



Hate Crimes in Florida

January 1, 2002 – December 31, 2002

Office of Attorney General Charlie Crist

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Dear Floridians:

This report, by its nature, documents failure — the failure of some of our citizens to recognize and respect the value of each of their neighbors. Few crimes are as abhorrent and small-minded as hate crimes, for each hate crime represents a citizen who felt it appropriate to target another individual for reasons that have no basis in logic or common sense.

Hate crime offenders pick their targets not because of some perceived wrong committed against them by the victim, or even out of some misdirected motivation like greed or vengeance. Instead, they choose a target solely because the victim falls into some category the offender doesn't like — the "wrong" racial or ethnic group, the "wrong" religion, even the "wrong" stage in life. To truly excel as a state, we must free ourselves of such narrow thinking. Doing so requires that we continue to examine reports of hate crimes in order to develop effective strategies to stop them.

Florida has been tracking the incidence of hate crimes since 1991. Unfortunately the number of hate crimes reported by local law enforcement agencies last year remains at essentially the same level it was 11 years before. However, when I look at the numbers in this report and the recent changes in Florida's legal landscape, I see reasons for optimism:

- The total of 306 reported hate crimes last year is almost the same number (309) reported for 1991, despite a 23-percent increase in our state's population — more than 3.1 million additional residents.
- The surge in hate crime incidents in the immediate aftermath of the terrorist attacks of September 11, 2001, appears to have been short-lived, as shown by the fact that hate crime reports returned to historical levels in 2002.
- The Florida Legislature this year passed Florida's most important civil rights legislation in a decade. This essential new tool will help us create an atmosphere of understanding, one in which the sentiment behind hate crimes cannot thrive.

As the grandson of immigrants, I recognize that Florida is so much richer thanks to the diversity of backgrounds among its citizens. Hate crime offenders would try to deny the benefits of this diversity. I hope you will join with me in resisting their narrow view of our state and the world.

Sincerely,



Charlie Crist
Attorney General

NOTICE

The responsiveness of law enforcement and the success of community initiatives to identify hate crime incidents should not and cannot be measured solely through statistics. Attempts to rank or categorize any agency, county or region based on the number of reported hate crime incidents would be inappropriate and misleading. Such a ranking or comparison would unfairly penalize those agencies that have vigorous reporting policies by making it appear their jurisdictions are more prone to incidents of hate crimes when, in fact, they are simply doing a better job of reporting incidents.

Introduction

In 1989, the Florida Legislature enacted several statutes designed to address the issue of hate crimes. Section 775.085, Florida Statutes, was created to increase penalties for convictions of crimes where there was evidence of certain prejudice. In addition, the Hate Crimes Reporting Act, section 877.19, Florida Statutes, requires law enforcement agencies to report hate crimes to the Florida Department of Law Enforcement (FDLE). Under the Act, the Attorney General's Office is required to publish an annual summary of data collected by FDLE. Through its Hate Crime Program, Florida collects the most serious hate-related offense within each incident. Each crime may have multiple victims, and these multiple victims are reflected in Florida's hate crime offense totals. For example, if two individuals are victims of a single hate crime, Florida will count two offenses for that particular incident. However, the National Hate Crime Program does not reflect multiple victims in its offense count; therefore, the reader should note that Florida's hate crime offense totals differ from figures included in reports of the national program.

This 2002 Hate Crimes in Florida Report covers the period from January 1, 2002, through December 31, 2002. The information was collected from local law enforcement agencies by FDLE's Division of Criminal Information Systems, Special Services Bureau. The data was tabulated by FDLE and provided to the Attorney General's Office for summary and distribution.

Included in this report are excerpts from FDLE's Hate Crime Report Manual, as well as a copy of the relevant hate crime statutes and a listing of additional sources of information regarding hate crimes. (See Appendices 1-4.) The information is provided as a reference to help explain what constitutes various criminal offenses and when those offenses are deemed to be motivated by hate.

Executive Summary

This 2002 Hate Crimes in Florida report, submitted in accordance with the 1989 Hate Crimes Reporting Act, contains data reported by individual local law enforcement agencies throughout Florida. These agencies reported the occurrence of hate crime incidents in 2002 under the Uniform Crime Reporting (UCR) information system. Currently, 427 agencies participate in the UCR system, and this report is based solely on the information provided to FDLE by the reporting agencies.

The 2002 report includes data reported by 94 participating agencies, a slight reduction from the 98 that reported hate crimes the previous year. This total represents 22 percent of the participating agencies.

One year ago, the annual Hate Crimes in Florida Report showed a total of 335 reported hate crimes in 2001, including a significant increase in religion- and ethnicity-based hate crimes following the September 11, 2001, terrorist attacks. In 2002, the overall number of reported hate crimes declined by 8.7 percent from the previous year, to 306 reported hate crimes. Several factors, including variations in reporting methods, may have contributed to the decrease in the reported number of hate crime incidents, but it also appears likely that the passions of the immediate post-9/11 period subsided as Floridians adopted a more reflective approach to that national tragedy.

The 2001 report suggested that post-9/11, Florida experienced not only an increase in the number of hate crimes, but also a significant shift in the nature of those hate crimes. Throughout the previous decade, fewer than one in four hate crimes in Florida had been motivated by ethnicity or religion. In 2001, however, those two motivation factors accounted for almost half the hate crimes committed in the state. The actual number of ethnicity- or religion-motivated hate crimes in 2001 was more than two-and-one-half times greater than the average for the previous decade. In 2002, Florida saw a return to the usual levels, as ethnicity and religion combined to account for less than 28 percent of reported hate crimes. However, this was accompanied by an increase in the proportion of race-motivated hate crimes. During 2002, race-motivated hate crimes represented 52.6 percent of all reported hate crimes, followed by sexual orientation, 18.3 percent; ethnicity, 14.4 percent; religion, 13.4 percent; and advanced age, 1.3 percent.

Hate crimes are classified by two types of offenses: crimes against persons and crimes against property. Crimes against persons accounted for 72 percent of all incidents reported in 2002, while crimes against property accounted for the remaining 28 percent. This represents a shift from the prior year, when 62 percent of the reported incidents involved crimes against persons and 38 percent were crimes against property.

