

# EUGENE CITY COUNCIL

## AGENDA ITEM SUMMARY



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### Work Session: Hate and Bias Incident Response and Anti-Hate Resolution

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Meeting Date: June 30, 2010  
Department: City Manager's Office  
*www.eugene-or.gov*

Agenda Item Number: B  
Staff Contact: Holly LeMasurier  
Contact Telephone Number: 541-682-5619

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#### **ISSUE STATEMENT**

Positive City leadership and community reactions play a strategic role in addressing hate crime impacts and incidents. This work session aims to inform the council of the City's Hate and Bias Incident Response Plan. The work session will highlight the recent community forum on hate and present a draft copy of an anti-hate resolution, proposed for future council approval.

#### **BACKGROUND**

The 1995 Oregon Legislature adopted House Bill 2401, which mandated that Oregon State Police collect bias crime data, establishing a reporting relationship with local municipalities. The bill required the establishment of a confidential bias crime reporting system and data bank to collect, store and utilize information concerning the type, frequency, location and patterns of bias crimes and descriptions of bias crime suspects. State law encourages bias crime reporting by victims, law enforcement agencies and jurisdictions. However, many jurisdictions lack resources to do this effectively or with consistency, and public education and awareness of reporting options assist with reporting goals.

Eugene reported 301 bias crimes from January 2000 - December 2009. Over that decade, 120 bias crimes were committed against persons through acts such as assault, menacing, intimidation, and harassment. There were 183 property crimes reported. The total and the type of reported bias crimes show the following: 156 bias crimes based on perceived race; 70 based on perceived sexual orientation; 54 based on perceived religion; and 21 based on perceived national origin. Staff believes these figures reflect a situation of significant underreporting. Eugene Police Department training on bias crime identification, as well as strategic communications, is making critical inroads with reporting. Public announcements on the importance of hate and bias activity reporting, and locations that seek hate activity reporting, are also in development.

In addition to improved reporting, developing response protocols and conveying information about sensitive response are other goals of staff's current work. The Diversity and Equity Strategic Plan includes an action item recommended by the council's Community Committee on Race to develop a hate and bias response plan for the City of Eugene. This plan is a result of collaborative efforts and analysis with strategic community partners, and reflects best practices, City of Eugene resources and expertise, key partnerships, and community assets.

Sensitive response to the needs of victims and survivors, and the assessment of impacts on targeted and broader communities, are critical. A distinct response to each incident is essential. Responses must never

interfere with investigations, and should be respectful of victims, careful not to alienate, re-exploit or re-victimize people, and be timely, strong, and broadly unifying. Regular, consistent and clear messages from public officials and leadership about diversity, inclusiveness, and tolerance also are powerful messages. The response plan also identifies proactive and ongoing education and outreach to develop positive community relations that impede attitudes and violence motivated by hate.

Eugene will join other communities beginning to post and publicize coordinated and comprehensive guidelines for hate response. The *Hate and Bias Incident Response* guidelines do not delve into details of specific hate crimes investigation, prosecution or laws. That work often is undertaken by teams of local, state and federal law enforcement agencies and attorneys, and is guided by Oregon and federal statutes. By contrast, the *City of Eugene Hate and Bias Incident Response Plan* identifies how the City organization can respond sensitively to individuals and groups impacted by hate activities, and address the “ripple effects” hate activity can create in the broader community. A brief, one-page overview of the City’s incident response was created for broad, public information.

The Human Rights and Police commissions conducted a public forum on hate crimes in late April. An expert panel conveyed information and provided clarity on hate crimes, “hate speech,” hate crimes prosecution, community response, prevention, and other issues. Break-out sessions on prevention and response strategies focused on government, schools, neighborhoods and public safety. Resources are being developed for the Police Commission and Human Rights Commission education and outreach efforts. The committee working on this public forum also developed an anti-hate resolution, and presented and discussed the proposed draft resolution at the forum. The proposed resolution was enthusiastically embraced and, if adopted, could be perceived as a constructive step toward challenging hate in Eugene. The resolution draft is co-sponsored by the Police and Human Rights commissions.

## **RELATED CITY POLICIES**

City Council Goals: Safe Community & Effective, Accountable Municipal Government

Diversity and Equity Strategic Plan (DESP): Leadership and Capacity Building Action Item 1.4  
Complete and put into action the Hate Incident Response Plan.

City of Eugene Code 2.265: Human Rights Commission - Duties and Powers

- (1) The commission shall affirm, encourage and initiate programs and services within the city designed to eliminate discrimination, improve human relations, and effectuate the spirit and intent of applicable human rights legislation. In these efforts, the commission may enlist the support of community groups and public agencies.

