



# **Hate Crimes in Florida**

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**January 1, 1998 – December 31, 1998**

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**Office of Attorney General Bob Butterworth**



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Dear Floridians:

Thank you for your concern about hate crimes in Florida. Unfortunately, there is still much to be concerned about regarding this most repugnant type of crime. This report indicates that the number of hate crime incidents has increased in our state over the past year, and public awareness continues to play a very important role in combating hate crimes in Florida.


In 1997, Florida enjoyed a decrease in the number of reported hate crimes. In 1998, however, a 27 percent increase in crimes was reported. Whether these numbers reflect an actual increase in hate-based crimes or more diligent reporting of these offenses by Florida's law enforcement agencies, the statistics should be seen as a warning sign that we cannot relax our commitment to stop hate crimes. Hate crimes will not be tolerated in Florida, and they will be prosecuted to the fullest extent of the law.

Multi-agency task forces throughout the nation are responding more aggressively to hate crimes and are using every resource at their disposal to prosecute and prevent the occurrence of these crimes. Various training manuals and programs have been developed for prosecutors, law enforcement personnel, arson investigators, community leaders and public school staff to respond to and prevent hate crimes. In 1998 this office helped create "Protecting Students from Harassment and Hate Crime: A Guide for Schools," a joint effort between the U.S. Department of Education Office of Civil Rights and the Bias Crimes Task Force of the National Association of Attorneys General. The Guide was endorsed by the National School Boards Association.

Communities are organizing to promote unity and to create programs designed to alert their citizens to the devastating effect of hate crimes. Neighborhood arson watch teams, arson prevention workshops for religious congregations, safety inspections for places of worship, and presentations to youth are important steps in combating this serious threat to our communities.

I hope the information contained in this report will be useful in increasing your knowledge and understanding of hate crimes and in developing community strategies for prevention. Please continue your work in identifying and bringing to justice those responsible for these heinous crimes.

Sincerely,

Rob   
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 categorized 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 challenge 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 highest ranking hate-related offense within each incident. Each crime (murder, forcible sex offenses, aggravated assault, simple battery and intimidation) may have multiple victims. Therefore, 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. 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 the national hate crime offense totals.

This 1998 Hate Crimes in Florida Report covers the period from January 1, 1998, through December 31, 1998. 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 crimes statute 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.

The original Hate Crimes Report issued in 1997 was later revised to include data that had not been submitted to this office when the original report was published. Please note that the 1997 figures used in this report are figures from the revised 1997 report.

## **Executive Summary**

This 1998 Hate Crimes in Florida report, submitted in accordance with the 1989 Hate Crimes Reporting Act, contains data reported by individual county and local law enforcement agencies throughout Florida. These agencies reported the occurrence of hate crime incidents in 1998 under the Uniform Crime Reporting (UCR) information system. Currently, 400 agencies participate in the UCR system, and this Report is based solely upon the information provided to FDLE by the reporting agencies.

The 1998 Report includes data reported by 63 participating agencies, an increase of 37 percent from 1997, when 46 agencies reported hate crimes. Overall, only 15.8 percent of the 400 participating agencies reported hate crimes this year.

In 1997, a total of 160 hate crimes was reported. In 1998, 203 hate crimes were reported, representing an increase of 26.9 percent from the previous year. Although several factors, including a greater number of reporting agencies, may have contributed to the increase in the reported number of hate crime incidents, no single factor appears to explain the increase. One possible explanation for the increase is the availability of more specialized training in the detection, identification, investigation, and reporting of crimes motivated by hate.

Since 1994, the Office of the Attorney General has conducted hate crimes training seminars for state and local law enforcement agencies throughout Florida. To date, more than 2,200 law enforcement personnel from more than 50 jurisdictions have received this training. Additionally, in 1998 this office participated in the development of national hate crimes training curricula for state and local law enforcement officers. The development of these curricula was a joint effort by the U.S. Department of Justice, the National Association of Attorneys General, the International Association of Directors of Law Enforcement Standards and Training, and the Federal Law Enforcement Training Center of the U.S. Department of the Treasury. Its purpose was to address the need for specialized training in this area. In 1998, train-the-trainer programs were presented throughout the United States. The curricula and the train-the-trainer programs emphasize the need to add prosecutors and victim advocates to the cadre of persons conducting these hate crimes training programs. This process has enhanced the training program and enabled more training programs to take place.