Caution should be applied in interpreting this data and in drawing conclusions solely from information contained in this report, as variations may exist among law enforcement agencies in how they gather and report hate crime data. It is important to note that this report does not include unreported crimes or crimes that may be hate related but are not classified as such by the local reporting agencies.

Since 1994, this office has conducted hate crimes training seminars for state and local law enforcement agencies throughout Florida. To date, more than 2,500 law enforcement personnel from more than 240 jurisdictions have received this training.

Hate Crimes in Florida January 1 – December 31, 2002

What is a Hate Crime?

A hate crime is among the most insidious acts taken by one person against another, founded in prejudice and intolerance. A hate crime is an act committed or attempted by one person or group against another, or their property, that in any way constitutes an expression of hatred toward the victim based on his or her personal characteristics. It is a crime in which the perpetrator intentionally selects the victim based on one of the following characteristics: race, color, religion, ethnicity, ancestry, national origin, sexual orientation, advanced age or mental/physical disability. Under section 775.085, Florida Statutes, criminal penalties are reclassified for such hate-based acts. As the Florida Department of Law Enforcement notes in its Hate Crime Report Manual, the motivation behind the act is the key element in determining whether an incident is hate related.

Types of Offenses

Reported hate crime offenses in 2002 ranged in seriousness from vandalism and obscenity to aggravated assault and homicide. (See Table 1) Race was the single greatest motivator for all forms of hate crimes reported in 2002 other than arson.

**Table 1. Offense Totals by Motivation Type
January 1 – December 31, 2002**

Offenses	Race	Religion	Ethnicity/ Nat'l Origin	Age	Sexual Orientation	Disability	Totals
Robbery	2						2
Aggravated Assault	58	2	8		21		89
Burglary	3		1		1		5
Larceny/Theft	1	1					2
Arson	1	2					3
Simple Assault	35		11		21		67
Intimidation	29	10	15	4	3		61
Obscenity Offenses					1		1
Murder/Non- Negligent Manslaughter			1				1
Destruction/ Damage/ Vandalism of Property	32	26	8		9		75
TOTALS	161	41	44	4	56	0	306

Crimes Against Persons vs. Crimes Against Property

Hate crimes can be classified as crimes against persons or crimes against property. In 2002, agencies reported 220 hate crimes committed against persons, the highest total in nine years and some 72 percent of all reported hate crimes. These offenses against persons included homicide, robbery, assault and intimidation. The remaining 28 percent of reported hate crimes were committed against property, including vandalism, burglary and arson. The previous year, which encompassed the immediate post-9/11 period, had seen a significant increase in the number of hate crimes against property, when some 38 percent of hate crimes fell into this category.

Like the number of assaults, the total number of crimes against persons increased in 2002, by 6 percent. A comparison of the portion of hate crimes that are committed against persons vs. those committed against property can be seen in Table 2.

Table 2. Crimes Against Persons vs. Crimes Against Property (1993–2002)

Year	Total Crimes Against Persons	Percent Of Total	Total Crimes Against Property	Percent Of Total
1993	238	76%	74	24%
1994	206	73%	77	27%
1995	119	65%	65	35%
1996	148	70%	64	30%
1997	119	74%	41	26%
1998	125	62%	78	38%
1999	212	69%	95	31%
2000	174	65%	95	35%
2001	207	62%	128	38%
2002	220	72%	86	28%

Out of the total number of hate crimes committed in 2002 in Florida, 156 were in the form of assaults (aggravated or simple assault). This means that more than half (51 percent) of all the reported hate-motivated crimes committed in Florida in 2002 involved some type of assault, which is the highest proportion in five years. The actual number of reported hate-motivated assaults increased by 26 percent from 124 reported incidents in 2001 to 156 incidents in 2002, the highest figure in nine years.

Table 3. Crimes Against Persons (1991–2002)

Report Year	Total Offenses	Number Of Assaults	Percent Of Total	Total Personal Crimes	Percent Of Total
1991	309	165	53.4%	217	70.2%
1992	395	222	56.2%	297	75.2%
1993	313	175	55.9%	238	76.0%
1994	283	153	54.1%	206	72.8%
1995	183	91	49.7%	119	65.0%
1996	212	105	49.5%	148	69.8%
1997	160	84	52.0%	119	74.0%
1998	203	88	43.3%	125	69.0%
1999	307	104	34.1%	212	69.0%
2000	269	131	48.7%	175	65.0%
2001	335	124	37.0%	207	61.8%
2002	306	156	51.0%	220	72.0%

Motivation

One year ago, the annual Hate Crimes in Florida Report showed that statistics regarding hate crime motivation were skewed by the immediate aftermath of the 9/11 terrorist attacks. Whereas race historically was the single most prevalent motivator in hate crimes since reporting began more than a decade ago, in 2001 this trend was reversed so that the combination of religion and ethnicity became the most common motivator. With the passage of time, the motivation behind hate crimes has returned to its historical levels. The hate crime perpetrator’s motivation involved race in 52.6 percent of reported incidents in 2002, a proportion similar to pre-9/11 levels.

Other motivational categories in 2002 were sexual orientation, 18.3 percent; ethnicity, 14.4 percent; religion, 13.4 percent; and advanced age, 1.3 percent. Table 4 (below) provides a year-by-year breakdown of reported hate crimes by motivation.

