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BIAS CRIME ASSESSMENT

A Tool and Guidelines for Law Enforcement

and Concerned Communities

Vera Institute of Justice
2018

BIAS CRIME ASSESSMENT -- GUIDELINES FOR USING THE BCAT

ABOUT THESE GUIDELINES

The **Bias Crime Assessment Tool (BCAT)** and **Guidelines** aim to improve reporting of hate incidents and crimes. Informed by research, this tool is intended to be used in a wide range of settings by schools, law enforcement, victim assistance specialists, community and civil rights advocates, health care providers or social service agency staff who may be responsible for identifying and responding to victims of hate. The BCAT has two parts: Part 1 is short and meant for quick assessments; Part 2 is more in-depth.

UNDERSTANDING BIAS (OR HATE) CRIME

People often use the terms hate crime or bias crime interchangeably and we will do so here. Hate crimes are any criminal offenses motivated by bias, hostility, or prejudice against a protected class. Protected classes under federal law are disability, ethnicity, gender, gender identity, national origin, race, color, religion, sexual orientation, and in some states, political affiliation. The kinds of legally protected classes vary from state to state.[1] Depending on jurisdiction a crime may or may not be considered a hate crime.

Hate incidents do not involve criminal behavior. For example, it is not criminal to yell racial slurs. This and other types of bias-motivated behavior is offensive and may provide important evidence of bias motivation in subsequent criminal cases. Thus, hate incidents are an important part of the hate crime landscape to be identified and responded to as a serious matter. All hate crimes involve bias-incidents, but not all bias incidents constitute a hate crime.

The key factor related to identifying hate-based crimes or incidents is differential selection of a victim. Bias has to be a factor—in whole or in part, depending on jurisdiction—in determining who the target of a crime is. Bias is not necessarily the *source* of a conflict, but it may escalate the conflict. It may be that the victim of a hate incident does not actually have the characteristic assumed by the perpetrator—that is, it could be mistaken identity—but such an offense is still motivated by hate and should be identified as a hate incident or crime.

Motivation is rarely clear-cut when people are victimized. As we know, it is common for a hate crime incident to have a bias motivation, such as anti-Latino sentiment, and a non-bias motivation, such as monetary gain; a case like this is often referred to as having "mixed motives." It is also common for a bias motivation against a legally protected class to be mixed with bias against extralegal characteristics such as social class, age or immigration status. For example, a worker who is perceived to be an immigrant may be targeted and robbed when walking or riding a bicycle home from work. Other crimes such as wage theft and labor trafficking may also overlap with bias crimes. Evidence of selection based on race, gender or other protected categories is sufficient to identify a bias crime even when other motivations or factors are present.

BASIC PRINCIPLES FOR IMPROVING BIAS CRIME REPORTING

Recognizing that responding to bias motivated behavior in the form of incidents and/or crimes should be done in a manner that promotes human dignity and justice, people reporting any hate incident should be treated seriously and respectfully. To improve hate crime reporting, research suggests that:

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[1] For information on states' hate crime laws and comparisons with federal laws, see http://hatecrimehelp.com.

- Respecting victim *perception of bias* can be as important as determining offenders' *intent*.[2]
- Responding to bias *incidents* can matter as much as identifying bias *crimes*.
- Understanding *extra-legal* factors can be as relevant as focusing on *legal* factors.
- Hate crimes impact not only *individuals*, but also entire *communities*.

THE PURPOSE OF THE BIAS CRIME ASSESSMENT TOOL

The BCAT can be used whether or not victimization seems to be a result of a hate incident or a hate crime. To determine whether a full assessment is appropriate, the BCAT begins with brief screening questions. If answered affirmatively, the assessor should proceed to gather information from the victim. **Part 1** of the BCAT collects basic information that first responders generally require. **Part 2** allows a more in- depth assessment useful for investigation, follow-up and case management with the victim. When appropriate, conducting an assessment can help identify victims of hate crimes and help victims obtain the protection and services they need. If victims feel confident in the process, valuable testimony and other evidence also can be collected to advance prosecution and bias crime prevention efforts.

TIPS FOR USING THE BCAT

Before using the BCAT with potential victims of hate incidents or crimes, ensure that the victim is physically safe and that they *feel* safe and comfortable answering the questions. Confidentiality protocols and the benefits of reporting should be clearly discussed at the beginning. Agencies using the assessment tool may need to develop protocols on sharing information about identified hate crime victims. Users of the BCAT should be prepared to draw upon the expertise of local prosecutors, legal service providers, and victim assistance staff to refer victims to appropriate services in their area.

Effective interviews with crime victims depend upon building trust and asking questions appropriately. Interviewers should be comfortable working with victims, sensitive to their needs, and aware that victims may be suffering from the effects of potentially traumatic experiences.

Reducing fear

Victims of hate incidents and crimes tend not to report the offenses for various reasons. Victims often accept the occurrence of hateful incidents as "normal" and, unfortunately, may not trust law enforcement or other authorities to take them seriously. They may be afraid to report an incident or crime if they have been threatened with harm, and therefore have reasonable fears of the perpetrators. They also may fear police or immigration authorities with whom they have had negative experiences in the past. To help allay fear before starting the assessment, the following techniques for working with victims are recommended:

- Offer reassurance. You might say, "*We are here to help you. Your safety is our first priority. You have a right to live here without being a victim of hate. If you have any concerns about reporting, I'd like to attend to them before proceeding.*"
- Hold the interview in a safe place. Do not meet with a victim in sight of the offender.
- Allow anonymous reporting if that allows the victim or person reporting to feel more secure.

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[2] The weight given the victim's perception of motivation varies across jurisdictions. However, no matter where a hate incident occurs, a victim's' perception is valid information to acknowledge and record.