The 203 reported hate crime offenses represent criminal behavior that has been defined, categorized, and codified in Florida Statutes. The general motivational patterns underlying these incidents remain consistent with previous years. For example, race remains the most common motivation for hate crime, accounting for 62.6 percent of the 1998 inci-

dents, compared to 70.6 percent in 1997. The other motivational types included in the report were ethnicity 10.3 percent, religious beliefs 13.3 percent, and sexual orientation 13.8 percent. The number of reported hate crimes increased for each of these motivational types in 1998.

Hate crimes are classified by two types of offenses, crimes against persons and crimes against property. Crimes against persons accounted for 62 percent of all reported hate crimes in 1998, down from 74 percent during 1997. Crimes against property accounted for 38 percent of all reported hate crimes in 1998, compared to 26 percent in 1997.

Again, caution should be applied in interpreting this data and in drawing conclusions solely from information contained in this report. 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 law enforcement agency.

## **Annual Report Hate Crimes in Florida January 1 – December 31, 1998**

### **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, mental or physical disability, or advanced age. Under section 775.085, Florida Statutes, criminal penalties are enhanced 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.

**NOTE: Although the 1998 Legislature amended the law to add victim mental or physical disability or advanced age to the elements to be covered by the hate crimes law, the Legislature failed to amend the corresponding Hate Crimes Reporting Act, Section 877.19, Florida Statutes, to include these elements. Consequently, law enforcement is not required to capture data on hate crimes involving victims with mental or physical disability or advanced age, and such information is not included in this report.**

### **Types of Offenses**

Reported hate crime offenses ranged in seriousness from vandalism and intimidation to aggravated assault and murder. (See Table 1)

**Table 1. Offense Totals by Motivation Type  
January 1 – December 31, 1998**

Offenses	Race/Color	Religion	Ethnicity/ National Origin	Sexual Orientation	Totals
Murder/Manslaughter	1			1	2
Robbery	6			1	7
Aggravated Assault	46	3	4	4	57
Burglary	5				5
Larceny/Theft					0
Motor Vehicle Theft					0
Arson	2				2
Obscenity Offenses					0
Simple Assault	22	1	4	4	31
Intimidation	21	3	1	3	28
Vandalism	24	20	11	15	70
Trespassing			1		1
Weapons Violations					0
<b>TOTALS</b>	<b>127</b>	<b>27</b>	<b>21</b>	<b>28</b>	<b>203</b>

## Crimes Against Persons

Hate crimes, like other offenses, can be classified as crimes against persons or crimes against property. More than three out of every five reported hate crimes in 1998—62 percent—were committed against persons, including robbery, assault, intimidation, and murder. The remaining 38 percent of reported hate crimes were committed against property, including vandalism, arson, and burglary.

Of the total number of hate crimes committed in 1998 in Florida, 88 were in the form of assaults (aggravated or simple assault). This means that 43 percent of all the reported hate crimes committed in Florida involved assault. Although the actual number of hate-based assaults reported for 1998 increased by 4 incidents, the number of assaults as a share of overall hate crimes decreased from 52.5 percent in 1997 to 43.3 percent in 1998. Of the remaining crimes against persons, the vast majority took the form of vandalism.

**Table 2. Crimes Against Persons (1991–1998)**

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	52.5%	117	73.1%
1998	203	88	43.3%	125	61.6%

The total number of reported crimes against persons rose from 117 in 1997 to 125 in 1998, a 7 percent increase. However, crimes against persons represented a smaller share of overall hate crimes reported in 1998.