Table 4. Hate Crimes Comparison by Motivation (1991–2002)

Year	RACE/COLOR		RELIGION		ETHNICITY		SEXUAL ORIENTATION	
	Number of Offenses	Percent of Total	Number of Offenses	Percent of Total	Number of Offenses	Percent of Total	Number of Offenses	Percent of Total
1991	221	71.5%	46	14.9%	32	10.4%	10	* 3.2%
1992	245	62.0%	48	12.2%	44	11.1%	58	14.7%
1993	227	72.5%	31	9.9%	29	9.3%	26	8.3%
1994	198	70.0%	29	10.2%	28	9.9%	28	9.9%
1995	128	69.9%	23	12.6%	17	9.3%	15	8.2%
1996	156	73.6%	26	12.3%	24	11.3%	6	2.8%
1997	113	70.6%	18	11.3%	7	4.4%	22	13.8%
1998	127	62.6%	27	13.3%	21	10.3%	28	13.8%
1999	180	58.6%	48	15.6%	31	10.1%	48	15.6%
2000	155	57.8%	44	16.4%	28	10.4%	41	15.2%
2001**	129	39.0%	68	21.0%	95	27.0%	42	13.0%
2002	161	52.6%	41	13.4%	44	14.4%	56	18.3%

* Collection of data on sexual orientation began on October 1, 1991

** Four incidents reported in the classification of “advanced age” in 2002 are not shown in this table.

Hate Crime Offenses by County and Agency

In this report, basic information regarding the reported occurrences of hate crimes is provided in two separate tables: Offenses by County and Agency (Table 5) and, for each reporting county and agency, Hate Crimes by Offense and Motivation Type (Table 6).

Hate crimes were reported in 34 Florida counties in 2002, compared to 37 the previous year. Counties that reported hate crimes in 2002 after reporting none the previous year are Bradford, Citrus, Highlands, Nassau and St. Johns. Counties that reported hate crimes in 2001 but did not report any in 2002 are Charlotte, Clay, Columbia, Jackson, Manatee, Martin, Okaloosa and Sarasota.

For the first time in many years, Florida’s most populous county – Miami-Dade – is not among the top six counties reporting the most hate crimes. With a decline from 38 reported hate crimes in 2001 to 17 the following year, Miami-Dade had only the seventh-highest total in Florida. Once again Broward County reported the most hate crimes (52), followed by Pinellas (42), Hillsborough (32), Orange (25), Palm Beach (24) and Alachua (21).

Again, it is important to bear in mind that this report does not determine whether these changes reflect an absence of hate crimes in certain counties or a lack of reporting. Reporting agencies include county sheriffs’ offices, municipal police departments, a university police department and a county public school police department.

**Table 5. Offense Totals by County and Agency
January 1, 2002 – December 31, 2002**

COUNTY	REPORTING AGENCY	TOTALS
ALACHUA	Alachua County Sheriffs Office	5
	Alachua Police Department	1
	Gainesville Police Department	15
	TOTAL	21
BAY	Bay County Sheriffs Office	2
	TOTAL	2
BRADFORD	Bradford County Sheriffs Office	1
	TOTAL	1
BREVARD	Brevard County Sheriffs Office	1
	Cocoa Beach Police Department	2
	Melbourne Police Department	2
	Palm Bay Police Department	3
	West Melbourne Police Department	1
	TOTAL	9

COUNTY	REPORTING AGENCY	TOTALS
BROWARD	Broward County Sheriff's Office	7
	Coral Springs Police Department	4
	Dania Police Department	4
	Deerfield Beach Police Department	6
	Fort Lauderdale Police Department	2
	Lauderdale Lakes Police Department	3
	Lauderhill Police Department	1
	Lighthouse Point Police Department	1
	Margate Police Department	1
	Oakland Park Police Department	4
	Pembroke Park Police Department	1
	Plantation Police Department	2
	Pompano Beach Police Department	6
	Sunrise Police Department	1
	Tamarac Police Department	1
	Town of Southwest Ranches	1
	Weston Police Department	1
	Wilton Manors Police Department	6
	TOTAL	52
CITRUS	Citrus County Sheriffs Office	2
	TOTAL	2
COLLIER	Collier County Sheriffs Office	3
	TOTAL	3
DUVAL	Duval County Sheriff's Office	6
	Jacksonville Police Department	4
	TOTAL	10
ESCAMBIA	Escambia County Sheriff's Office	1
	Pensacola Police Department	2
	University of West Florida Police Department	1
	TOTAL	4
FLAGLER	Flagler County Sheriffs Office	5
	TOTAL	5
GULF	Port St. Joe Police Department	2
	TOTAL	2
HERNANDO	Hernando County Sheriffs Office	1
	TOTAL	1

COUNTY	REPORTING AGENCY	TOTALS
HIGHLANDS	Avon Park Police Department	1
	TOTAL	1
HILLSBOROUGH	Hillsborough County Sheriffs Office	25
	Tampa Police Department	7
	TOTAL	32
INDIAN RIVER	Sebastian Police Department	1
	TOTAL	1
LAKE	Clermont Police Department	1
	Lake County Sheriff's Office	1
	TOTAL	2
LEE	Cape Coral Police Department	1
	Lee County Sheriff's Office	2
	TOTAL	3
LEON	Tallahassee Police Department	1
	TOTAL	1
LEVY	Inglis Police Department	1
	Levy County Sheriff's Office	1
	Williston Police Department	1
	TOTAL	3
MARION	Marion County Sheriffs Office	4
	TOTAL	4
MIAMI-DADE	Coral Gables Police Department	3
	Hialeah Police Department	1
	Metro-Dade Police Department	3
	Miami Beach Police Department	7
	Miami Springs Police Department	1
	North Miami Beach Police Department	1
	North Miami Police Department	1
	TOTAL	17
MONROE	Key West Police Department	1
	Monroe County Sheriff's Office	2
	TOTAL	3
NASSAU	Fernandina Beach Police Department	1
	Nassau County Sheriff's Office	1
	TOTAL	2

