues seeking the assistance he or she needs. CSO staff — as well as police officers and others — can respond to victim accounts by saying that they are sorry about what happened. This validates the victim's feelings without prejudging the results of further investigation and reassures the victim that he or she is valued as a person.

Taking Notes

A record of the interview is important for subsequent action. It is important to take handwritten notes of interviews with victims of hate crimes or hate-motivated incidents. Many CSOs use standard formats for interviews that can facilitate note taking as well as ensure that basic information is covered. It is very difficult to help a victim if a CSO does not have a clear record of what occurred.

Interviewers should keep in mind that it can sometimes be important to record direct quotations precisely in their notes. These may include particular descriptive phrases used by the interviewee to describe the attack or his or her feelings during or after the attack.

Similarly, the interviewee's memory of the precise words used by his or her attackers before, during or after an attack may be important to record as a direct quote, without summarizing or paraphrasing. If the interviewee decides to make a complaint to police or other public authorities, or decides that elements of the case can be used in media or campaign action, these statements may be important to have on record.

After interviewing the victim, it is important to prepare a typed interview summary. This avoids the difficulty that others may have in reading handwritten notes.

Critical Details to Obtain

Interviews of hate crime victims should elicit detailed information about the incident. The basic elements of who did what to whom, when, where and why are important parts of the victim's account. Interview records should be kept secure.

Basic details to obtain in an interview include:

- The victim's name and how to contact him or her (this may include an address and telephone number, or an institution or person in the local community who can contact the victim);
- The date, time and location of the incident;
- A clear description of what happened and what was said. It is particularly important to include the victim's memory of exactly what the perpetrators said, including any offensive or degrading language or slurs;
- The impact on the victim, including any physical injuries, loss or destruction of property and emotional distress;
- The names, addresses and telephone numbers and description of any witnesses to the incident; and
- Details of any contact with local government or other official bodies to report the incident or to seek medical or other attention, as well as the responses of these official bodies.

Ensure Confidentiality

Interviews should be conducted in private and notes should be kept confidential, until and unless the interviewee determines otherwise. It is important to assure victims that their identity will be confidential until they make the decision to report the attack to the police or other government agencies. Many hate crime victims are scared that the perpetrators or others will retaliate if they report the attacks. In some instances, security concerns will mean that you should omit the victim's name from your handwritten notes and from your typed interview summary.

Preserve Physical Evidence

Victims may describe physical evidence that should be safeguarded for any investigation of the hate crime incident. For example, any evidence such as a threatening letter, cans of spray paint used for graffiti, or bricks or rocks thrown through a window should be preserved. If a victim does provide the interviewer with physical evidence, it is important to minimize the touching of the item to avoid contaminating it with fingerprints. If possible, photographs

should be taken of the scene of the hate crime or incident, in particular to show any hate graffiti and to record damage. Additionally, photographs of injuries are a very important supplement to medical notes.

Overcome Language Barriers

Interviewing victims or witnesses who do not speak the same language as the interviewer presents special challenges. It is important to have competent interpreters who have been trained in the sensitivities of the interview process and can be trusted to reflect the actual words of the interviewee. Interpreters should have the confidence of interviewees. The contact details of interpreters need to be kept in case of a future trial.

If using bilingual members of the community with no training as interpreters, the interviewer should ensure they understand beforehand what the process entails and that they are to faithfully interpret what the interviewee says (without explanation or other interruption). In some cases, members of the victim's family may prefer to interpret for them. In such cases, the interviewer should make clear that they should carefully interpret the interviewee's own words without interruption, and that if they wish to add information they can do so in a separate interview.

Having children interpret for their own family members should be avoided if possible. Children who may already be traumatized by an incident may suffer renewed trauma in translating their family members' accounts of abuse and the interviewer's questions. They may also make significant errors when interpreting, including the omission of graphic or uncomfortable details.

Cultural Awareness

CSOs, police officers and others who deal with the victims of hate crimes must be able to provide appropriate, effective services to culturally diverse communities and to take into account issues of gender within these communities. Competence in dealing with cultural differences (sometimes called «cultural competence») is particularly important when addressing hate-motivated crimes.

CSOs and other professionals working with victims of hate crimes should have a basic understanding of the cultural differences that affect how or if a victim reports a hate crime and whether he or she seeks access to support services.

CSOs can then play an important role in encouraging law enforcement and other criminal-justice personnel to take into account the cultural and gender differences of groups facing discrimination when dealing with hate crimes.

PART 4

Module 10

Cooperation leas-cs

Objectives

- Raising participants' awareness on the importance of cooperation between CS and LEAs.
- Providing examples of ways to cooperate.
- Providing information on the positive outcome of cooperation for preventing and effectively responding to hate crimes.

Activity: Discussion on strategies to improve community-police relations

Time: 1 hour

Materials

Flip Chart

Papers

Markers

Slide and Hand-out: Improve CS-Police Relations (PPT 10.1, H10.1)

INSTRUCTIONS

- ✓ Introduce this module by underlining that CS can best play its role of victims' support if manages to establish cooperation with LEAs. While CSOs is in a favourable position to raising awareness on the importance of reporting episodes of hate crime and discriminatory behaviours amongst witnesses. LEAs and other institutions have the obligation to offer those witnesses, as well as victims, an appropriate protection.
- ✓ Invite a speaker to tell a story describing the escalation of hate incidents to a crime. The story should be told by a member of LEAs and/or victims' community representative, and/or CS representative.
- ✓ The story should emphasize the process of escalation from biased words to violence and/or demonstrate the importance of police responding swiftly to hate incidents and crimes
- ✓ In case no real story could be told, the trainer should make up one following the example of the two annexed to this module (lack of prompt police intervention).
- ✓ Whenever possible the stories should have taken place in the country in question.
- ✓ In case you tell a story emphasizing the positive role of police ask participants if they have questions or comments.
- ✓ In case you tell a story emphasizing the lack of prompt intervention by police ask participants what they would have done as LEAs or CSOs respectively.

