

# *From Hatred to Healing*

## INTERNAL PROCEDURES FOR HANDLING HATE INCIDENTS

CITY OF DECORAH, IOWA

2009

## INTERNAL PROCEDURES FOR HANDLING HATE INCIDENTS

### I. PURPOSE

The City's intention is to respond to acts of hatred, including hate crimes, in a responsive, coordinated manner, with the unequivocal message that such acts will not be tolerated in Decorah. This Plan is intended to provide internal procedural guidelines for city officials responding to acts of hatred based on bias, racism, and bigotry. It is intended to be a work in progress and reflects the need for a wide range of governmental and community participation.

### II. GOALS

**Goal 1: Provide safety and equality for residents of and visitors to the city of Decorah and maintain a positive and inclusive community environment.**

The City of Decorah is committed to promoting an inclusive and welcoming environment for all people. Acts of hatred and public displays of bigotry violate our community values. Hatred and bigotry generate a negative image of our community and overshadow our commitment to inclusiveness and equality. By preventing and responding to such acts, we more effectively provide safety and equality to our residents and visitors while we maintain our positive image and vision.

**Goal 2: Identify or create systems to rapidly mobilize and coordinate existing governmental and community resources to respond appropriately to acts of bias, hatred or bigotry.**

A comprehensive response requires the joint participation of individuals affected by bias, racism and bigotry as well as those charged with the responsibility of addressing these issues. A united and well planned effort targets the problems, provides solutions, and promotes harmony, respect, and effectiveness.

**Goal 3: Provide appropriate, timely, and comprehensive support to victims of acts of hatred, bias, or bigotry.**

It is everyone's responsibility to maintain the human dignity and general welfare of all residents and visitors. By addressing the impact of victimization we are better able to facilitate the healing and restoration process.

### III. ACT OF HATRED DEFINED

An act of hatred is an act committed against a person or property that includes indicators of hate or bias against the actual or perceived race, color, religion, ancestry, national origin, citizenship, organizational affiliation, sex, sexual orientation, gender identity, age or disability of the victim.

Acts of hate include, but are not limited to, hate crimes as defined in Section 729A.2 of the Iowa Code.

#### **IV. CATEGORIZING AND REFERRING ACTS OF HATE**

**A.** Recognizing that all acts of hate and bias are reprehensible, this policy differentiates such incidents as follows:

1. Criminal

a. Section 729A.2 of Iowa Code: Violation of individual rights--hate crime. "Hate crime" means one of the following public offenses when committed against a person or a person's property because of the person's race, color, religion, ancestry, national origin, political affiliation, sex, sexual orientation, age, or disability, or the person's association with a person of a certain race, color, religion, ancestry, national origin, political affiliation, sex, sexual orientation, age, or disability:

1. Assault in violation of individual rights under section 708.2C.
2. Violations of individual rights under section 712.9.
3. Criminal mischief in violation of individual rights under section 716.6A.
4. Trespass in violation of individual rights under section 716.8, subsections 3 and 4.

b. Other criminal acts that appear to be motivated by hatred or bias.

2. Non-criminal Acts that appear to be motivated by hatred or bias but do not constitute a violation of the criminal code.

**B.** Anyone learning of an act of bias, racism, or bigotry shall immediately notify the Decorah Police Department and/or the Decorah Human Rights Commission.

Police Department: **382-3667**

Emergency: **911**

Human Rights Commission may be reached by contacting the City Manager or City Clerk at **382-3651**, or by contacting any member of the commission.

**C.** The Police Department and/or Human Rights Commission will consider whether it is properly characterized as a criminal or non-criminal act, and will then proceed with the strategies and actions described below.

#### **V. CRIMINAL ACTS - STRATEGY AND ACTIONS--Police Department Response**

#### A. Police Department Response

The Chief of Police or designee will:

1. assign the incident for investigation in accord with established procedures and determine if criminal or non-criminal.
2. as soon as practical notify the Human Rights Commission and provide an initial report of the incident whenever the incident is such that there is a reasonable suspicion the event was motivated by bias, or where there is media attention, or where the victim or the victim's family member expresses a perception that the incident was motivated by bias.
  - a. If a hate crime is suspected, the Police Department will proceed with an investigation and maintain confidentiality of their investigation per public records law at Iowa Code 22.7(5). The Police Department will provide victims with support and informational resources available, including the Human Rights Commission. The police department may consult with the Human Rights Commission as a resource.
  - b. If an act is deemed as non-criminal by the Decorah Police Department, the Human Rights Commission will respond.

**B.. Human Rights Commission Response--the Human Rights Commission will immediately notify police if a crime is suspected and police will proceed as noted in "A."**

#### **VI. NON-CRIMINAL ACTS--STRATEGY AND ACTIONS**

##### A. Human Rights Commission Response

The Human Rights Commission will:

1. immediately notify the City Administrator
  - a. business hours: 382-3651
  - b. after hours: 563-380-9809alternate: City Clerk
  - a. business hours: 382-3651
  - b. after hours:
2. As soon as practical arrange a strategy meeting with appropriate city representatives which may include any or all of the following:
  - a. City Manager

- b. City Clerk
- c. Mayor
- d. Mayor pro tem
- e. Human Rights Commissioners
- f. Police Chief or designee
- g. City Attorney
- h. County Attorney

3. Assign a commissioner or other city representative to contact, by phone or in person, the individual(s) targeted by the hate incident and offer support, such as:

- a. expressing regret over the incident, offering immediate assistance and/or assistance in filing a human rights violation complaint.
- b. offering to visit in person (if calling) or to visit again to discuss further. Ask if the person/s affected would like others involved, such as a representative from the persons' school, college, employer, faith community, cultural group, or other social support system.
- c. If the person/s affected does/do not desire a visit, follow up with a letter again expressing regret and offering assistance at a later date if desired. Include information on other services in the community that may be of benefit.
- d. Conduct all personal visits at a location of their choice. Conduct all visits with a 2 or more-person team. Include other community representatives they have identified (see b.)
- e. When meeting with a victim of an alleged crime, limit comments and questions to those that simply offer empathy and support. Let them know you are *not* investigating the alleged crime, but are offering support and identifying resources.
- f. If meeting with those affected by a non-criminal hate act, questions may include:
  - i. What happened?
  - ii. Do you have thoughts about why this happened?
  - iii. Were others involved?
  - iv. What can we do to help you? (Explain our role is to provide support and information about resources)

v. What can we do together to prevent this from happening again?

vi. Is there anyone else you would like to have contact you, or that we could contact for you?

Note: these interview questions are a guide and can be altered as necessary to be sensitive to individual circumstances.

g. If a community response is warranted, discuss with affected individual/s whether they agree to this. Consider their wishes as to confidentiality and level of publicity.

h. Follow-up:

i. Phone and/or offer to visit again, within a week or two. Ask:

1. How are you doing?

2. Has there been any recurrence or any other problems?

3. Can we do anything else to assist you?

4. Is there anything the community should be doing in response to this incident that has not been done yet?

ii. Repeat the follow up process one month after initial interview (sooner or more frequently as makes sense under the circumstances).

i. Reporting: summarize and report the incident and the response via the HATE ACT INCIDENT SUMMARY REPORT (see attached appendix) and file in City Clerk's office.

5. If needed, assist in filing a human rights complaint.

## **B. City Manager's Response**

1. Notify Mayor and City Council at Manager's discretion

2. Coordinate media coverage with the Mayor

3. Coordinate City's response to incident along with members of Human Rights Commission

## **VII. GUIDELINES FOR HANDLING ACTS OF HATE**

**A.** All requests for information shall be referred to the City Manager

**B.** Never participate in panel discussions, talk shows, or interviews where the alleged offending party or group is also participating.

**C.** Insure photographic evidence is obtained.

**D.** Encourage removal of graffiti, or other symbols evidencing hate as soon as possible after law enforcement officers have completed the on-scene portion of the investigation.

**E.** Never empathize with the perpetrator's "cause" or rationale for acting.

**F.** Emphasize the positive aspects of the city's response.

### **VIII. PROACTIVE STEPS IN MINIMIZING ACTS OF HATRED OR THEIR IMPACT**

**A.** The Human Rights Commission and appropriate city representatives may develop a public relations campaign that demonstrates our community's intolerance of hate acts, while promoting the benefits of cultural diversity. Examples of anticipated public relation approaches include creating and promoting:

1. public service announcements

2. brochures

3. training, seminars, programs and conferences on diversity and equality

4. other events and activities that promote cultural diversity

**B.** The Chief of Police will insure officers are trained to recognize and differentiate acts of hate and hate crimes and are familiar with the Department's protocol and responsibilities under this plan.

**C.** The Police Department and Human Rights Commission will provide a joint yearly report to the Mayor, Council and community summarizing any and all hate incidents and actions taken by the city. The report may include recommendations for amending the existing response plan to better serve the community.

**HATE INCIDENT SUMMARY REPORT**

Date and Time of Incident \_\_\_\_\_ at \_\_\_\_\_

Description of Incident:

Name of Victim/s \_\_\_\_\_

Address \_\_\_\_\_

Telephone Number \_\_\_\_\_

Law Enforcement Notified (date and time) \_\_\_\_\_

Name of Officer \_\_\_\_\_

Phone \_\_\_\_\_

Complaint # \_\_\_\_\_

Human Rights Commission Notified (date and time) \_\_\_\_\_

Name of Commissioner/s \_\_\_\_\_

Phone \_\_\_\_\_

Other City Officials Notified/Involved \_\_\_\_\_

Was/were victim/s contacted by Human Rights Commission? Yes No If yes, date of contact and actions taken:

Did victim desire media contact? Yes No If yes, action taken

Follow up support requested:

Signature of Person Completing Report \_\_\_\_\_

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

1/10

## **Proclamation**

WHEREAS hate violence is increasing at alarming rates across the nation;

WHEREAS history has tragically taught us what happens when people stand by and allow acts of hatred to occur;

WHEREAS people often feel isolated, without hope, and helpless to do anything individually to end hate violence;

WHEREAS other communities, by standing together, have been successful in opposing hate acts committed against their neighbors;

WHEREAS we, the Council for the City of Decorah in keeping with the principle of equal rights for all, unequivocally oppose any manifestation of hatred and prejudice towards any group or individual;

NOW THEREFORE, I, DONALD ARENDT, MAYOR OF THE CITY OF DECORAH, IOWA, DO HEREBY PROCLAIM SUPPORT FOR THE NATIONAL EFFORT TO PUSH BACK THE RISING TIDE OF HATE VIOLENCE AND TO JOIN THOUSANDS OF OTHERS TO SAY WITH ONE VOICE, "NOT IN OUR TOWN, NOT IN OUR NATION."

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Donald Arendt, Mayor

City of Decorah, Iowa

Date