**Table 3. Crimes Against Persons vs. Crimes Against Property**

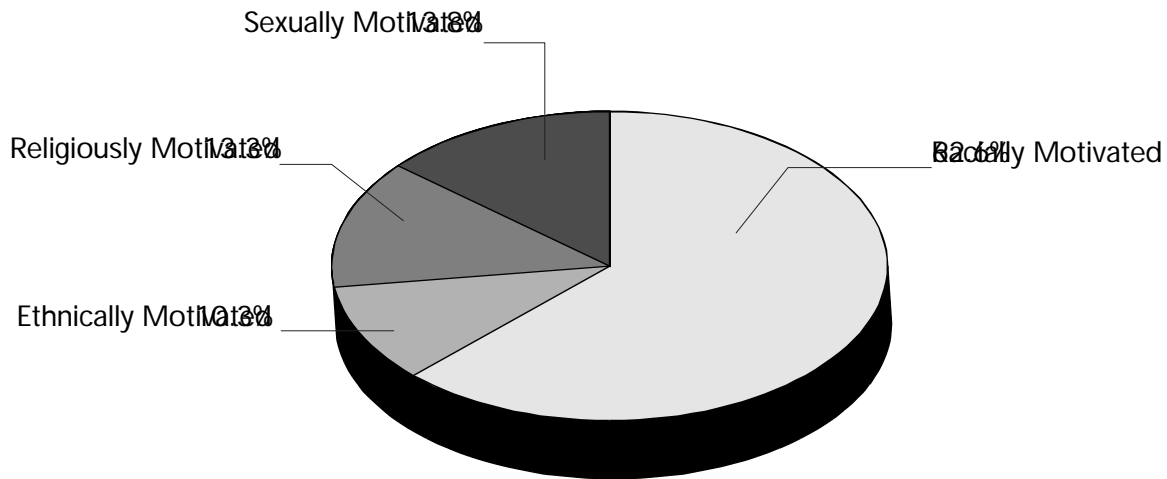
Year	Crimes Against Persons		Crimes Against Property	
1993	238	76%	74	24%
1994	206	73%	77	27%
1995	119	65%	65	35%
1996	148	70%	64	30%
1997	117	74%	41	26%
1998	125	62%	78	38%

Table 3 reflects that the share of reported hate-motivated crimes committed against persons decreased from 74 percent in 1997 to 62 percent in 1998, while the portion committed against property increased from 26 percent in 1997 to 38 percent in 1998.

## Motivation

In almost two-thirds of reported hate crime offenses (62.6 percent) the perpetrator's motivation involved the victim's race. Other motivational categories were religion (13.3 percent), ethnicity/national origin (10.3 percent), and sexual orientation (13.8 percent). See Figure 1.

**Figure 1. 1998 Florida Hate Crimes Overview By Motivation Type**



The motivational classifications that prompted hate-based crimes in 1998 remain relatively consistent with the pattern of the previous six years. The total number of hate crimes based upon race/color, ethnicity, religion, and sexual orientation increased from the previous year, including a three-fold increase in the total number of crimes based on ethnicity. The percentage of crimes based upon race/color declined from 70.6% in 1997 to 62.6% in 1998, even though the actual number increased. Table 4 provides a year-by-year breakdown of reported hate crimes by motivation

**Table 4. Hate Crimes Comparison by Motivation (1991–1998)**

	Race/Color		Religion		Ethnicity		Sexual Orientation	
	Percent of Total	Number of Offenses	Percent of Total	Number of Offenses	Percent of Total	Number of Offenses	Percent of Total	Number of Offenses
1991	71.5%	221	14.9%	46	10.4%	32	*3.2%	10
1992	62.0%	245	12.2%	48	11.1%	44	14.7%	58
1993	72.5%	227	9.9%	31	9.3%	29	8.3%	26
1994	70.0%	198	10.2%	29	9.9%	28	9.9%	28
1995	69.9%	128	12.6%	23	9.3%	17	8.2%	15
1996	73.6%	156	12.3%	26	11.3%	24	2.8%	6
1997	70.6%	113	11.3%	18	4.4%	7	13.8%	22
1998	62.6%	127	13.3%	27	10.3%	21	13.8%	28

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

## 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 Hate Crimes by Offense and Motivation Type (Table 6).

Hate crimes were reported in 24 Florida counties in 1996, 1997, and 1998. This reporting again included six of Florida's most populous counties: Broward, Dade, Hillsborough, Orange, Palm Beach, and Pinellas. Counties that reported hate crimes in 1998 but had not reported any in 1997 are Escambia, Hernando, Leon, Putnam, and Seminole. Correspondingly, five counties reported hate crimes in 1997 but did not report any in 1998: Lee, Manatee, Polk, St. Lucie, and Sarasota. Again, it is important to bear in mind that this report does not determine whether this change reflects an absence of such offenses or a lack of reporting. Among those counties reporting hate crime incidents in 1998, the total number of reported hate crimes ranged from two incidents in Seminole County to 32 in Palm Beach County.