Examples of cases**JOHN'S STORY**

The first incident began sometime in early January when four boys began targeting a boy –«John»– with anti-gay harassment. The harassment began with whispered slurs and comments as John walked by in the hallway. Then the four boys became more brazen. They began making graphic anti-gay slurs directly to John. By the end of January, the boys had taken their harassment to another level, tripping John when he walked by or pushing him into a locker while yelling slurs.

Sometime in early February, the four boys significantly increased the seriousness of their conduct. On two occasions, several boys jumped John during the school day. While one of the

boys put him in a headlock, the other boys – continuing to call him names – kned him in the stomach and groin.

Three additional incidents occurred between late February and early April. John was jumped in the boys' bathroom by several of the boys who, while yelling anti-gay slurs, pushed his head into a urinal. In another incident, one of the boys came up behind John at school and put a noose around his neck. This was not a string or a piece of yarn, but a rope tied as a noose. The boy pulled the rope so tightly around John's neck that it took John about 35 seconds to pry his fingers underneath to pull the noose over his head. Sometimes, when we look at the second hand of a wall clock and count to 35, the time goes by pretty quickly. For John, however, those seconds were probably the longest moments of his life. Up to this point, no adult in the school was aware of any of the harassment and violence directed at John.

The final event occurred when one of the boys told John that he knew where his father kept a handgun and that he was going to bring it to school the next day and shoot Brian, another boy who was John's supposed boyfriend, and then himself. A student overheard and told a teacher, who told the principal, who called the police.

SIERRA'S STORY

A black family moved into a neighbourhood which was predominately white. Immediately, young white men and women began whispering among themselves slurs about the parents and their two children. Over the next week neighbours started to say these slur in loud voices so that the black family could hear them. At the beginning of the second week, groups of white men and women began gathering at night outside the black family's apartment screaming racial slurs and threats. One young man explicitly yelled a threat to kill one of the children in the family, a 5 year old girl whose name was Sierra. The family called the police but by the time the police arrived, the group of young men and women had dispersed. As soon as the police left, the group (which grew to over 20 people) gathered again outside the family's apartment. Over the next three nights the pattern continued with slurs and threats. By the second night, however, the group began throwing bottles and bricks through the family's apartment windows.

At 2:00 a.m. the morning of the fourth day, three young men broke through the front entrance of the apartment building and ran up to the family's second floor apartment. They kicked the door in and ran into the apartment yelling racial slurs while swinging bats and metal pipes.

- ✓ Explain that hate crimes rarely happen suddenly and very often take place in a climate influenced by stereotypes and discrimination.
- ✓ Divide participants in groups of 4 or 5 and ask them to answer to the following question:
 - *Can you list a few examples of cooperation between CS and LEAs aimed at preventing negative escalations to hate crimes or at solving a hate crime as such?*
- ✓ Give 20 minutes to discuss.
- ✓ Ask a representative of each group to present the examples.
- ✓ Present slide PPT 10.1.

APPENDICE. Hand-outs

IMPROVE CS-POLICE RELATIONS (H10.1)

CSOs can sometimes bring an especially important added value to combating hate crimes if they are able to build a positive relationship with police and other officials involved in responding to hate crimes. The constructive relationship with LEAs is not always easy to obtain as in some instances police agencies may be resistant to enforcing hate crime laws. In such cases it is important to remember that working with police to create an effective hate crime enforcement programme is a process which may take considerable time. This process often begins with CSO staff developing a positive working relationship with a single police official. Over time, the trust that is built between individuals can result in closer institutional ties between CSOs and police agencies.

There are a number of ways to begin working with police to improve community responses to hate crimes and to advance prevention efforts. These include developing a better understanding of the structures and authority of diverse police establishments, developing working relations with the police, and raising awareness of hate crime issues with police, including through public-campaign action.

Increasing understanding and building trust between police and communities is an important role CSOs can play, in particular where police may require greater awareness of the cultural factors unique to these communities. An understanding by police of cultural differences is important if they are to conduct effective interviews with hate crime victims and suspects, collect accurate hate crime information, and provide appropriate support services to hate crime victims. CSOs can help by organizing workshops that bring together police and community representatives, preparing materials on cultural diversity for police training, and taking part in ongoing consultations between community leaders and police.

CSOs can facilitate relationships between police and targeted communities developing hate crime task forces and inviting police to participate in events of minority communities. The membership of a task force can come from ethnic, religious and other communities targeted with hate crimes, as well as CSOs and supportive religious, community and political leaders.

In countries where the police are already working actively on behalf of minority communities, CSOs can work to further improve police-community relations by helping ensure community members

understand that police help is available and explaining how to obtain it. Some groups of migrants, for example, may arrive from countries where they faced persecution, so they may be reluctant to interact with police or other authorities in their new country of arrival. In these cases CSOs can facilitate this interaction. For succeeding in this, CSOs have to gain the trust of migrants and other groups at risk and present the police tasks according to the legal and political framework of the country.

Module 11

Monitoring and reporting

Objectives

- Raising participants' awareness of the importance of reporting hate crimes properly and consistently.
- Demonstrating how the analysis of data collected through an efficient monitoring can assist in preventing and investigating hate crimes effectively.
- Equipping participants with a reporting tool that can be used to have a common approach to reporting.

Activity: Presentation of tool for reporting on hate crimes

Time: 1 hour

Materials:

Projector

Flip-Chart

Papers

Markers

Slide and Hand-out: Use of data gathered (PPT 11.1, H11.1)

Tool for reporting on hate crime

INSTRUCTIONS

- ✓ Ask participants to identify the use of data collected through monitoring and note their opinion on the flip chart.
- ✓ Show the slide PPT 11.1.
- ✓ Explain that monitoring is an activity instrumental to taking a follow-up action and data collected should be analyzed in order to be used to effectively respond to hate crimes.
- ✓ Present the reporting tool.
- ✓ Divide participants into groups of 4 or 5 and ask to answer to the following question:
 - *Do you think that this tool is useful to provide reliable information on an alleged hate crime?*
 - *What is missing?*
 - *Is this a tool helping consistency in data collection?*
- ✓ Give groups 30 minutes to discuss.
- ✓ Ask group representatives to present their conclusions.