COUNTY	REPORTING AGENCY	TOTALS
ORANGE	Apopka Police Department	1
	Ocoee Police Department	9
	Orange County Sheriffs Office	12
	Orlando Police Department	3
	TOTAL	25
OSCEOLA	Osceola County Sheriffs Office	1
	TOTAL	1
PALM BEACH	Belle Glade Police Department	1
	Boca Raton Police Department	9
	North Palm Beach Public Safety Department	1
	Palm Beach County School Police Department	1
	Palm Beach County Sheriffs Office	8
	Palm Springs Police Department	2
	Wellington Police Department	1
	West Palm Beach Police Department	1
	TOTAL	24
PASCO	Pasco County Sheriffs Office	4
	TOTAL	4
PINELLAS	Clearwater Police Department	4
	Dunedin Police Department	1
	Gulfport Police Department	1
	Largo Police Department	1
	Madeira Beach Police Department	1
	Pinellas County Sheriffs Office	5
	Safety Harbor Police Department	1
	St. Petersburg Police Department	25
	Tarpon Springs Police Department	3
	TOTAL	42
POLK	Lakeland Police Department	4
	Polk County Sheriffs Office	2
	TOTAL	6
ST. JOHNS	St. Johns County Sheriffs Office	2
	TOTAL	2
ST. LUCIE	Port St. Lucie Police Department	2
	TOTAL	2
SANTA ROSA	Santa Rosa County Sheriffs Office	1
	TOTAL	1

COUNTY	REPORTING AGENCY	TOTALS
SEMINOLE	Altamonte Springs Police Department	3
	TOTAL	3
VOLUSIA	Daytona Beach Police Department	3
	Deland Police Department	4
	Volusia County Sheriffs Office	8
	TOTAL	15
GRAND TOTAL		306

Hate Crimes by Offense and Motivation Type

Table 6 provides a listing of all agencies that reported hate crimes for 2002, with a breakdown of the offenses and the motivation type for each offense. The figures in Table 6 provide the most complete picture of reported hate crimes in individual communities, as well as entire counties, based on the information provided to the Attorney General’s Office.

Again, it is important to note that any attempt to rank or categorize an agency, county, or region based solely on this information may be misleading, as it may unfairly penalize those jurisdictions that have a more vigorous policy of identifying and reporting such incidents. These jurisdictions may not actually experience a greater number of hate crime incidents, but may do a more thorough job of reporting them. In addition, as with other crime data, this report does not include unreported crimes or crimes that may be hate-related but are not classified as such by local law enforcement.

**Table 6. Hate Crimes by Offense and Motivation Type
January 1 – December 31, 2002**

County	Agency	Offenses	Race/ Color	Religion	Ethnicity/ Nat'l Origin	Sexual Orientation	Advanced Age	Total
ALACHUA	Alachua County Sheriff's Office	Aggravated Assault			2			2
		Intimidation			2			2
		Destruction/Damage/ Vandalism of Property			1			1
		Simple Assault				1		1
	Gainesville Police Department	Robbery	1					1
		Aggravated Assault	9				1	10
Intimidation		1			2		3	
		Burglary/Breaking & Entering			1		1	
	County Total		11		8	2		21
BAY	Bay County Sheriff's Office	Aggravated Assault	1					2
	County Total		1			1		2
BRADFORD	Bradford County Sheriff's Office	Aggravated Assault	1					1
	County Total		1					1
BREVARD	Brevard County Sheriff's Office	Aggravated Assault						1
	Cocoa Beach Police Department	Simple Assault	2					2
		Aggravated Assault					1	1
	Melbourne Police Department	Aggravated Assault	1					1
		Simple Assault	1					1

County	Agency	Offenses	Race/ Color	Religion	Ethnicity/ Nat'l Origin	Sexual Orientation	Advanced Age	Total
BREVARD (continued)	Palm Bay Police Department	Aggravated Assault Destruction/Damage/ Vandalism of Property	2 1					2 1
	West Melbourne Police Department	Simple Assault				1		1
	County Total		7			2		9
BROWARD	Broward County Sheriff's Office	Aggravated Assault Intimidation Destruction/Damage/ Vandalism of Property	4 1			1		4 1 2
	Coral Springs Police Department	Simple Assault Destruction/Damage/ Vandalism of Property		1	3			3 1
	Dania Beach Police Department	Aggravated Assault Intimidation	3 1					3 1
	Deerfield Beach Police Department	Aggravated Assault	6					6
	Ft. Lauderdale Police Department	Simple Assault	2					2
	Lauderdale Lakes Police Department	Simple Assault Intimidation	1 1			1		1 2
	Lauderhill Police Department	Aggravated Assault	1					1
	Lighthouse Point Police Department	Simple Assault			1			1

County	Agency	Offenses	Race/ Color	Religion	Ethnicity/ Nat'l Origin	Sexual Orientation	Advanced Age	Total	
BROWARD (continued)	Margate Police Department	Aggravated Assault	1					1	
	Oakland Park Police Department	Simple Assault	3			1		4	
	Pembroke Park Police Department	Simple Assault	1					1	
	Plantation Police Department	Intimidation Destruction/Damage/ Vandalism of Property		1 1				1 1	
	Pompano Beach Police Department	Aggravated Assault Simple Assault	1 2			3		4 2	
	Sunrise Police Department	Destruction/Damage/ Vandalism of Property	1					1	
	Tamarac Police Department	Destruction/Damage/ Vandalism of Property	1					1	
	Town of South West Ranches	Destruction/Damage/ Vandalism of Property		1				1	
	Weston Police Department	Destruction/Damage/ Vandalism of Property			1			1	
	Wilton Manors Police Department	Aggravated Assault Simple Assault Destruction/Damage/ Vandalism of Property				4 1		4 1 1	
	County Total			30	5	6	10	1	52

County	Agency	Offenses	Race/ Color	Religion	Ethnicity/ Nat'l Origin	Sexual Orientation	Advanced Age	Total
CITRUS	Citrus County Sheriff's Office	Intimidation	2					2
	County Total		2					2
COLLIER	Collier County Sheriff's Office	Simple Assault Destruction/Damage/ Vandalism of Property			1	2		1 2
	County Total				1	2		3
DUVAL	Duval County Sheriff's Office	Aggravated Assault Simple Assault Destruction/Damage/ Vandalism of Property	1 1			2 1		3 2 1
	Jacksonville Police Department	Simple Assault	4					4
	County Total		6	1		3		10
	Escambia County Sheriff's Office	Aggravated Assault	1					1
ESCAMBIA	Pensacola Police Department	Arson Destruction/Damage/ Vandalism of Property	1			1		1 1
	University of West Florida Police Department	Destruction/Damage/ Vandalism of Property	1					1
	County Total		3			1		4