Within the 24 reporting counties, a total of 26 law enforcement agencies identified at least one hate crime incident. These agencies include county sheriff's offices and municipal police departments. The agency reporting the most hate crimes in 1998 was the Palm Beach County Sheriff's Office (18). This agency also reported the most hate crimes in 1997.

**Table 5. Offense Totals by County and Agency**  
January 1 – December 31, 1998

County	Reporting Agency	Totals
<b>ALACHUA</b>	Alachua County Sheriff's Office	3
	Gainesville Police Department	4
	Alachua Police Department	1
	<b>TOTAL</b>	<b>8</b>
<b>BREVARD</b>	Brevard County Sheriff's Office	3
	Titusville Police Department	1
	<b>TOTAL</b>	<b>4</b>
<b>BROWARD</b>	Broward County Sheriff's Office	4
	Deerfield Beach Police Department	1
	Fort Lauderdale Police Department	1
	Hallandale Police Department	1
	Pompano Beach Police Department	1
	Wilton Manors Police Department	2
	Coconut Creek Police Department	1
	Margate Police Department	1
	Miramar Police Department	5
	Coral Springs Police Department	5
	Tamarac Police Department	1
	<b>TOTAL</b>	<b>23</b>

<b>County</b>	<b>Reporting Agency</b>	<b>Totals</b>
<b>CITRUS</b>	Citrus County Sheriff's Office	2
<b>CLAY</b>	Clay County Sheriff's Office	2
<b>COLLIER</b>	Naples Police Department	1
<b>DADE</b>	Metro-Dade Police Department	3
	Miami Beach Police Department	5
	South Miami Police Department	2
	<b>TOTAL</b>	<b>10</b>
<b>DUVAL</b>	Jacksonville Police Department	7
<b>ESCAMBIA</b>	Escambia County Sheriff's Office	1
	Pensacola Police Department	1
	University of West Florida Police Department	3
	<b>TOTAL</b>	<b>5</b>
<b>FLAGLER</b>	Flagler County Sheriff's Office	3
<b>HERNANDO</b>	Hernando County Sheriff's Office	1
<b>HILLSBOROUGH</b>	Hillsborough County Sheriff's Office	4
	Tampa Police Department	6
	Temple Terrace Police Department	3
	<b>TOTAL</b>	<b>13</b>
<b>LAKE</b>	Lake County Sheriff's Office	2
	Umatilla Police Department	7
	<b>TOTAL</b>	<b>9</b>
<b>LEON</b>	Leon County Sheriff's Office	1
<b>MARION</b>	Marion County Sheriff's Office	11
<b>MONROE</b>	Monroe County Sheriff's Office	6
	Key West Police Department	2
	<b>TOTAL</b>	<b>8</b>
<b>ORANGE</b>	Orange County Sheriff's Office	14
	Ocoee Police Department	1
	Orlando Police Department	2
	Winter Garden Police Department	1
	Winter Park Police Department	1
	University of Central Florida Police Dept.	2
	<b>TOTAL</b>	<b>21</b>
<b>OSCEOLA</b>	Osceola County Sheriff's Office	1

County	Reporting Agency	Totals
<b>PALM BEACH</b>	Palm Beach County Sheriff's Office	18
	Belle Glade Police Department	2
	Boca Raton Police Department	3
	Boynton Beach Police Department	1
	Delray Beach Police Department	2
	West Palm Beach Police Department	1
	Greenacres City Police Department	1
	Palm Beach Gardens Police Department	3
	Palm Springs Police Department	1
	<b>TOTAL</b>	<b>32</b>
<b>PINELLAS</b>	Pinellas County Sheriff's Office	10
	Clearwater Police Department	2
	St. Petersburg Police Department	12
	Tarpon Springs Police Department	1
	<b>TOTAL</b>	<b>25</b>
<b>PUTNAM</b>	Palatka Police Department	1
<b>SANTA ROSA</b>	Santa Rosa County Sheriff's Office	6
<b>SEMINOLE</b>	Seminole County Sheriff's Office	1
	Oviedo Police Department	1
	<b>TOTAL</b>	<b>2</b>
<b>VOLUSIA</b>	Daytona Beach Police Department	5
	South Daytona Police Department	2
	<b>TOTAL</b>	<b>7</b>
<b>TOTAL</b>		<b>203</b>