APPENDICE. Hand-outs**BENEFIT OF MONITORING (H11.1)***Use of gathered data*

- Reliable and comprehensive data on hate crimes are necessary to identify trends and take actions in order to develop prevention strategies and effective responses.
- The analysis and dissemination of data on hate crimes can provide policy makers with crucial information to develop effective strategies tailor made to the specific needs of the country in question.
- An analysis of the data on the real situation provides a picture of the phenomenon to assist governments in living up to their legal commitments.
- The dissemination of data to the entire population of a country increases public awareness that these are serious crimes against which effective action can be taken.
- The analysis of collected data can provide an early warning of increases in hate crimes directed at particular groups.

Information on incidents and crimes must be collected in a systematic manner in accordance with consistent criteria if accurate, comprehensive and comparable data are to result. Some monitoring systems produce statistics that are broken down by the particular groups that are victimized. Other statistical breakdowns may be undertaken to identify incidents by bias motivation. Both approaches are useful, and in some cases official hate crime statistics reflect both the general categories of bias motivation (e.g., racism or anti-Semitism) and the particular groups with which victims under these categories are identified (e.g. people of African or Jewish origin).

Whatever the case, practical methodologies for data collection and analysis should include a breakdown of data into useful categories. These include the following:

The Groups Targeted: Data that identify the particular groups affected by hate crimes are an essential tool for police planning and resource allocation. They should further enable government agencies and CSOs alike to increase preventative action to reduce the level of hate crimes directed at those groups. The identification of the particular groups targeted is also an indicator of the different forms of prejudice motivating hate crimes.

Location of Hate Crimes: Geographical data that show the incidence of particular kinds of crime in cities, rural areas or distinct regions of a country are an important tool for law enforcement and political decision makers concerned with public policy and resource allocation. Patterns of hate crime violence may be associated with particular areas. Such information can be an important factor in enhanced law enforcement and preventive efforts in particular geographic areas.

The Perpetrators: Information on the perpetrators can lead to the identification of the social foundations underlying hate crime activity and can result in more focused prevention efforts. For example, data showing a high percentage of hate crimes being committed by students can indicate a need for increased prevention programs in schools.

Module 11

Data collection

Objectives

- Raising participants' awareness on the importance of monitoring and reporting to effectively respond to hate crimes.
- Providing participants with information on methods by which to systematically and efficiently collect data.
- Increasing participants' skills in using data collected for lobbying and advocacy.
- Equipping participants with a reporting tool that can be used to have a common approach to reporting.

Activity: Presentation of tool for reporting on hate crimes

Time: 1 hour

Materials:

Projector

Flip-Chart

Papers

Markers

Hand-out: Monitoring methods, sources of data collection and use of collected data (H11.1cs)

Slides: Monitoring Methods (PPT 11.1cs), Use of collected data (PPT 11.2cs)

Tool for reporting on hate crime

INSTRUCTIONS

- ✓ Ask participants to identify the benefits of monitoring hate crimes and note their opinion on the flip chart.
- ✓ Display the slide «Benefits of Monitoring» and review with participants.
- ✓ Underline that one approach to improving the reporting and recording of hate crimes is to increase public awareness that these are serious crimes against which effective action can be taken.
- ✓ Discuss different approaches for monitoring.
- ✓ Present the reporting tool
- ✓ Divide participants into groups of 4 or 5 and ask to answer to the following question: *Do you think that this tool is useful to provide reliable information on an alleged hate crime? What is missing? Is this a tool helping consistency in data collection?*
- ✓ Give groups 30 minutes to discuss.
- ✓ Ask group representatives to present their conclusions.

APPENDICE. Hand-outs**MONITORING METHODS, SOURCES OF DATA COLLECTION AND USE OF COLLECTED DATA (H11.1CS)**

If crimes are not recorded, it allows state authorities to believe or assert that there are no hate crimes occurring. CSOs can monitor the overall incidence of hate crimes, as well as the official response to particular cases. By monitoring and reporting hate crimes, CSOs can identify trends and take action on individual cases.

Information on incidents and crimes must be collected in a systematic manner in accordance with consistent criteria if accurate, comprehensive and comparable data are to result. Some monitoring systems produce statistics that are broken down by the particular groups that are victimized. Other statistical breakdowns may be undertaken to identify incidents by bias motivation. Both approaches are useful, and in some cases official hate crime statistics reflect both the general categories of bias motivation (e.g., racism or anti-Semitism) and the particular groups with which victims under these categories are identified (e.g., people of African or Jewish origin).

CSOs can monitor the progress of responses to particular hate crimes in order to determine if there are specific or systemic shortcomings in a given locality or on a national scale. This type of monitoring can focus on any or all aspects of a particular hate crime case, including police investigation, prosecution, delivery of services to victims and press coverage. This type of monitoring requires CSOs to develop extensive knowledge about particular cases and may be an essential part of the provision of legal or other assistance by the CSOs. The monitoring of individual cases should ideally involve follow-up to assess the effectiveness and adequacy of the response by national or local authorities.

Whatever the case, practical methodologies for data collection and analysis should include a breakdown of data into useful categories. These include the following:

The Groups Targeted: Data that identify the particular groups affected by hate crimes are an essential tool for police planning and resource allocation. They should further enable government agencies and CSOs alike to increase preventative action to reduce the level of hate crimes directed at those groups. The identification of the

particular groups targeted is also an indicator of the different forms of prejudice motivating hate crimes.

Location of Hate Crimes: Geographical data that show the incidence of particular kinds of crime in cities, rural areas or distinct regions of a country are an important tool for law enforcement and political decision makers concerned with public policy and resource allocation. Patterns of hate crime violence may be associated with particular areas. Such information can be an important factor in enhanced law enforcement and preventative efforts in particular geographic areas.

The Perpetrators: Information on the perpetrators can lead to the identification of the social foundations underlying hate crime activity and can result in more focused prevention efforts.

SOURCES OF DATA COLLECTION

Published Data: Review of newspaper, Internet and other public accounts of hate crimes and incidents, including internet sites and publications from extremist organizations, may disclose important information. Additionally, reviewing the websites of governmental agencies and other CSOs may yield anecdotal information, hard data and useful analysis. As CSOs seek to build credibility for their monitoring, it is vital that they identify the sources of the information they cite.

