

**City of Red Wing
BIAS/HATE CRIME RESPONSE PLAN**

The Red Wing Human Rights Belief Statement

“Hate, violence, and prejudice are unacceptable in our community. We are a community open to persons of all races, colors, religions, genders, sexual orientations, ages, abilities, and national origins striving to understand and empower one another.”

Purpose:

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

The Commission seeks:

- A commitment from the Red Wing Police Department that the Commission will be notified as soon as possible after a confirmed bias/hate crime complaint. Contact is to be made through the Chief of Police;
- To raise awareness of hate crime issues within the community;
- The expansion and participation of community organizations in the work of the Human Rights Commission;
- The cooperation of the local media in support of the victims of bias/hate crimes and in providing the community with information regarding the Red Wing Human Rights Commission’s Bias/Hate Crime Response Plan.

Hate crime defined:

A hate crime, as defined by Minnesota Statute § 609.2231, Subd. 4, is a criminal act committed against a person, institution, or property of which the primary motivation is the victim’s affiliation with a protected class. State law established the following protected classes: *race, color, religion, gender, sexual orientation, age, disability, and national origin*. A recent change to the law allows for the perception of either the victim or the police officer regarding the bias motivation of the crime to cause it to be categorized as a hate crime. Convictions resulting from hate crimes carry enhanced penalties.

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

Partnership:

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

- The Red Wing Police Department
- The Red Wing Human Rights Commission (RWHRC)
- The Red Wing media

Response to a bias/hate crime:

Immediate Response – law enforcement

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

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

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

Immediate response – referral other than through law enforcement

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

Human Rights Commission response to a bias/hate crime referral

1. The RWHRC chairperson will organize the initial victim contact. A response coordinator will be appointed from the membership of the RWHRC.
2. The response coordinator will contact the victim by telephone if possible. Express empathy. Ask if the response coordinator might visit in person to discuss the incident and offer support and assistance. If the victim does not desire a visit, follow with a letter offering assistance at a later date if desired. Include information on other services in the community that might be of benefit.
3. Ask permission to report the information to the League of Minnesota Human Rights Commissions.
4. If contact by telephone is not an option, the response coordinator will visit the victim for the initial victim contact.

5. The RWHRC chairperson will be the designated spokesperson to the media regarding the bias/hate crime response plan.

Personal visit

With a team of two, visit with the victim, either at his/her home or other location of the victim's choice. Identify the team as members of the Red Wing Human Rights Network and explain the purpose for meeting.

Interview Questions

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

At the initial contact or visit:

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

At the second contact or visit:

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

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

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

Human Rights Commission

1. Contact the Mayor of Red Wing and Chief of Police and inform them of the incident. Review the information from the referral and interview. Discuss and agree upon the appropriateness of a community response.
2. Contact the League of Minnesota Human Rights Commissions to seek support.
3. A team consisting of two Human Rights Commissioners may conduct a second interview if appropriate.
4. At the earliest possible time arrange for a meeting of the RWHRC, the Mayor and the Chief of Police to jointly develop a community response plan.

5. The community response plan may include, among other activities: a letter to the editor, contacting other media, a community meeting, a “quick response – not in our town” activity, or sending a letter or a representative to local churches and schools.
6. Maintain frequent contact with the victim. **Always remember this is about the victim. The victim should be comfortable with the community response plan.**

Follow-up contact with the victim

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

Review response

1. The RWHRC shall review the overall process. Note the effectiveness of the response and suggestions for future responses. Invite the Mayor and Chief of Police to provide a review and suggestions.
2. The RWHRC shall send letters of appreciation to supportive organizations and individuals.
3. The RWHRC shall provide the Mayor and Chief of Police with a summary report of all of its actions and activities in connection with the matter.