County	Agency	Offenses	Race/ Color	Religion	Ethnicity/ Nat'l Origin	Sexual Orientation	Advanced Age	Total
FLAGLER	Flagler County Sheriff's Office	Intimidation	5					5
	County Total		5					5
	Port St. Joe Police Department	Aggravated Assault	2					2
GULF	County Total		2					2
	Hernando County Sheriff's Office	Burglary/Breaking & Entering	1					1
HERNANDO	County Total		1					1
	Avon Park Police Department	Destruction/Damage/Vandalism of Property	1					1
HIGHLANDS	County Total		1					1
	Hillsborough County Sheriff's Office	Aggravated Assault	2			1	3	
Simple Assault					1	3		4
Intimidation		5			4			9
Destruction/Damage/Vandalism of Property		1		3	1	1		6
County Total			12	4	9	7		32
HILLSBOROUGH	Tampa Police Department	Aggravated Assault	3					3
		Intimidation	1	1	2			4
INDIAN RIVER	County Total		1					1
	Sebastian Police Department	Destruction/Damage/Vandalism of Property	1					1
County Total			1					1

County	Agency	Offenses	Race/ Color	Religion	Ethnicity/ Nat'l Origin	Sexual Orientation	Advanced Age	Total
LAKE	Clermont Police Department	Destruction/Damage/Vandalism of Property	1					1
	Lake County Sheriff's Office	Simple Assault	1					1
	County Total		2					2
LEE	Cape Coral Police Department	Aggravated Assault			1			1
	Lee County Sheriff's Office	Destruction/Damage/Vandalism of Property		1	1			2
	County Total			1	2			3
LEON	Tallahassee Police Department	Destruction/Damage/Vandalism of Property		1				1
	County Total			1				1
	Inglis Police Department	Destruction/Damage/Vandalism of Property	1					1
LEVY	Levy County Sheriff's Office	Burglary/Breaking & Entering				1		1
	Williston Police Department	Aggravated Assault	1					1
	County Total		2			1		3
MARION	Marion County Sheriff's Office	Aggravated Assault	1					1
		Simple Assault	1			1		2
		Destruction/Damage/Vandalism of Property	1					1
	County Total		3			1		4

County	Agency	Offenses	Race/ Color	Religion	Ethnicity/ Nat'l Origin	Sexual Orientation	Advanced Age	Total
MIAMI-DADE	Coral Gables Police Department	Aggravated Assault Intimidation	1			2		1 2
	Hialeah Police Department	Simple Assault			1			1
	Metro-Dade Police Department	Intimidation Destruction/Damage/ Vandalism of Property	1 1	1				2 1
	Miami Beach Police Department	Simple Assault Intimidation Destruction/Damage/ Vandalism of Property	1 1 1		1			1 2 4
	Miami Springs Police Department	Simple Assault				1		1
	North Miami Beach Police Department	Simple Assault				1		1
	North Miami Police Department	Destruction/Damage/ Vandalism of Property			1			1
	County Total		6	4	3	4		17
	Key West Police Department	Simple Assault				1		1
	Monroe County Sheriff's Office	Aggravated Assault Simple Assault	1			1		1 1
County Total		1			2		3	

County	Agency	Offenses	Race/ Color	Religion	Ethnicity/ Nat'l Origin	Sexual Orientation	Advanced Age	Total	
NASSAU	Fernandina Beach Police Department	Simple Assault	1					1	
	Nassau County Sheriff's Office	Simple Assault				1		1	
	County Total		1			1		2	
	Apopka Police Department	Murder & Non-Negligent Manslaughter			1			1	
ORANGE	Ocoee Police Department	Aggravated Assault Simple Assault Intimidation	1 4	1	3			3 1 5	
	Orange County Sheriff's Office	Simple Assault Intimidation Destruction/Damage/ Vandalism of Property Obscenity Offenses		2 2	2			2 2 7 1	
	Orlando Police Department	Simple Assault Destruction/Damage/ Vandalism of Property	1 2					1 2	
	County Total		13	5	6	1		25	
	OSCEOLA	Osceola County Sheriff's Office	Destruction/Damage/ Vandalism of Property	1					1
		County Total		1					1

County	Agency	Offenses	Race/ Color	Religion	Ethnicity/ Nat'l Origin	Sexual Orientation	Advanced Age	Total	
PALM BEACH	Belle Glades Police Department	Simple Assault	1					1	
	Boca Raton Police Department	Intimidation Destruction/Damage/ Vandalism of Property		2 5		1 1		3 6	
	North Palm Beach Public Safety	Destruction/Damage/ Vandalism of Property		1				1	
	Palm Beach County School Police Department	Simple Assault				1		1	
	Palm Beach County Sheriff's Office	Aggravated Assault Destruction/Damage/ Vandalism of Property	1 3	1 2		1		2 6	
	Palm Springs Police Department	Arson		2				2	
	Wellington Police Department	Aggravated Assault	1					1	
	West Palm Beach Police Department	Simple Assault				1		1	
	County Total			6	13	1	4		24
	PASCO	Pasco County Sheriff's Office	Aggravated Assault Destruction/Damage/ Vandalism of Property	1	1	2			1 3
County Total			1	1	2			4	

County	Agency	Offenses	Race/ Color	Religion	Ethnicity/ Nat'l Origin	Sexual Orientation	Advanced Age	Total	
PINELLAS	Clearwater Police Department	Aggravated Assault Simple Assault	1		1	2		1 3	
	Dunedin Police Department	Simple Assault				1		1	
	Gulfport Police Department	Intimidation		1				1	
	Largo Police Department	Destruction/Damage/ Vandalism of Property	1					1	
	Madeira Beach Police Department	Simple Assault				1		1	
	Pinellas County Sheriff's Office	Aggravated Assault Destruction/Damage/ Vandalism of Property	2 2				1	2 3	
	Safety Harbor Police Department	Simple Assault	1					1	
	St. Petersburg Police Department	Robbery	1						1
		Aggravated Assault	6				4		10
		Simple Assault	4				3		7
		Intimidation				3			3
		Burglar/Breaking & Entering	1						1
		Destruction/Damage/ Vandalism of Property	1	2					3
	Tarpon Springs Police Department	Simple Assault	1						1
		Intimidation	1						1
Larceny/Theft Offenses		1						1	
County Total			23	3	4	12		42	