Interviews: CSOs are often uniquely placed to talk to the victims of hate crimes, their families and witnesses about their experiences. In conducting and documenting interviews with victims, certain special considerations need to be taken into account.

Group discussions or «focus groups»: A «focus group» is a small group assembled for a form of qualitative research in which people are asked for their views on or to describe their experience with particular issues. Meetings can be held with small numbers (generally between four and 12) of people from groups that have traditionally been targeted by hate, discrimination and hate crimes. It is often helpful to ask participants to speak or write about incidents they have witnessed or experienced. Many targets of hate find it easier to write about incidents than to speak about them. Summaries of the information provided by focus-group participants should be produced, with due consideration for confidentiality.

Surveys: CSOs may be able to conduct surveys of members of discrete population groups concerning their experience with hate crimes.

Through surveys, CSOs can retrospectively analyse the incidence of hate crimes over a given time. Surveys may involve relatively small groups of people and can be carried out through interviewing or through such means as an Internet questionnaire. It is important to define clearly the methodology used for a survey, including the parameters of the group surveyed and

the criteria by which its members were selected, their number, the precise questions put to them, and the conditions under which their input was provided. Surveys can be meaningful even when polling a relatively small, but precisely defined sample of the population.

Use of collected data

CSOs can produce reliable data on incidences of hate crimes when other sources of data either do not exist or are not reliable. The analysis and dissemination of data and information on hate crimes can be powerful advocacy tools with both government and specialized institutions to:

- Provide an early warning of increases in hate crimes directed at particular groups.
- Provide data which can be used in legal actions on behalf of victims of hate crimes.
- Assist governments in living up to their legal commitments.
- Urge governments to improve legislation or practices relating to hate crime enforcement and response.

CSOs can make good use of this information and data. Detailed descriptions of particular crimes, as well as statistical information on crimes, can be used to inform the public, assist in analysis, and lobby governments to take action.

Organizations that operate emergency hot lines for complaints of hate crimes and incidents receive detailed information on specific cases that often must remain confidential. On the other hand, they can count the specific complaints received and break them down into categories of incidents in a way that generates useful data. In doing so, the confidentiality of hate crime victims must always be respected, being sure to exclude information that would identify particular individuals.

CSOs that are unable to collect comprehensive information on cases of hate crimes may be able to gather useful information concerning

particular groups under threat. A foreign students' association may be able to do a survey of its members concerning each student's experience with criminal violence they believe was motivated by prejudice and hatred during a particular time period. Such surveys can provide information concerning particular crimes and incidents, but also provide a basis for reporting the level of violence experienced among a specific number of individuals. The number of specific cases reported by a group sharing similar characteristics may be a basis for extrapolating the proportion of those within the broader group from which the sample was drawn who have suffered similar treatment. The resulting numbers, however, have to be considered with caution.

Module 12 Verification

Objectives

- Summarizing how to recognize hate crimes.
- Reviewing which steps should be undertaken to respond to hate crimes properly and act according to the roles (CSOs and LEAs).
- Verifying that participants have a clear understanding of what can be done to prevent hate crimes and respond to them effectively.
- Clarifying any participants' doubts.
- Answering to final questions.

Activity: Final case study

Time: 1 hour and 15 minutes

Material

Flip-chart

Paper

Markers

Case study

Hand-out: Final case study (H12.1)

INSTRUCTIONS

- ✓ Divide participants into groups of 4 or 5 and distribute a case study per group. Two different case studies will be used during the activity.
- ✓ The cases studies should be real hate crimes and should cover all the period from the criminal act to the court decision. Initially hand out the cases including only the facts.
- ✓ The first set of questions can be the same for LEAs and CSOs as should refer to the facts and be aimed at verifying participants' capacity to individuate bias motivation, indicators and other basic elements. Examples of questions to be asked to both LEAs and CS are:
 - *Is this a hate crime? If yes what are the indicators?*
 - *Does it relate to a protected characteristic (the 'characteristic' does not necessarily need to be included in legal provisions)?*
 - *Were there multiple biases? What or who was the target? Is there a mixed motive?*
 - *Was there evidence that the defendants were members of organized hate groups?*
 - *What are the problematic issues in analysing the case?*
- ✓ Ask working groups speakers to shortly present their answers to these questions.
- ✓ Provide participants with more information related to investigations of the case and ask questions like: *How the case was handled by LEAs? What could have been done differently?*
- ✓ Last set of information concerns court decisions and other follow -up information.
- ✓ The remaining questions should be tailor made to the participants' profile as should verify if participants understood what is their role and what they should do. Since LEAs and CSOs have different responsibilities the answers on action to be undertaken should be different. Example of questions for LEAs:
 - *What should you do when you reach the crime scene?*
 - *Would you have contacted any CSOs?*

Examples of questions for CS:

– What would you do if this crime had been committed in the neighbourhood you work in or against a member of minority communities you work for?

– Would you have approached LEAs or any other actor?

- ✓ Answer to any pending questions by clarifying certain points.
- ✓ Reinforce important concepts and clear up any potential misunderstandings.

APPENDICE. Hand-outs**CASE STUDY ONE: MATTHEW SHEPARD***Facts*

Shortly after midnight on October 7, 1998, Aaron McKinney and Russell Henderson lured Matthew Shepard out of a bar in Laramie, Wyoming by pretending to be gay and offering him a ride. Henderson drove the vehicle to a remote area out-of-town, while McKinney beat Shepard with a pistol and demanded his wallet.

Shepard was tied to a fence post by his hands and feet and the beating continued. McKinney took Shepard's credit card, his shoes and obtained his address in order to burgle his home.

The following morning a cyclist discovered Shepard still attached to the fence after mistaking him to be a scarecrow. He had suffered to the back of his head and severe brain stem damage. There were also about a dozen small lacerations around his head, face and neck. His injuries were deemed too severe for doctors to operate. Shepard was in a coma when he was discovered, and died from his injuries five days later.