## Hate Crimes by Offense and Motivation Type

Table 6 provides a listing of all agencies that reported hate crimes for 1998, with a breakdown of the offenses and the motivational 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 Offenses and Motivation Type  
January 1 – December 31, 1998**

County	Agency	Offenses	Race/ Color	Religion	Ethnicity/ Natl. Origin	Sexual Orientation	Totals
<b>ALACHUA</b>	Alachua County Sheriff's Office	Aggravated Assault	2				2
		Destruction/ Damage/ Vandalism	1				1
	Gainesville Police Dept.	Aggravated Assault	3				3
		Intimidation				1	1
Alachua Police Dept.	Aggravated Assault	1				1	
	<b>County Total:</b>		<b>7</b>			<b>1</b>	<b>8</b>
<b>BREVARD</b>	Brevard County Sheriff's Office	Simple Assault	1				1
		Arson	1				1
		Destruction/ Damage/ Vandalism		1			1
Titusville Police Dept.	Simple Assault	1				1	
	<b>County Total:</b>		<b>3</b>	<b>1</b>			<b>4</b>

County	Agency	Offenses	Race/ Color	Religion	Ethnicity/ Natl. Origin	Sexual Orientation	Totals
<b>BROWARD</b>	Broward County Sheriff's Office	Intimidation Destruction/ Damage/ Vandalism	2	2			2 2
	Deerfield Beach Police Dept.	Robbery	1				1
	Fort Lauderdale Police Dept.	Destruction/ Damage/ Vandalism				1	1
	Hallandale Police Dept.	Simple Assault			1		1
	Pompano Beach Police Dept.	Murder & Non-negligent Manslaughter	1				1
	Wilton Manors Police Dept.	Simple Assault				2	2
	Coconut Creek Police Dept.	Destruction/ Damage/ Vandalism		1			1
	Margate Police Dept.	Destruction/ Damage/ Vandalism			1		1
	Miramar Police Dept.	Aggravated Assault	5				5
	Coral Springs Police Dept.	Intimidation Burglary/ Breaking & Entering Destruction/ Damage/ Vandalism	2	1			3
			1		1		1
	Tamarac Police Dept.	Destruction/ Damage/ Vandalism	1				1
		<b>County Total:</b>		<b>13</b>	<b>4</b>	<b>3</b>	<b>3</b>
<b>CITRUS</b>	Citrus County Sheriff's Office	Destruction/ Damage/ Vandalism		2			2
	<b>County Total:</b>			<b>2</b>			<b>2</b>
<b>CLAY</b>	Clay County Sheriff's Office	Arson Destruction/ Damage/ Vandalism	1				1
			1				1
	<b>County Total:</b>		<b>2</b>				<b>2</b>

County	Agency	Offenses	Race/ Color	Religion	Ethnicity/ Natl. Origin	Sexual Orientation	Totals	
COLLIER	Naples Police Dept.	Destruction/ Damage/ Vandalism				1	1	
	<b>County Total:</b>					<b>1</b>	<b>1</b>	
DADE	Metro-Dade Police Dept.	Aggravated Assault	1				1	
		Intimidation	1				1	
		Destruction/ Damage/ Vandalism				1	1	
	Miami Beach Police Dept.	Aggravated Assault	1		1			2
		Intimidation Destruction/ Damage/ Vandalism	1			1	1	2 1
South Miami Police Dept.	Aggravated Assault			2			2	
<b>County Total:</b>			<b>4</b>	<b>3</b>		<b>3</b>	<b>10</b>	
DUVAL	Jacksonville Police Dept.	Aggravated Assault	1				1	
		Intimidation	1				1	
Destruction/ Damage/ Vandalism		2		3			5	
<b>County Total:</b>			<b>4</b>	<b>3</b>			<b>7</b>	
ESCAMBIA	Escambia County Sheriff's Office	Simple Assault				1	1	
	Pensacola Police Dept.	Destruction/ Damage/ Vandalism				1	1	
	Univ. Of West Florida Police Dept.	Destruction/ Damage/ Vandalism			3		3	
	<b>County Total:</b>				<b>3</b>	<b>2</b>	<b>5</b>	
FLAGLER	Flagler County Sheriff's Office	Destruction/ Damage/ Vandalism	3				3	
	<b>County Total:</b>		<b>3</b>				<b>3</b>	
HERNANDO	Hernando County Sheriff's Office	Intimidation		1			1	
	<b>County Total:</b>			<b>1</b>			<b>1</b>	