County	Agency	Offenses	Race/ Color	Religion	Ethnicity/ Nat'l Origin	Sexual Orientation	Advanced Age	Total	
POLK	Lakeland Police Department	Aggravated Assault	1					1	
		Intimidation	2					2	
		Destruction/Damage/ Vandalism of Property	1					1	
	Polk County Sheriff's Office	Aggravated Assault			1	1		2	
	County Total		4		1	1		6	
ST. JOHNS	St. Johns County Sheriff's Office	Burglary/Breaking & Entering	1					1	
		Destruction/Damage/ Vandalism of Property			1			1	
	County Total		1		1			2	
ST. LUCIE	Port St. Lucie Police Department	Aggravated Assault		1				1	
		Destruction/Damage/ Vandalism of Property	1					1	
	County Total		1	1				2	
SANTA ROSA	Santa Rosa County Sheriff's Office	Simple Assault	1					1	
	County Total		1					1	
SEMINOLE	Altamonte Springs Police Department	Intimidation		1				1	
		Larceny/Theft Offenses		1				1	
		Destruction/Damage/ Vandalism of Property	1					1	
	County Total		1	2				3	

County	Agency	Offenses	Race/ Color	Religion	Ethnicity/ Nat'l Origin	Sexual Orientation	Advanced Age	Total	
VOLUSIA	Daytona Beach Police Department	Aggravated Assault				1		1	
		Simple Assault	2					2	
	Deland Police Department	Aggravated Assault	3					3	
		Simple Assault	1					1	
	Volusia County Sheriff's Office	Intimidation	4					3	7
		Destruction/Damage/ Vandalism of Property	1						1
	County Total		11			1	3	15	
GRAND TOTAL			161	41	44	56	4	306	

Appendices

Appendix 1 — Hate Crimes Reporting

The Florida Department of Law Enforcement’s Hate Crime Report Manual defines “hate crime” as, “A committed or attempted act by any person or group of persons against a person or the property of another person or group, which in any way constitutes an expression of hatred toward the victim because of his/her personal characteristics. Personal characteristics include race/color, religion, or ethnicity/ancestry/national origin or sexual orientation, mental or physical disability or advanced age.”

The motivation behind the act is the key element in determining whether an incident is hate-related.

The mention of a prejudiced remark does not necessarily make a criminal incident hate-motivated any more than the absence of such a remark makes the criminal incident a non-hate one. Law enforcement officers must rely on their investigative judgment, as well as the use of probable cause standards, to assist them in determining whether a specific incident constitutes a hate-motivated crime. Statements of victims and witnesses, as well as physical evidence, may be used to make this determination.

The thorough and immediate reporting of hate crimes is essential. Law enforcement officials will be in a better position to process hate-related crimes more effectively only when a realistic assessment of the problem is known. There is much to gain by increasing the amount and detail of information gathered and shared about hate crime. Law enforcement officials will be able to detect patterns and anticipate increases in tensions by compiling data and charting the geographic distribution of these crimes. Enhanced information about victims, offenders, and types of incidents will assist law enforcement and community service agencies in targeting hate crime prevention programs. Policy makers will have the basic information necessary for making decisions as to the allocation of resources for education, hate crime prevention and enforcement, and prosecutorial efforts related to hate-motivated crimes.

The Hate Crime Report Manual provides the following definition of offenses which are most frequently associated with hate crime incidents:

1. Homicide Offenses

Homicide offenses include murder, non-negligent manslaughter, and negligent manslaughter.

A. Murder and Non-Negligent Manslaughter

Definition: The killing of one human being by another.

General Rule: Any death due to a fight, argument, quarrel, assault, commission of a crime, or by premeditated design.

B. Negligent Manslaughter

Definition: The killing of another person through negligence.

General Rule: Any death of an individual resulting from a negligent act of another individual. Negligent acts resulting in the death of the individual committing those acts and not the death of another will be considered accidental and will not be reported to the Hate Crime Data Base.

2. Sex Offenses, Forcible

Definition: Any sexual act directed against another person, forcibly and/or against that person's will, or not forcibly or against the person's will, where the victim is incapable of giving consent.

Forcible sex offenses include forcible rape, forcible sodomy, and forcible fondling/ indecent liberties/child molesting.

General Rule: The element of force or threat of force is necessary before a sexual offense is reported in this category. Any sexual act or attempt accomplished by force is classified as a forcible sex offense regardless of the age of the victim or the relationship of the victim to the offender. Statutory rape is not counted in the forcible sex offense category as no force is used.

A. Forcible Rape

Definition: The carnal knowledge of a female by a male, forcibly and against her will or where the victim is incapable of giving consent because of her youth or because of her temporary or permanent mental incapacity.

B. Forcible Sodomy

Definition: Oral or any sexual intercourse with another person, forcibly and/or against the person's will, or where the victim is incapable of giving consent because of his/her youth, or because of his/her temporary or permanent mental incapacity.

C. Forcible Fondling/Indecent Liberties/Child Molesting

Definition: The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental incapacity.

3. Robbery

Definition: The taking, or attempting to take, anything of value under confrontational circumstances from the control, custody, or care of another person by force or threat of force or violence, and/or putting the property custodian in fear.

General Rule: Robbery differs from larceny in that it is aggravated by the element of force or threat of force to the custodian of the property. The custodian, who may be the owner or person having custody of the property, is directly confronted by the perpetrator and is threatened with force or fears that force will be used.

4. Aggravated Assault

Definition: An unlawful attack by one person upon another where either the offender displays a weapon or the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

General Rule: All felonies and aggravated assaults are classified in this category. Not included are assaults with intent to rob or rape. Attempts to commit these crimes are reported in the categories of robbery or rape.