Investigations

Police arrested McKinney and Henderson shortly thereafter, finding the bloody gun as well as Mathew's shoes and wallet in their truck. Henderson and McKinney had attempted to persuade their girlfriends to provide alibis.

Trial

Henderson pleaded guilty and only McKinney took his case to trial. During the trial McKinney used various rationales to defend their actions. He tried to plead the «gay panic defence», arguing that he was driven to temporary insanity by alleged sexual advances by Shepard, but the judge denied the use of that defence. The judge also rejected the use of a diminished capacity defence, based on McKinney's heavy methamphetamine use the prior week. McKinney then relied on the argument that they had wanted only to rob Shepard and never intended to kill him.

During the trial, Chastity Pasley and Kristen Price, girlfriends of McKinney and Henderson, testified that Henderson and McKinney both plotted beforehand to rob a gay man.

Comment:

On October 22, 2009, the United States Congress passed the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act (Matthew Shepard Act for short), and on October 28, 2009, President Barack Obama signed the legislation into law

NOTE FOR TRAINERS:

In response to McKinney's attempt to plead the «gay panic defence», the trial judge opined that a person's subjective prejudices should not be considered as a defence to malice elements: «That cannot be the law. Is it murder if a white supremacist kills a white man who jostles him in a crowd, but only manslaughter if he kills a black man who does the same?»

CASE STUDY TWO: STEPHEN LAWRENCE*Facts*

At 10:35pm on 22 April 1993, Stephen Lawrence, a 19 year-old black man from London was waiting with a friend, Duwayne Brooks, at a bus stop in South-East London. As they waited, five white men had gathered on the other side of the road.

As Brooks called out to Stephen asking whether he saw the bus coming, he heard one of the five men on the other side of the road saying «what, what, nigger?» The men then immediately crossed the road, ‘engulfed’ him, and stabbed him repeatedly. Although he tried to escape, he collapsed and bled to death after running over 100 meters. Three people witnessed the attack and confirmed that the attack was unprovoked, sudden and short.

Investigations

When Duwayne reported the incident, the police assumed that he was involved and that the killing was gang related. Eventually, five suspects were arrested and questioned, but never convicted; they were released on police bail within two months after the murder. However, thanks to the continuous attempts of the victim’s mother to demonstrate that Lawrence was murdered and did not have anything to do with gangs, media and public opinion started to suggest that the investigation had not been properly conducted, as many elements had not been taken in account and potential evidences confirming the suspects capability ignored. Consequently, an inquiry headed by Sir William Macpherson examined the original Metropolitan police investigation and concluded that the force was «institutionally racist» and the murder had a racist motive: Lawrence had been killed because he was black, and the handling of the case by the police and Crown Prosecution Service was affected by issues. The report, also backed in a Law Commission report, recommended to suspend the so-called «double jeopardy» rule, that in this case would have impeded a second prosecution for the same offence after acquittal, and re-open the trial due to the emerging of «reliable and compelling new evidence of guilt» (microscopic evidence found on clothing belonging to the accused links them to the murder).

Trial

In November 2007, police confirmed that they were investigating new forensic evidence. Gary Dobson and David Norris were arrested in September 2010, and in May 2011 it was announced they are due

to face trial, accused of killing Stephen Lawrence. In June 2013 Dobson and Norris were both found guilty of murder at the end of a six-week trial into the death of Stephen Lawrence. The jury took two-and-a-half days to reach its decision. Both men received life sentences; Dobson is jailed for a minimum of 15 years and two months, Norris for 14 years and three months.

Comment: The report of the examination's work and conclusions was published in 1999 as The Macpherson Report and has been called 'one of the most important moments in the modern history of criminal justice in Britain'.

Module 13

Evaluations and concluding remarks

Objectives

- Having participants fill out evaluations.
- Reviewing expectations and verifying if they have been met.

Activity: Final evaluation of the programme

Time: 30 minutes

Materials:

Pencils

Hand-outs: Evaluation form for LEAs (H13.1), Evaluation form for CS (H13.1cs)

INSTRUCTIONS

- ✓ Ask a few volunteers to read the expectations that they had written down at the beginning and had posted on the wall, ask to assess whether they have been met and in case of negative answers ask what did not satisfy the person.
- ✓ If necessary, comment by saying that there is always room for improvement in any capacity building activity and that due to the fact that hate crime phenomenon is continuously adjusting to social changes the input of people facing it in their field work is extremely useful to update the information provided.
- ✓ Ask the participants to fill out the Evaluation forms that should be anonymous. Give trainees 15 minutes to concentrate and write their answers.
- ✓ Make brief closing comments to thank participants and to express your confidence in their ability to make changes in their communities, countries or organizations.
- ✓ Add that the evaluation of the concrete impact of the training will be conducted by the person responsible of the project in the respective countries after a certain period to verify whether the information provided has contributed to equip participants with tools to better respond to hate crimes.

APPENDICE. Hand-outs

EVALUATION FORM FOR LEAs (H13.1)

1. *Has your understanding of prejudice/bias/stereotyping changed as a result of the training?*

Yes No

If yes, please specify:

2. *Has your understanding of hate crimes changed?*

Yes No

If yes, please specify:

3. *Has your assessment of the Law Enforcement's role in preventing and responding to hate crimes changed?*

Yes No

If yes, please specify:

4. *Has the assessment of your role as a representative of the Law Enforcement Agencies in preventing and responding to hate crimes changed?*

Yes No

If yes, please specify:

5. *What will you do differently as a result of this training?*

Please rate the statements below using the following classification (1=strongly disagree; 5=strongly agree):

6. *The training met your overall expectations.*

 1 2 3 4 5

7. *The training duration was appropriate.*

 1 2 3 4 5

8. *The content of the training, in terms of substance, was appropriate.*

1 2 3 4 5

9. *The content of the training was relevant to your work.*

1 2 3 4 5

10. *The format of the training (group work, exercises, presentations, etc.) was appropriate.*

