

Help to Stop Hate

WHAT IS A BIAS OR HATE CRIME?

Sponsored by the Monmouth County Prosecutor's Office
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BIAS AND HATE CRIMES: THEY CAN KILL

What is a Bias or Hate Crime?

A person is guilty of a bias intimidation crime under N.J.S.A. 2C:16-1 if he commits, attempts to commit, conspires with another to commit, or threatens the immediate commission of an offense with the purpose to intimidate an individual or group of individuals because of race, color, religion, gender, disability, sexual orientation, gender identity or expression, national origin, or ethnicity. Such an offense also constitutes a bias intimidation crime if the manner in which the offense is committed causes the victim to reasonably believe either: (1) that the offense was committed with a purpose to intimidate the victim because of race, color, religion, gender, disability, sexual orientation, gender identity or expression, national origin, or ethnicity (2) that the victim or his property was selected to be the target because of race, color, religion, gender, disability, sexual orientation, gender identity or expression, national origin, or ethnicity. These offenses are a distinctive category and are more likely to involve a heightened assault and injury level or serial attacks of escalating severity. There are often multiple assailants and the victims generally do not know their offenders. As a result of these offenses, there is often a spiral of community violence and extended psychological trauma for victims.

The underlying Causes of a Bias/Hate Crimes:

1. The dramatic demographic change in the United States as it becomes more diverse.
2. The continued shift to a service economy and the economic uncertainty that provides a source of conflict between groups.
3. Prevalence of negative stereotypes in our culture, as well as an atmosphere of intolerance in politics and public debate.
4. Racial division among our youth and in schools, the persistence and continued vitality of hate groups, and continued violence by minorities against members of their own race.
5. Lack of hope among various ethnic groups.

Who Are The Victims?

1. The skin color black represents the group most frequently victimized by bias crimes.
2. The Jewish religion represents the religious group most frequently victimized by bias crimes.
3. The gay and lesbian community.
4. Immigrants and all other ethnic groups.

MCPO WEB SITE
www.mcponj.org

Who Commits Bias and Hate Crimes?

1. Ordinary people under ordinary circumstances.
2. Majority of offenders are juveniles and young adults ages 12 - 21.
3. Members of organized hate groups.

Types of Bias / Hate Crimes:

- Harassment
- Terroristic Threats
- Criminal Mischief
- Assault
- Arson
- Homicide

Information Needed When Reporting a Hate Crime:

1. The type of crime committed.
2. The place where the crime occurred.
3. The time the crime occurred.
4. Description and license plate number of vehicle involved in crime.
5. Description of perpetrator - i.e., race, sex, height, weight, scars, tattoos, hair color and style, clothing and jewelry.

LAWS PROTECTING PEOPLE AGAINST BIAS OR HATE CRIMES

Since 1979, nearly every state in the Union has enacted some form of bias crime statute. The most common and applicable statutes are penalty enhancement and criminal civil rights statutes. Other types of statutes include institutional vandalism laws, cross-burning statutes, anti-masking laws and laws prohibiting interference with religious worship.

STATUTES

Penalty Enhancements Statutes

These statutes increase the penalty for existing criminal offenses when a victim is targeted, based in whole or in part on the perception or beliefs of the actor, because of race, color, religion, gender, disability, sexual orientation, gender identity or expression, national origin, or ethnicity of that person, owner or occupant of that property, regardless of whether or not the actor's belief was correct.

Civil Rights and Ethnic Intimidation Statutes

Unlike the penalty enhancements, these statutes do not require the charging of an underlying offense, such as an assault. However, prosecutors still have the option of charging additional offenses, such as assault, when applicable.

Institutional Vandalism Statutes

These statutes prohibit vandalism and other willful property damage to churches, synagogues and cemeteries. These laws are on the books in approximately 40 states.

How To Report A Bias / Hate Crime:



OFFICE	TELEPHONE #
Contact your local police department	911
Monmouth County Prosecutor's Office	732 431-7160
Monmouth County Human Relations Commission	732 303-7666
Monmouth County Bias/Gang Officers Assn.	732 866-3588
NJ Attorney General's Office of Bias Crimes & Community Relations	1-800-277-2427
NJ State Police	609 882-2000
US Attorney's Office, Civil Rights Division	973 645-2700
US Department of Justice-Community Relations	212-264-0700
Division	
Anti-Defamation League - ADL New York	212-490-2525
	212-885-7700
Anti-Defamation League - New Jersey	973-669-9700
NAACP - Asbury Park - Neptune Branch	732-775-0313
NAACP - Red Bank Chapter	732-741-5593
Monmouth County Urban League	732-345-1879
Victim/Witness Advocacy	732-431-6459
G.O.A.L. Gay Officers Action League	212-941-9144
Division of Civil Rights:	
Atlantic City - 1548 Atlantic Avenue	609-441-3100
Camden - State Office Bldg. 101 Haddon Avenue	609-757-2850
Newark - 31 Clinton Street	201-648-2700
Paterson - 369 Broadway	201-977-4500
Trenton - 383 West State Street	609-292-4605