An assault, or threat of an assault, with any weapon or item used as a weapon other than hands, fists, and feet, is classified as an aggravated assault. It is not necessary that injury be inflicted.

When personal weapons (hands, fists, feet, etc.) are used, the victim must be seriously injured by these personal weapons. Usually this involves a broken bone or injury so severe that the victim should be admitted to a hospital beyond mere emergency room treatment.

5. Burglary/Breaking and Entering

Definition: The unlawful entry into a building or other structure with the intent to commit a felony or theft.

General Rule: Report as one offense any unlawful entry or attempted forcible entry of any dwelling, house, attached structure, public building, shop, office, factory, storehouse, apartment, house trailer, warehouse, mill, barn, other building, ship, or railroad car. If there is apparent unlawful entry and the offender has not completed an act or the actions or intent of the offender are unknown, it is reported as a burglary. Any time there is an uncertainty as to why entry was made to a structure, it is reported as a burglary.

Any time force of a physical nature has been used in order to gain entrance to some premises, the attempted burglary is reported.

Breaking into a vehicle is not reported as burglary, but as a larceny.

6. Larceny/Theft Offenses

Definition: The unlawful taking, carrying, leading, or riding away of property from the possession, or constructive possession, of another person.

Larceny/theft offenses include pocket picking, purse-snatching, shoplifting, theft from a building, theft from a motor vehicle (including motor vehicle parts/accessories), theft of bicycles, and all other types of larcenies.

General Rule: Embezzlement; fraudulent conversion of entrusted property; conversion of goods lawfully possessed by bailees, lodgers, or finders of lost property; obtaining money or property by false pretenses; larceny by check; larceny after trust; and larceny by bailee, are all classified as either fraud or embezzlement.

Thefts from rented property or from property that has been rented are not classified as larceny. This type of incident is considered a fraud, i.e., defrauding an innkeeper, failure to return rented property, etc.

7. Motor Vehicle Theft

Definition: Theft of a motor vehicle.

General Rule: Any theft of a motor vehicle is reported in this category.

Joy riding should be classified as a motor vehicle theft with the vehicle being shown as stolen and recovered.

8. Kidnaping/Abduction

Definition: The unlawful seizure, transportation, and/or detention of a person against his/her will, or of a minor without the consent of his/her custodial parent(s) or legal guardian.

General Rule: The kidnaping offense should be recorded regardless of the length of time the victim was detained/held. Kidnaping or false imprisonment is a by-product of many crimes, such as rape or robbery, and as such would not normally be counted as a separate offense.

9. Arson

Definition: To unlawfully and intentionally damage, or attempt to damage, any real or personal property by fire or incendiary device.

Special Instructions: Suspicious fires associated with hate-motivated incidents should be classified as arson. If the investigation later proves that arson has not occurred, the Offense Code can be modified.

10. Simple Assault

Definition: An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury.

General Rule: All physical assaults not classified in the aggravated assault category are reported as simple assault. This would include those assaults where no weapons, other than personal, were used and which resulted in only minor injuries.

11. Bribery

Definition: The offering, giving, receiving, or soliciting of anything of value (i.e., a bribe, gratuity, or kickback) to sway the judgment or action of a person in a position of trust and/or influence.

Special Instructions: The person offering or receiving a bribe will be considered the offender in these incidents. The victim will be the individual or business most affected by the bribe, or if the entity cannot be defined, the crime will be classified as a crime against society.

For example, a bank official is bribed not to qualify a Hispanic family for a home loan for a particular neighborhood.

12. Embezzlement

Definition: The unlawful misappropriation by an offender for his/her own or purpose, money, property, or some other thing of value entrusted to his/her care, custody, or control.

General Rule: Any time a person entrusted with anything of value during the normal course of operations and the function assigned, misappropriates such item, it is classified in this category.

13. Fraud Offenses

Definition: The intentional perversion of the truth for the purpose of inducing another person or entity, in reliance upon it, to part with something of value or to surrender a legal right.

Fraud offenses include false pretenses/swindle, impersonation, wire fraud, theft of rental cars (i.e., not returned or obtained by fraud), and other types of fraud.

General Rule: Fraudulent conversion of entrusted property; conversion of goods lawfully possessed by bailees, lodgers, or finders of lost property; obtaining money or property by false pretenses; larceny after trust; and larceny by bailee, are all reported in this category.

When a fraud is committed in which a counterfeit item is used or a forgery is committed in carrying out the fraud, the counterfeit or forgery is considered an integral part of fraud.

14. Counterfeiting/Forgery

Definition: The altering, copying, or imitation of something without authority or right, with the intent to deceive or defraud by passing the copy or thing altered or imitated as that which is original or genuine; or the selling, buying, or possession of an altered, copied, or imitated thing with the intent to deceive or defraud.

15. Extortion/Blackmail

Definition: Obtaining money, property, or any other thing of value, either tangible or intangible, from another person through the use or threat of force, misuse of authority, threat of criminal prosecution, or the destruction of the victim's reputation or social standing, or through other coercive measures.

16. Intimidation

Definition: To unlawfully place another person in fear of bodily harm through verbal threats without displaying a weapon or subjecting the victim to actual physical attack.

Intimidation includes, but is not limited to, the following offenses:

- Breach of peace/disorderly conduct.
- Applying unlawful standards, procedures, or intimidating a qualified voter.
- Corruptly influencing voting by bribery, menace, threat, or corruption.

17. Sex Offenses, Non-Forcible (Except Prostitution/Commercialized Sex)

Definition: Unlawful sexual intercourse, sexual contact, or other unlawful behavior or conduct intended to result in sexual gratification without force or threat of force and where the victim is capable of giving consent. This category may conclude obscenity offenses.

A. Sex Offenses

Indecent Exposure

Definition: Exposure by the offender of his/her private body parts to the sight of another person in a lewd or indecent manner in a public place.

B. Obscenity Offenses

Definition: Conduct which, by community standards, is deemed to corrupt public morals by its indecency and/or lewdness. This may include:

Obscene Communication/Telephone Call

Definition: To make or transmit a lewd, indecent, or lascivious telephone call or other communication.