1 2 3 4 5

11. *The opportunities for interaction with fellow participants were adequate.*

1 2 3 4 5

12. *The opportunities for interaction with the trainer were adequate.*

1 2 3 4 5

13. *The trainers were knowledgeable about hate crimes, investigation and response.*

1 2 3 4 5

14. *The trainers presented in an engaging and interesting manner.*

1 2 3 4 5

15. *Please identify 3 key strengths of the training:*

- _____
- _____
- _____

16. *Please identify 3 key weaknesses (areas you would propose for further improvement/ revision) of the training:*

- _____
- _____
- _____

17. *Please provide below any other comments on the training.*

EVALUATION FORM FOR CSOs (H13.1cs)

1. *Has your understanding of prejudice/bias/stereotyping changed as a result of the training?*

Yes No

If yes, please specify:

2. *Has your understanding of hate crimes changed?*

Yes No

If yes, please specify:

3. *Has your assessment of the CS's role in preventing and responding to hate crimes changed?*

Yes No

If yes, please specify:

4. *Has the assessment of your role as a representative of the Civil Society Organisations in preventing and responding to hate crimes changed?*

Yes No

If yes, please specify:

5. *What will you do differently as a result of this training?*

Please rate the statements below using the following classification (1=strongly disagree; 5=strongly agree):

6. *The training met your overall expectations.*

1 2 3 4 5

7. *The training duration was appropriate.*

1 2 3 4 5

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8. *The content of the training, in terms of substance, was appropriate.*
1 2 3 4 5
9. *The content of the training was relevant to your work.*
1 2 3 4 5
10. *The format of the training (group work, exercises, presentations, etc.) was appropriate.*
1 2 3 4 5
11. *The opportunities for interaction with fellow participants were adequate.*
1 2 3 4 5
12. *The opportunities for interaction with the trainer were adequate.*
1 2 3 4 5
13. *The trainers were knowledgeable about hate crimes, investigation and response.*
1 2 3 4 5
14. *The trainers presented in an engaging and interesting manner.*
1 2 3 4 5
15. *Please identify 3 key strengths of the training:*
- _____
 - _____
 - _____
16. *Please identify 3 key weaknesses (areas you would propose for further improvement/ revision) of the training:*
- _____
 - _____
 - _____
17. *Please provide below any other comments on the training.*
- _____
- _____
- _____
- _____

**SHORT VERSION
PART 1**

Duration: 4 hours and 15 minutes approximately

MODULE 1

INTRODUCTIONS AND GROUND RULES

Time: 20 minutes

Objectives

- Introducing trainers and participants.
- Developing the ground rules.
- Explaining the objectives of the workshop.
- Asking participants what their expectations are.

Instructions:

Carry out the **Activity one** of the module 1 from the long version of the training program.

Then, show the slide «Workshop objectives» (PPT 1.1). Emphasize that participants' contributions are vital, that this is a voyage of discovery for all of them and they will be expected to actively interact and not simply listen (5 minutes).

MODULE 2

STEREOTYPES AND PREJUDICES

Time: 45 minutes

Objectives

- Raising participants' awareness on the impact of preconceptions, biases and prejudices on their own professional behaviour.
- Making participants face their stereotypes.
- Demonstrating the negative impact that stereotypes can have on participants work.

Instructions:

Carry out the **Activity One** of the module 2 from the long version of the training program.

Then, at the end of the activity present the Slide «Definition of Stereotypes» (PPT 2.1) (10 minutes).

MODULE 3**HATE CRIMES. WHAT ARE THEY?**

Time: 1 hour and 15 minutes

Objectives

- Providing participants with a basic understanding of the features of Hate Crimes.
- Providing participants with the tools to identify the elements constituting hate crimes.
- Exploring bias motivation and providing participants with the tools to identify it.
- Analysing the most common bias indicators.
- Identifying the differences between hate crimes and other related phenomena.

Instructions:

This module has to include also a reduced version of module 6 of the long version of the manual titled «Bias indicators».

Carry out a reduced version of the **Activity One** of module 3 from the long version of the training program:

Skip the first and second step of the activity («Initial brainstorming» and «Feedback»). Start presenting the core concepts about hate crime PPT 3.1 and move on to the next steps of the activity as indicated in the manual. (Time for activity: 25 minutes).

Then, carry out **Activity Two**.

Show the list of bias indicators (PPT 6.1 of the module 6 of the long version) and have a short discussion on it (15 minutes).

MODULE 4

NATIONAL LEGAL FRAMEWORK

Time: 45 minutes

Objectives

- Inserting hate crimes legislation in the international legal framework of state obligations in order to describe the legislative options to regulate hate crimes.
- Increasing knowledge on the specific legislation of each country.
- Appreciating the different ways to address hate crimes through legislation.
- Recognizing the duty to investigate hate crimes as a legal obligation under the European Court of Human Rights jurisprudence.
- Appreciating how regional human rights frameworks together with local hate crimes laws affect the obligations of police investigations.

Instructions:

Carry out the **Activity One** of the module 4 from the long version of the training program.

Then, hand out and comment on the *Specific national document: «National legal provisions regulating hate crimes»* (25 minutes).

MODULE 5**WHY ARE HATE CRIMES DIFFERENT?**

Time: 1 hour

Objectives

- Explaining why hate crimes are different from other crimes and deserve special attention.
- Presenting the impact of hate crimes on victims.
- Demonstrating the impact of hate crimes on society stability (cycle of hate).

Instructions:

Carry out a reduced version of **Activity one** of module 5 from the long version.

Show the video and have a short discussion on the impact of hate crimes on victims, their community and wider society.

Then, show the slide PPT 5.1 and PPT 5.2 and explain that hate crimes tend to escalate and initiate a spiral of hate that can lead to social unrest and instability.

**SHORT VERSION
PART 2**

Duration: 4 hours and 15 minutes approximately

FOR LEAs**MODULE 6
INVESTIGATING HATE CRIMES**

Time: 30 minutes

Objective:

- Increasing LEAs awareness on the importance of collecting information properly on a potential hate crime.
- Increasing LEAs confidence in overcoming barriers to reporting hate crimes.
- Increasing LEAs confidence in investigating hate crimes.
- Identifying strategies and skills for an effective response and investigation.