Eugene Police Department Bias Crimes General Orders 308-13

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

## **COUNCIL OPTIONS**

1. Request periodic updates from the Equity and Human Rights Center and Eugene Police Department on hate activity in Eugene.
2. Provide direction on the proposed anti-hate resolution and request it return to council for adoption.

**CITY MANAGER’S RECOMMENDATION**

The City Manager has no recommendation at this time.

**SUGGESTED MOTION**

Move to place the proposed anti-hate resolution on the next City Council Consent Calendar.

**ATTACHMENTS**

- A. City of Eugene Hate and Bias Incident Response
- B. Draft Anti-Hate Resolution

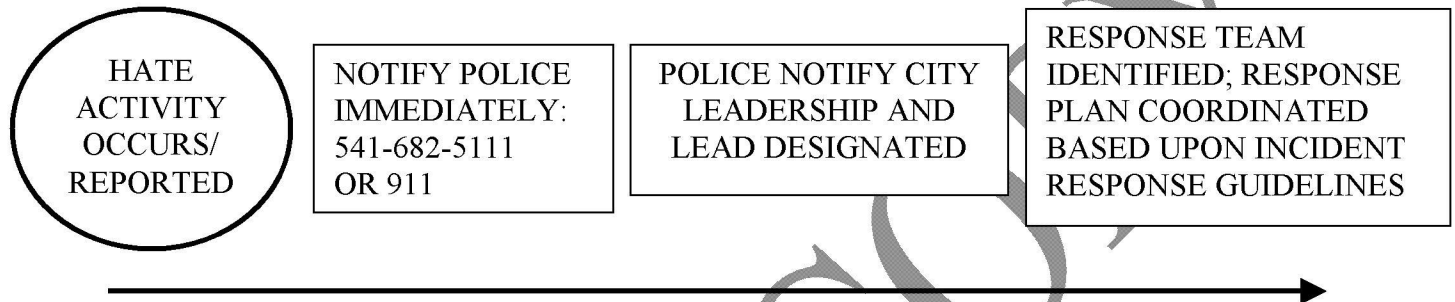
**FOR MORE INFORMATION**

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# City of Eugene Bias and Hate Incident Response

Hate and bias crimes instill fears and distress to victims and communities, and may have far-reaching negative consequences. Hate crimes impact the community at large, and require specific attention and sensitive response. The City of Eugene has a strong commitment to responding to hate activity, as well as contributing to hate crimes prevention strategies. The City of Eugene, through codes, policies and practices, strives to safeguard the civil and other legal rights of all people. Any acts or threats of violence, property damage, harassment, intimidation or other offences infringing on these rights are viewed as a very serious matter by the City and police. This agency will use necessary resources to rapidly and decisively identify perpetrators and pursue vigorous enforcement action. Attention will be given to victims and others impacted by the offence.



**Non-Criminal Hate Activity:** This type of hate activity includes biased or bigoted acts that target a group of people, individuals, or property, that do not involve crimes. Non-criminal hate activity often is protected by free speech and can include rallies, offensive signs or t-shirts, leafleting and flier distribution, and group meetings. Attempts to regulate speech face substantial constitutional hurdles. Eugene Police Department (EPD) law enforcement may not involve itself in non-criminal hate activity, often manifested as ‘hate speech.’

**Criminal Hate Activity – Bias Crimes and Hate Crimes:** Bias crimes are often referred to as a “hate crimes” and include any *criminal* act against a person, group of people or property motivated by bias or prejudice. Bias crimes are not stand-alone crimes, rather the term “bias” is used to describe the nature of crimes and distinguish those crimes that are motivated by prejudice and bias against designated protected classes. Crimes that involve bias differ from other crimes because of their intent to send a message that implies: “You are a target because I don’t like you. I don’t want you here. I will hurt you.” Bias crimes can include all classes of crime motivated by bias or prejudice based on actual or perceived race, color, religion, national origin, sexual orientation, marital status, political affiliation or beliefs, membership or activity in or on behalf of a labor organization or against a labor organization, physical or mental handicap, age, economic status, social status, or citizenship. Crimes can range from telephonic harassment, graffiti, property damage, physical assault or murder. EPD Violent Crimes leads criminal investigations for bias crimes. Criminal mischief, intimidation and assault are common bias crimes in Eugene.