Obscene Material/Pornography

Definition: To unlawfully manufacture, publish, sell, buy, or possess material (e.g., literature, photographs, statuettes, etc.) which, by community standards, is deemed capable of corrupting public morals.

Special Instructions: The persons willfully participating in these activities will be considered the offenders in these incidents. The victim will be the individual or business suffering the greatest embarrassment, harassment, or financial loss due to the offense.

18. Destruction/Damage/Vandalism of Property

Definition: The willful and/or malicious destruction, damage, or defacement of public or private property, real or personal, without the consent of the owner or the person having care, custody or control of the property.

19. Weapons Violations

Definition: The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

20. Trespassing

Definition: To enter unlawfully upon the real property of another person. To enter or remain in any property, structure, or conveyance without being authorized, licensed, or invited.

Appendix 2 — Florida Hate Crime Statutes 2000

775.085 Evidencing prejudice while committing offense; reclassification—

(1)(a) The penalty for any felony or misdemeanor shall be reclassified as provided in this subsection if the commission of such felony or misdemeanor evidences prejudice based on the race, color, ancestry, ethnicity, religion, sexual orientation, national origin, mental or physical disability, or advanced age of the victim:

(1) A misdemeanor of the second degree shall be punishable as if it were a misdemeanor of the first degree.

(2) A misdemeanor of the first degree shall be punishable as if it were a felony of the third degree.

(3) A felony of the third degree shall be punishable as if it were a felony of the second degree.

(4) A felony of the second degree shall be punishable as if it were a felony of the first degree.

(5) A felony of the first degree shall be punishable as if it were a life felony.

1. “Mental or physical disability” means that the victim suffers from a condition of physical or mental incapacitation due to a developmental disability, organic brain damage, or mental illness, and has one or more physical limitations that restrict the victim’s ability to perform the normal activities of daily living.

2. “Advanced age” means that the victim is older than 65 years of age.

(2) A person or organization which establishes by clear and convincing evidence that it has been coerced, intimidated, or threatened in violation of this section shall have a civil cause of action for treble damages, an injunction, or any other appropriate relief in law or in equity. Upon prevailing in such civil action, the plaintiff may recover reasonable attorney’s fees and costs.

(3) It is an essential element of this section that the record reflect that the defendant perceived, knew, or had reasonable grounds to know or perceive that the victim was within the class delineated herein.

History. — s. 1, ch. 89-133; s. 1, ch. 91-83.

877.19 Hate Crimes Reporting Act. —

(1) SHORT TITLE.—This section may be cited as the “Hate Crimes Reporting Act.”

(2) ACQUISITION AND PUBLICATION OF DATA.—

The governor, through the Florida Department of Law Enforcement, shall collect and disseminate data on incidents of criminal acts that evidence prejudice based on race, religion, ethnicity, color ancestry, sexual orientation, or national origin. All law enforcement agencies shall report monthly to the Florida Department of Law Enforcement concerning such offenses in such form and in such manner as prescribed by rules adopted by the department. Such information shall be compiled by the department and disseminated upon request to any local law enforcement agency, unit of local government, or state agency.

(3) LIMITATION ON USE AND CONTENT OF DATA.

Such information is confidential and exempt from s. 119.07(1). Data required pursuant to this section shall be used only for research or statistical purposes and shall not include any information that may reveal the identity of an individual victim of a crime. The exemption from s. 119.071(1) provided in this subsection is subject to the Open Government Sunset Review Act in accordance with s. 119.14

(4) ANNUAL SUMMARY. — The Attorney General shall publish an annual summary of the data required pursuant to this section.

History. — s. 1, ch. 89-132; s. 2, ch. 91-83; s. 1, ch. 94-125.

Appendix 3 — Florida Attorney General's Office of Civil Rights

The Florida Attorney General's Office of Civil Rights has developed a hate crimes training program specifically designed to train law enforcement officers and police supervisory personnel in detection, investigation, processing and reporting of hate crimes. The training is available upon request without charge to any law enforcement agency.

For more information, contact:

Florida Attorney General's Office
Office of Civil Rights
110 Southeast Sixth Street, Tenth Floor
Fort Lauderdale, FL 33301
(954) 712-4607

Appendix 4 — Sources of Additional Information on Hate Crimes

Anti-Defamation League
Florida Regional Office
Two South Biscayne Boulevard, Suite 2650
Miami, Florida 33131
(305) 373-6306

Education Development Center, Inc.
55 Chapel Street
Newton, Massachusetts 02158-1060
(617) 969-7100

Federal Bureau of Investigation
Uniform Crime Reporting Program
935 Pennsylvania Avenue N.W., #11
Washington, D.C. 20537-9700
(202) 324-3000

Japanese-American Citizens League
1001 Connecticut Avenue, N.W.
Washington, D.C. 20036
(202) 223-1240

NAACP, Southeast Region
970 Martin Luther King, Jr. Dr., S.W.
Suite 203
Atlanta, Georgia 30314
(404) 688-8868

National Gay and Lesbian Task Force and
Policy Institute
2320-17th Street, N.W.
Washington, D.C. 20009-2702
(202) 332-6483

National Organization of Black Law
Enforcement Executives (NOBLE)
4609 Pinecrest Office Park Drive, Suite F
Alexandria, Virginia 22312
(703) 658-1529

Organization of Chinese Americans, Inc.
1001 Connecticut Avenue, N.W., Suite 707
Washington, D.C. 20036
(202) 223-5500

Prejudice Institute
2743 Maryland Avenue
Baltimore, Maryland 21218-4329
(410) 366-9654

The Southern Poverty Law Center
400 Washington Avenue
Montgomery, Alabama 36104
(334) 264-0286

Spanish American League Against
Discrimination
900 S.W. First Street, Suite 201
Miami, Florida 33130
(305) 326-8585

U.S. Department of Justice
Community Relations Services
51 First Avenue, S.W., Room 24
Miami, Florida 33130
(305) 536-5206