Instructions:

Trigger a brief discussion on the difficulties the LEAs encounter in investigating HC. Ask participants to answer to the questions:

- *Why victims do not report?*
- *What are the difficulties encountered by LEAs in collecting data to conduct investigations on hate crimes?*
- *How to solve these difficulties?*
- *Describe a particular situation in which you faced a barrier to hate crime investigation and explain how you solved it*

Explain that such barriers can make any hate crime investigation difficult. Give 15 minutes for discussion. Then, show the slides and distribute the handouts «Barriers to investigating Hate Crimes» and «Barriers to reporting hate crimes by victims» (from the module 8 FOR LEAs of the long version of the training program: PPT 8.1 and H8.1, PPT 8.2 and PPT 8.3, H8.2 and H8.3) (10 minutes).

MODULE 7

INTERACTING WITH VICTIMS

Time: 45 minutes

Objective:

- Presenting the specific impact of hate crimes on victims.
- Increasing LEAs awareness on the importance of dealing with victims in a cautious way.
- Providing LEAs with information and support on ways to interact with victims in a sensitive manner.
- Increasing LEAs capacity to interact with victims sensitively in order to investigate hate crimes effectively.
- Promoting a victim centred approach.

Instructions:

A member of LEAs (experienced in interacting with victims) presents a case that should show the impact of the crime on the victim and his/her community. After the presentation of the case, underline that an officer able to interact with the victim with care and attention will also contribute to effective and efficient investigations because this will help the victim to recall and disclose information that can be crucial for the investigation.

Underline that is essential for officers who have to interact with victims to be able to offer immediate help and support to the person who is often traumatized and in a vulnerable condition.

Then ask participants: *Do you consider it important to refer victims to other agencies or organizations (including NGOs)?* Remember that Police should refer victims to organizations or offices that provide support services and also to human rights organizations that address hate crimes. (Time for all the activity: 25 minutes).

At the end of the discussion present the slides and distribute the hand-outs «Police Response to Hate Crimes» (PPT 8.4, H8.4), «How to Interview Victims, witnesses, suspects» (PPT 8.5, H8.5) and «Victims reactions» (PPT 9.1 H9.1) from module 8 and 9 FOR LEAS of the long version of the training program).

FOR CS**MODULE 6****MAKE HATE CRIMES VISIBLE!**

Time: 30 minutes

Objective:

- Clarifying the reasons of under-reporting.
- Presenting the barriers for victims to report.
- Increasing CS knowledge on ways to raise citizens' awareness on the impact of hate crimes on the entire society.
- Clarifying to CS the importance of establishing regular cooperation with communities of minorities.
- Clarifying CSOs opportunities for playing a crucial role in facilitating citizens understanding of hate crimes.

Instructions:

Trigger a brief discussion about the reasons of hate crimes under-reporting. Ask participants the following questions:

- *Why victims do not report?*
- *What are the barriers to reporting?*
- *Can you share any good practice on strategies to increase victims and witnesses reporting?*

Give 15 minutes for discussion.

Then distribute Handout H8.1cs and show the slide PPT8.1cs «Barriers to report Hate crimes» (from the module 8 FOR CS of the long version of the training program). Explain that such barriers can make any hate crime investigation difficult. Underline the importance of working to overcome barriers to data collection which are instrumental for effective prevention and response.

Distribute Handout 8.2cs and show the slide PPT8.2cs «Improving cooperation with communities at risk and reaching out to different segments of the community» (from the module 8 FOR CS of the long version of the training program).

Underline that CS can contribute to hate crimes prevention by gathering accurate, updated information from community members about hate-motivated incidents.

Do not forget to underline that LEAs are ultimately responsible for interpreting the received information and deciding whether it should be considered as «early warning» signs» for taking appropriate action.

Conclude by mentioning that it is important for CSOs to reach out also to the majority part of the population and inform them about the consequences of bias crimes on the general social cohesion and stability of the entire society. By demonstrating that everyone can be a victim, CSOs can change the general behaviour that these crimes concern «only» minorities or «the others».

MODULE 7

VICTIMS SUPPORT

Time: 45 minutes

Objectives:

- Increasing CS awareness of the importance of dealing with victims in a cautious way.
- Providing CSOs with information and support on ways to interact with victims in a sensitive manner.
- Promoting a victim centred approach through which victims are clearly informed about the options at their disposal.
- Providing examples of CS work aimed at supporting victims effectively.

Instructions:

Divide participants into small groups of 4-5 persons and ask them to discuss about how NGOs staff should act in order to assist properly a victim of hate crime (15 minutes).

Each group presents briefly the key-points they find to answer the question (10 minutes).

Then distribute the handout and show the slide «Good practice in CS support to victims» (PPT 9.1cs and H9.1cs from the module 9 FOR CS of the long version of the training program).

Underline that an important issue for CSOs providing victim support is ensuring that the best interests of the victim are respected. This is particularly important when determining whether a formal complaint is made to authorities, whether the name of the victim is released to the media, or whether details of an incident are used in advocacy calling attention to hate crimes. After having informed victims of their options, CSOs should always take into account their wishes in these cases. CSOs should inform victims about any support services they provide and their collaboration in broader actions to combat hate crimes.

FOR LEAs AND CS

MODULE 8
**STRATEGIES TO IMPROVE COMMUNITY-
POLICE RELATIONS**

Time: 30 minutes

Objective:

- Raising participants' awareness on the importance of cooperation between CS and LEAs.
- Providing examples of ways to cooperate.

Instructions:

Trigger a brief discussion about the reasons of hate crimes under-reporting. Ask participants the following question: *Can you give a few examples of cooperation between CS and LEAs aimed at preventing negative escalations to hate crimes or at solving a hate crime as such?*

Give 15 minutes for discussion. Then, present slide PPT 10.1 (from the module 10 of the long version of the training program).

MODULE 9**MONITORING AND REPORTING**

Time: 45 minutes

Objective:

- Raising participants’ awareness of the importance of monitoring and reporting to effectively respond to hate crimes.
- Providing participants with information on methods by which they can systematically and efficiently collect data.
- Increasing participants’ skills in using data collected for lobbying and advocacy.
- Equipping participants with a reporting tool that can be used to have a common approach to reporting.

