



Response to Hate Crimes

City Council work session
City of Eugene
July 26, 2021

1



Agenda

- Definitions and Current Context
- Rights Assistance Program
- Law enforcement of hate crimes
- Potential Code Amendments
- Council Discussion - Q&A

2

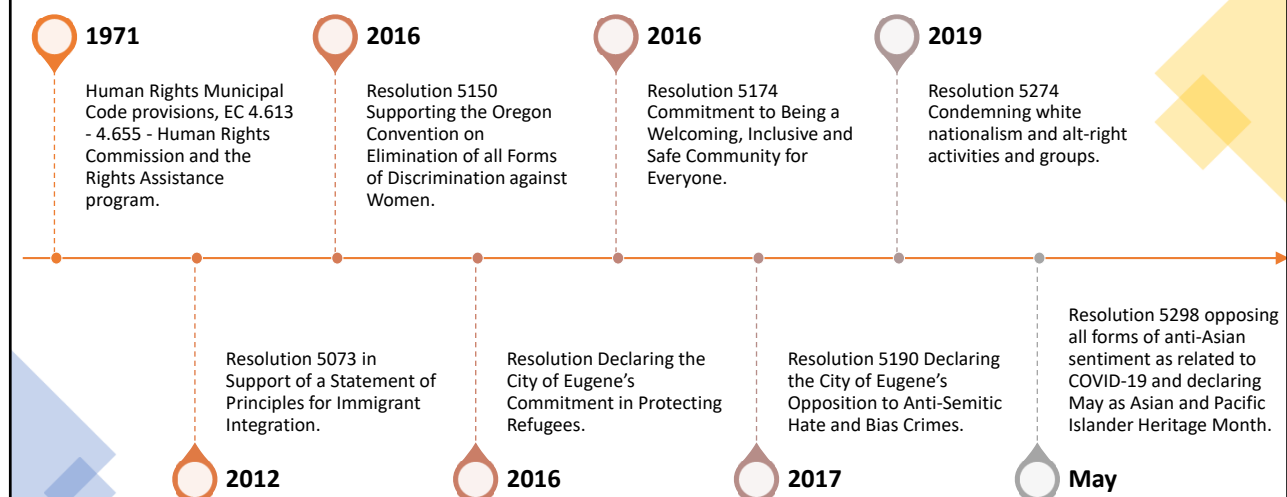
Definitions

$$\boxed{\text{A CRIME}} + \boxed{\text{MOTIVATION BASED ON BIAS}} = \boxed{\text{A HATE CRIME}}$$

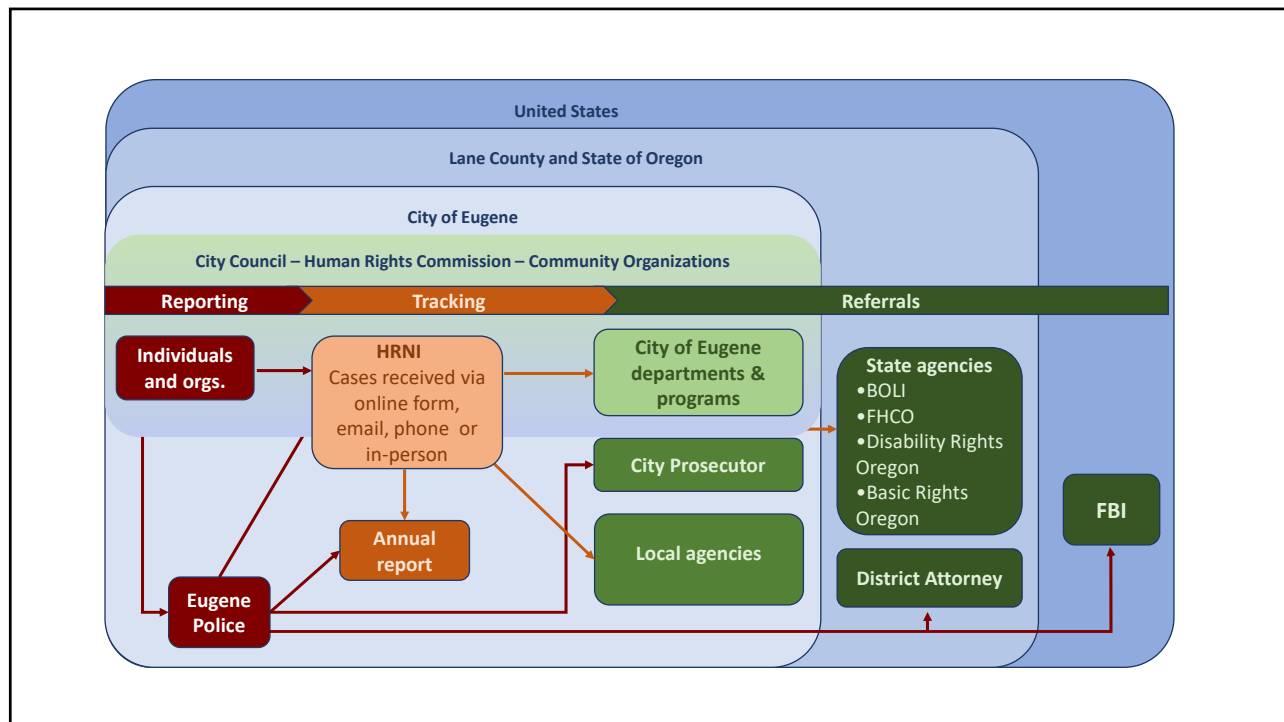
- Until 2019 the offense was “Intimidation” in both state statute and city code, renamed “Bias Crime” by the State in 2019 and the City in 2021.
- A person commits a bias crime when the crime is motivated by bias against another person’s race, color, disability, religion, national origin, sexual orientation, or gender identity and, for bias crimes that can be prosecuted by the City in municipal court, unhoused status.