**Always inform Eugene Police Department of possible crimes as soon as possible.  
Call 911 during a crime. Call 541-682-5111 to report a non-emergency crime situation.**

**Information about other hate activity should be directed to the Equity and Human Rights Center,  
541-682-5177, [ehrcenter@ci.eugene.or.us](mailto:ehrcenter@ci.eugene.or.us).**

The circumstances surrounding each hate incident are unique. A coordinated and sensitive response, tailored to each incident, ensures the best outcome for victims and community members. The City of Eugene established hate and bias incident response strategies as a resource to the City of Eugene and broader community, available upon request: [ehrcenter@ci.eugene.or.us](mailto:ehrcenter@ci.eugene.or.us).

## REPORTING & TRACKING HATE ACTIVITY

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Hate activity is reported from diverse sources, such as a community member victim or witness, police, the Mayor, City Councilors, City Manager, Police Auditor, a city employee, community-based agencies such as Community Alliance of Lane County (CALC), family members, schools, or newspapers.

**Police notification:** Inform EPD of possible hate *crimes* as soon as possible. This will initiate the internal EPD protocols to investigate the situation as a hate crime.

**Police follow-up protocols:** Patrol notifies Violent Crimes and/or the Eugene Police Public Information Officer and Chief. Police notify City Manager, who may notify Mayor and ward Councilor. In some cases, County leadership should also be involved. Police also notifies Equity and Human Rights Center so all hate activity can be logged and tracked. Police may choose to send out a pre-media brief advisory immediately following events, if they anticipate concern from or in the community.

**Equity & Human Rights Center protocols:** The City of Eugene Equity and Human Rights Center will help plan a coordinated response for any hate incidents reported to the Center by police or any other sources. Center staff will assess the situation and coordinate a timeline and process for connecting with the targeted individual or group, and the impacted community (social group and/or geographic area). The Center maintains hate and bias activity to monitor hate and bias incidents and trends in our community.

## RESOURCES

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Eugene Police Department  
Emergency: 911  
Non-emergency tip line: 541-682-5111

Springfield Police Department 541- 726-3714

City of Eugene Equity and Human Rights Center  
541-682-5177  
Email: [ehrcenter@ci.eugene.or.us](mailto:ehrcenter@ci.eugene.or.us)

Lane County Human Rights Complaint Line  
541-682-2380

University of Oregon Bias Response Team  
Email: [brt@uoregon.edu](mailto:brt@uoregon.edu)  
Phone: 541-346-1134 or 541-346-1139

Community Alliance of Lane County  
Back to Back: Allies Against Hate Program  
Stop Hate Campaign: 541-607-8077  
Email: [report\\_hate@yahoo.com](mailto:report_hate@yahoo.com)

Department of Justice  
Community Relations Service  
Regional Headquarters  
915 Second Avenue, Suite 1808  
Seattle, WA 98174  
206- 220-6700  
Will assist in cases of significant community impact.

Coalition Against Hate Crimes  
On line: [www.against.hate.pdx.edu](http://www.against.hate.pdx.edu)  
By email: [OregonCAHC@mail.com](mailto:OregonCAHC@mail.com)  
503-725-8502

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION** to denounce hate, intolerance, and bias activities in the City of Eugene.

**The City Council of the City of Eugene finds that:**

**Whereas** the Universal Declaration of Human Rights promotes standards of human dignity and human security for all people;

**Whereas** the people of the City of Eugene seek to protect human and civil rights;

**Whereas** we believe that our strength lies in our common humanity, and we strive to foster mutual understanding;

**Whereas** hate activity is a persistent concern for public safety across the nation;

**Whereas** history has tragically taught us what happens when acts of intolerance and hatred occur;

**Whereas** individuals often feel isolated to end hate violence, but seek non-violent coexistence;

**Whereas** the people of Eugene, Oregon will stand together and resolved in opposing manifestations of hate, and acts of intolerance committed against our neighbors;

**Whereas** we strongly condemn bias, intimidation, harassment and other acts of violent behavior based on race, ethnicity, religion, sexual orientation, gender identity, housing status, economic status, or other social status;

**Whereas** Eugene chooses to be a leader in promoting human rights and social justice, diversity and equity, public safety and social well-being;

**NOW, THEREFORE,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EUGENE, a Municipal Corporation of the State of Oregon, as follows:**

We join the efforts across the community, country and globe to oppose hate violence by strongly confronting acts of hate and intolerance in the City of Eugene, and strengthening our responses to hate.

**The foregoing Resolution adopted the \_\_\_\_ day of July, 2010.**

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**Acting City Recorder**