County	Agency	Offenses	Race/ Color	Religion	Ethnicity/ Natl. Origin	Sexual Orientation	Totals
HILLSBOROUGH	Hillsborough County Sheriff's Office	Robbery	1				1
		Aggravated Assault	2				2
		Destruction/ Damage/ Vandalism	1				1
	Tampa Police Dept.	Robbery	1				1
		Aggravated Assault	2				2
		Simple Assault	3				3
	Temple Terrace Police Dept.	Simple Assault	3				3
	<b>County Total:</b>		<b>13</b>				<b>13</b>
LAKE	Lake County Sheriff's Office	Aggravated Assault	2				2
	Umatilla Police Dept.	Destruction/ Damage/ Vandalism				7	7
	<b>County Total:</b>		<b>2</b>			<b>7</b>	<b>9</b>
LEON	Leon County Sheriff's Office	Destruction/ Damage/ Vandalism			1		1
	<b>County Total:</b>				<b>1</b>		<b>1</b>
MARION	Marion County Sheriff's Office	Aggravated Assault	2		2		4
		Simple Assault	3				3
		Destruction/ Damage/ Vandalism	3		1		4
	<b>County Total:</b>		<b>8</b>		<b>3</b>		<b>11</b>
MONROE	Monroe County Sheriff's Office	Aggravated Assault	1			1	2
		Simple Assault	2				2
		Intimidation			1		1
	Trespassing			1		1	
	Key West Police Dept.	Aggravated Assault	2				2
	<b>County Total:</b>		<b>5</b>		<b>2</b>	<b>1</b>	<b>8</b>

County	Agency	Offenses	Race/ Color	Religion	Ethnicity/ Natl. Origin	Sexual Orientation	Totals
ORANGE	Orange County Sheriff's Office	Aggravated Assault	6				6
		Simple Assault	3				3
		Intimidation	3				3
		Destruction/ Damage/ Vandalism	1	1			2
	Ocoee Police Dept.	Simple Assault	1				1
	Orlando Police Dept.	Aggravated Assault	2				2
	Winter Garden Police Dept.	Destruction/ Damage/ Vandalism				1	1
Winter Park Police Dept.	Simple Assault	1				1	
Univ. Of Central Florida Police Dept.	Destruction/ Damage/ Vandalism					2	2
	<b>County Total:</b>		<b>17</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>21</b>
OSCEOLA	Osceola County Sheriff's Office	Destruction/ Damage/ Vandalism	1				1
	<b>County Total:</b>		<b>1</b>				<b>1</b>

County	Agency	Offenses	Race/ Color	Religion	Ethnicity/ Natl. Origin	Sexual Orientation	Totals
<b>PALM BEACH</b>	Palm Beach County Sheriff's Office	Robbery				1	1
		Aggravated Assault	2		2		4
		Simple Assault			1		1
		Intimidation	4				4
		Destruction/ Damage/ Vandalism	2	4		2	8
	Belle Glade Police Dept.	Intimidation	2				2
	Boca Raton Police Dept.	Destruction/ Damage/ Vandalism	1	1		1	3
	Boynton Beach Police Dept.	Destruction/ Damage/ Vandalism	1				1
	Delray Beach Police Dept.	Intimidation Destruction/ Damage/ Vandalism		1	1		1 1
	West Palm Beach Police Dept.	Burglary/ Breaking & Entering	1				1
Greenacres City Police Dept.	Murder & Non-Negligent Manslaughter				1	1	
Palm Beach Gardens Police Dept.	Burglary/ Breaking & Entering Destruction/ Damage/ Vandalism	1					1
			1	1		2	
Palm Springs Police Dept.	Simple Assault	1				1	
<b>County Total:</b>			<b>15</b>	<b>7</b>	<b>7</b>	<b>3</b>	<b>32</b>