Instructions:

Show the slides «Benefit of monitoring» (PPT 11.1 from the module 11 FOR LEAs of the long version of the training program) OR «Monitoring Methods» and «Use of collected data» (PPT 11.1cs and PPT 11.2cs from the module 11 FOR CS of the long version of the training program).

Explain that monitoring is an activity instrumental in taking a follow-up action and data collected should be analyzed in order to be used to effectively respond to hate crimes

Present the reporting tool. Trigger a discussion with participants, asking the following questions:

- *Do you think that this tool is useful in providing reliable information on an alleged hate crime?*
- *What is missing?*
- *Is this a tool helping consistency in data collection?*

Give 20 minutes for discussion.

MODULE 10

EVALUATIONS AND CONCLUDING REMARKS

Time: 30 minutes

Objective:

- Have participants fill out evaluations.
- Reviewing expectations and verifying if they have been met.

Instructions:

Carry out the **Activity** of Module 13 from the long version of the training program.

FREQUENTLY ASKED QUESTIONS

COMPONENTS OF A «GOOD RESPONSE»

Responding to questions from participants provides you with great opportunities to:

- Model civility, which is one of the purposes of the training;
- Create an experience of INCLUSION for the participants (people asking questions often feel anxiety when asking a question, and fear rejection or EXCLUSION);
- Reinforce a point you made earlier in the day that you think is worth restating;
- Provide additional information on an issue not covered in the workshop agenda;
- Clarify some different ideas and values that inform the ways people think about race, ethnicity, gender, sexual orientation, physical/mental disabilities, and religion.

TIPS FOR TRAINERS

The tone should ALWAYS be respectful to the person asking the question. Even if you perceive that the person is trying to give you a hard time, be civil. All the participants are watching how you respond to a question. This may be a particularly good moment to demonstrate good intervention skills.

The content of your response should ALWAYS be respectful.

ALWAYS attempt to answer the question the participant is asking. Start where the participant ended, not where the question caught

your interest. Paraphrase the question and ask the participant if your understanding is correct. Then answer the question **CONCISELY**. People, even the questioner, often lose interest after a minute. If the question raised other ideas for you, and you want to share them, do so after you have answered the initial question by saying something like, «Your question raised an additional issue...» This way the questioner and the audience know where you are going.

Avoid tangents. Questions and responses take up time in the training, and time is an extremely valuable and limited resource. Evaluate every «additional issue» using the following question: is this comment I am about to make essential to the success of the training?

Answer the question accurately or not at all. It is okay to say, «I don't know the answer to that question» and to arrange for follow up. The credibility of the program is undermined if trainers offer inaccurate information.

Assess whether the question is the issue of the questioner alone, or if it is of value to the group. If it seems to be an individual issue («My son was arrested last night and those police officers...» or «How do I become a trainer just like you?»), offer to talk with the person immediately following the workshop or during a break.

FREQUENTLY ASKED QUESTIONS (*with Suggested Responses*)

Question 1: Hate crimes are not a problem in our community. Why do we need this workshop?

Response: Police officers and prosecutors have learned that hate crimes can occur in any community: suburban or rural, large or small. Police and prosecutors have found that the lack of reported hate crimes or bias incidents often means that people are not reporting incidents, not that those incidents never occur. Moreover, even if your community has not experienced a reported hate crime, it is highly likely that some individuals engage in the use of degrading language and slurs based on race, religion, gender or sexual orientation. A community culture in which the use of slurs becomes commonplace and accepted can soon become an environment in which slurs can escalate to harassment, harassment to threats and threats to physical violence. Even without escalation, the use of degrading language has a

significant negative impact on certain individuals, making some feel uncomfortable and unaccepted within their surroundings and making others feel fearful or even terrified.

Question 2: Do hate crime laws protect Whites?

Response: The simple answer is yes; hate crimes laws are «colour blind.» Racially motivated crimes targeted at Whites, although far less common than hate crimes targeting people of colour, occur and are prosecuted. Additionally, it is important to remember that targets of hate crimes motivated by bias against a victim's religion, nationality, gender, or sexual orientation are sometimes white.

Question 3: Do victims frequently fabricate complaints of hate crimes?

Response: Fabricated complaints occur, but only very rarely. Police have found that victims often are reluctant to report hate crimes or even acknowledge that a crime which appears to others to be a hate crime is, in fact, motivated by bias. The fear and isolation felt by hate crime victims often leads to under-reporting rather than fabrication.

Question 4: Do hate crime laws confer «special rights» on certain groups?

Response: Hate crime laws protect every person in our state and country. Anyone, including you, could be a victim of a hate crime because of racial identity, nationality, ethnicity, gender, sexual orientation, disability or religious beliefs. It is also possible that a person can be subject to a hate crime as a result of the mistaken belief by the perpetrator that the victim falls into a particular racial, national, ethnic or sexual orientation group. Hate crime laws do not confer any «special rights» but, rather, protect the rights of individuals to conduct their everyday activities – live in their homes, do their jobs, receive an education – without being subject to violence because of who they are.

Question 5: Are rape and other forms of sexual assault against girls and women considered a hate crime?

Response: Rape, domestic violence, and other forms of sexual assault can be prosecuted as a hate crime if gender is included in the hate crime laws and if evidence can be obtained demonstrating that the assault was motivated by bias against a victim because of her gender.

Question 6: Why should our community be concerned about hate crimes since we do not have significant diversity within our community?

Response: There are several responses to this question.

- Communities have far greater diversity than many of us may have thought.
- Many of the most serious hate crimes occur within communities in which the population of persons from traditionally targeted groups is small.
- Regardless of the level of diversity within this community, it is important to address problems of bias, prejudice and harassment because this conduct is destructive to its victims and to all society.

Question 7 (only for CSO)

Why aren't we talking about police as the perpetrators of hate crimes?

Response: Depending upon the laws of each nation, police may be prosecuted under hate crime laws or traditional criminal laws for violence motivated by prejudice.