3

Previous City Council Direction



4



5

Policy 304 – Bias crimes

We will take an active role to protect all citizens against intimidation and harassment based upon bias and prejudice. We will promptly and thoroughly investigate all incidents that we suspect are bias crimes.

Factors to consider in making the determination whether an incident is a bias crime are:

- The motivation of the perpetrator,
- A reasonable belief by the victim that the act is based on bias
- Physical evidence
- The date and time of the occurrence
- Observations at the scene of the incident

6

Policy 304 – Bias crimes

Officer Responsibility

1. Respond to all incidents involving bias crimes and pursue investigative and enforcement action, including a neighborhood canvas to locate witnesses and learn additional information.
2. Respond with professional sensitivity to the feelings, fears, and needs of the victim and witnesses, to help determine if this is a bias crime.
3. Refrain from language that tends to denigrate any victim of a bias crime.
4. Preserve the scene and gather evidence. Photograph (when appropriate) injury to persons, property damage, and any item(s) significant to the case.
5. Notify the supervisor of the Violent Crimes Unit.
6. Prepare an incident report.

7

Policy 304 – Bias crimes

Follow-up Victim Support

1. Follow-up by Investigations Division will be done on every bias crime incident. The follow-up will include contact with the victim(s.)
2. The investigating officer will actively pursue the case toward successful conclusion, or until all leads have been exhausted.
3. The case disposition report will be completed no later than 30 days from the date of assignment.

Victims are referred to support services (Survivor's Services at DA, HRNI)

8

Eugene Police Department

Special Investigations Unit (SIU)

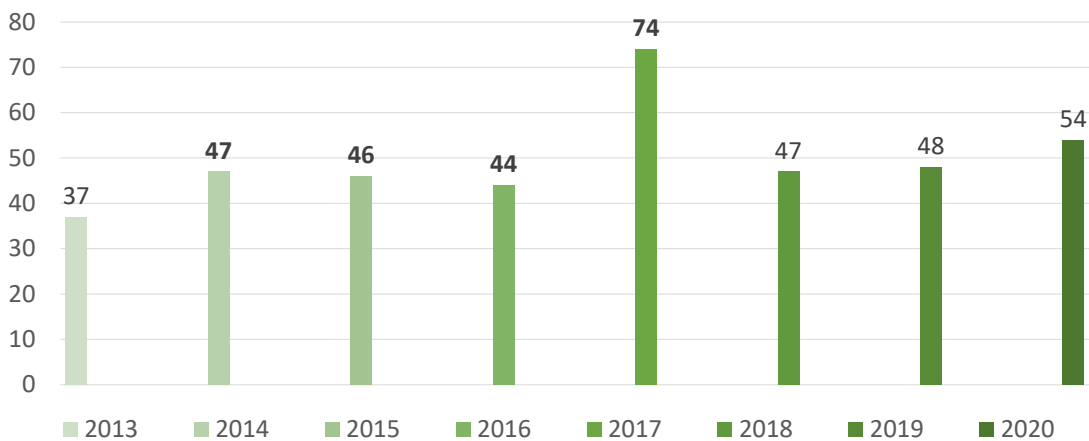
A team of detectives investigates and tracks all cases flagged as bias crimes

Community Engagement

EPD leadership and SIU detectives conduct outreach to communities most targeted by bias crimes

9

Reported Hate or Bias Crimes, 2013-2020



10

Communities Affected
by Reported Hate
Crimes in Eugene,
Oregon, 2020

Affected group	Cases
Black/African American	26
Jewish	4
Political affiliation	3
White	3
Hispanic/Latino	2
Multi-racial group	2
Homosexual male	2
Transgender	2
Other ethnicity/ancestry	1
Arab	1
Physical disability	1
Mental Disability	1
Gender non-conforming	1
Christian - Protestant	1
Homosexual female	0
Hawaiian/Pacific Islander	0
Islamic/Muslim	0
Asian	0

11

Status of Hate
Crimes 2016-
2021

- 303 crime reports received by EPD from January 2016 to June 2021 were flagged as bias crimes
- 227 cases resulted in investigations
- 55 cases were cleared by arrest
- 10 cases were referred for prosecution (4% of cases)

12



Recent Legislative Changes

- On April 21, 2021, City Council amended EC 4.731, changing the crime from “Intimidation in the Second Degree” to “Bias Crime in the Second Degree,” making other changes for consistency with state law, and adding “housing status” to the list of characteristics that can give rise to a bias crime.
- On May 20, 2021, President Biden signed the COVID–19 Hate Crimes Act. This act will result in guidance to local law enforcement agencies regarding hate crimes reporting.
- On June 11, 2021, Governor Brown signed SB 398, creating the Class A misdemeanor of “crime of intimidation by display of a noose.”

13



Potential Changes

- Amend the Code to increase the maximum monetary penalty for bias in the second degree from \$2,500 to \$6,250
- Amend the Code to add the crime of intimidation by display of noose, mirroring Oregon SB 398.

14