County	Agency	Offenses	Race/ Color	Religion	Ethnicity/ Natl. Origin	Sexual Orientation	Totals	
PINELLAS	Pinellas County Sheriff's Office	Aggravated Assault	2			2	4	
		Simple Assault	1		2		3	
		Intimidation	2				2	
		Destruction/ Damage/ Vandalism			1		1	
	Clearwater Police Dept.	Simple Assault			1			1
		Burglary/ Breaking & Entering	1					1
St. Petersburg Police Dept.	Robbery	1					1	
	Aggravated Assault	9					9	
	Simple Assault	1				1	2	
Tarpon Springs Police Dept.	Intimidation				1	1		
<b>County Total:</b>			<b>17</b>	<b>1</b>	<b>3</b>	<b>4</b>	<b>25</b>	
PUTNAM	Palatka Police Dept.	Robbery	1				1	
	<b>County Total:</b>			<b>1</b>			<b>1</b>	
SANTA ROSA	Santa Rosa County Sheriff's Office	Burglary/ Breaking & Entering	1				1	
		Destruction/ Damage/ Vandalism	3	1	1		5	
	<b>County Total:</b>			<b>4</b>	<b>1</b>	<b>1</b>	<b>6</b>	
SEMINOLE	Seminole County Sheriff's Office	Destruction/ Damage/ Vandalism	1				1	
	Oviedo Police Dept.	Intimidation	1				1	
	<b>County Total:</b>			<b>2</b>			<b>2</b>	

County	Agency	Offenses	Race/ Color	Religion	Ethnicity/ Natl. Origin	Sexual Orientation	Totals
VOLUSIA	Daytona Beach Police Dept.	Robbery	1				1
		Simple Assault	1				1
		Intimidation	2				2
Destruction/ Damage/ Vandalism		1				1	
	South Daytona Police Dept.	Aggravated Assault				1	1
		Destruction/ Damage/ Vandalism	1				1
	<b>County Total:</b>		<b>6</b>			<b>1</b>	<b>7</b>
<b>GRAND TOTAL</b>			<b>127</b>	<b>27</b>	<b>21</b>	<b>28</b>	<b>203</b>

## **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.”

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

The mention of a prejudicial 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 crime. 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 or 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 crimes. 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, enforcement, and prosecutorial efforts related to hate-motivated crimes.

The Hate Crime Report Manual provides the following definition of offenses that 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 to 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 a 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.

**General Rule:** 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.

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.

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.

## **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 byproduct 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 a hate-motivated incidents should be classified as arson. If the investigation later proves that an 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 to 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 moral 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 1991

### **775.085 Evidencing prejudice while committing offense; enhanced penalties.—**

(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.

(b) As used in paragraph (a), the term:

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 or mental 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 that establishes by clear and convincing evidence that it has been coerced, intimidated, or threatened in violation of this section has 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; s. 1, ch. 98-83.

### **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 the detection, investigation, processing and reporting of hate crimes. The training is available upon request.

The Office of Civil Rights has developed a booklet containing criminal and civil statutes on church burnings, federal church arson investigative agencies, arson telephone hotline numbers, significant historical dates pertinent to hate groups, and an arson prevention guide.

The Director of the Office of Civil Rights co-chairs the bias crimes task force between the National Association of Attorneys General and the U.S. Department of Justice, and serves as co-chair for U.S. Attorney General Janet Reno's Working Group on State and Local Law Enforcement Hate Crimes Training. The working group designed a national hate crimes training curriculum for all law enforcement personnel throughout the country. This curriculum has been incorporated into the Attorney General's hate crimes training program.

For more information, contact:

Gregory Durden, Esquire  
Director of Civil Rights  
Florida Attorney General's Office  
110 Southeast Sixth Street  
Fort Lauderdale, FL 33301  
(954) 712-4608; FAX (954) 712-4826

## 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  
Gallery Row Building  
Washington, DC 20535  
(202) 324-5015

Japanese-American Citizens League  
1001 Connecticut Avenue, NW  
Washington, DC 20036  
(202) 223-1240

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

National Gay and Lesbian Task  
Force and Policy Institute  
2320 17th Street, NW  
Washington, DC 20009-2702  
(202) 332-6483

National Organization for Victim  
Assistance  
1757 Park Road, NW  
Washington, DC 20010  
(202) 232-6682

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, NW  
Suite 707  
Washington, DC 20036  
(202) 223-5500

Prejudice Institute  
Stephens Hall Annex  
Towson, Maryland 21204  
(410) 830-2435

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

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

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