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- Ensure that the person reporting understands the rights of victims. Emphasize that protection from hate crime applies to U.S. citizens *and* non-citizens alike.[3]
- Be sensitive to the victim's fears. Victims are often afraid of retribution, and have a sense of shame as a result of being a victim of a hate incident or crime.
- Be aware of gender, sexual orientation[4] or cultural concerns. Ask if victims are comfortable being interviewed by you. If not, ask if they wish to be interviewed by someone else (e.g. of the same gender or culture).

Developing trust

Victims of hate incidents and crimes need to feel respected before they divulge personal experiences that may revive fears, shame or psychological distress, or place themselves or their families in jeopardy. Assessors should first try to establish rapport, then turn to the formal assessment questions when the victim feels confident in proceeding with the report. As good assessors know, ways to instill trust include:

- Being respectful of the person reporting. Acknowledge that hate incidents are harmful.
- Stating your purpose clearly when you ask questions. Maintain an attentive, professional attitude.
- Being clear that hate incidents and crimes are wrong. Do not make them seem normal or expected.
- Not implying that a victim is to blame. They are not responsible for their victimization.
- Recognizing that many victims are not familiar with hate crime laws, protections, or services.
- Expressing knowledge of other bias-related cases so that the victim does not feel alone, *but also recognizing that each case is unique and the victim's own feelings are important.*
- Provide language assistance or a trustworthy interpreter if requested.[5]
- Allowing the victim ample time to talk. Give them a chance to ask questions and tell their story.
- Reflecting the victim's story back to them, without interpretation, to show them you are listening and to ensure you are accurately following their story.
- Showing that you will take the report seriously. Describe steps that may be taken after the report.

Understanding trauma

Hate crime victims have often endured profound physical and psychological injuries that may impede the efforts of law enforcement, attorneys and victim service providers to gather facts. Below are important points about trauma and victimization to remember when interviewing victims of hate incidents:

- Express sympathy for what has happened to the victim. Do not appear judgmental. It is often helpful to say simply, "I'm so sorry this happened to you."

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[3] Exceptions may apply to victims who have outstanding deportation orders, who lack the same legal protections. When immigration enforcement efforts are stepped up, fear of the risks associated with reporting crime victimization also increases.
[4] For some definitions of gender-related terms, see: https://www.apa.org/pi/lgbt/programs/safe-supportive/lgbt/key-terms.pdf
[5] For practical information about how law enforcement works effectively with interpreters, please see: https://www.vera.org/projects/translating-justice/learn-more

- Be sensitive to whether a victim is emotionally stable and feels able to talk. If they show distress, ask if they would prefer to suspend the interview until they feel able to continue.
- Be aware that answering questions about bias-related incidents may be very difficult for victims, and cause humiliation or shame, especially when bias incidents are violent.
- Minimize the potential for re-traumatization by ensuring the victim is comfortable talking about the incident with you. Avoid asking them to repeatedly describe disturbing events if possible.
- Be prepared to offer information about counseling and other services if the victim expresses interest in getting additional help.
- Some people's reactions to previous trauma may impede an assessor's ability to establish rapport and obtain a coherent narrative. This is not necessarily a reflection of a victim's credibility, but rather evidence of the serious impact of a traumatic experience. Assessors can learn to recognize common signs of trauma, which may include hyperarousal, avoidance, distrust, flat affect or memory problems. W*hen in doubt about how to help a victim, consult a mental health specialist.*[6]

Maintaining confidentiality

Maintaining confidentiality is imperative when working with people who have reason to think that their safety may be at risk. Assessors should:

- Discuss with the victim or person reporting when and how confidentiality will be maintained.
- If working with an interpreter, ask them to sign confidentiality agreements.
- When applicable, refer victims to other service providers who can maintain confidentiality.
- If advisable to protect others who may be affected, share only necessary information.

Additional considerations

Victim testimony is of course crucial for successful prosecutions. However, many hate crime victims have had past negative experiences with law enforcement or other authorities and may be reluctant to report. Law enforcement can use a victim-centered approach to encourage and support victims to come forward, which can help to strengthen an investigation. Using a victim-centered approach can build trust between victims and authorities. Officers who are able to assess hate victimization effectively are aware that:

- Conventional police interrogation techniques may be experienced by victims as aggressive or insensitive, and result in victims being less responsive to questions and to appear less cooperative. Respectful dialogue that does not treat them as criminals, and tactfully acknowledges their victimization, builds trust. This approach can ultimately facilitate cooperation in an investigation.
- Perpetrators of hate crimes may use accusations about immigration status to threaten foreign-born victims, who fear immigration consequences as a result of contact with law enforcement. Some immigrant victims can obtain a U visa and associated benefits at the discretion of authorities if

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[6] For more information about implementing a trauma-informed approach to victims, please see*: SAMHSA's Concept of Trauma and Guidance for a Trauma-Informed Approach*. HHS Publication No. (SMA) 14-4884. Rockville, MD: Substance Abuse and Mental Health Services Administration, 2014. *https://store.samhsa.gov/shin/content/SMA14-4884/SMA14-4884.pdf*

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they fully cooperate in criminal investigations, which can be a complex, difficult process. There is no guarantee that a cooperative victim will obtain a U visa.[7]

- Meaningful follow-up with the victim is crucial to instill confidence in the reporting process. To the extent possible, information about progress in investigations or other case outcomes should be shared with the victim. In some instances, sharing information about incidents or crime with the affected community can increase public safety and cooperation between law enforcement and community members.
- Enlisting victim specialists and other service providers helps to meet victims' needs, and therefore allows victims to be of more assistance to the authorities during investigations or prosecutions. Although there is no certainty that victims can access benefits, providing information about health or other services may be helpful, even if the incident is not considered a crime.

BCAT IMPLEMENTATION

- BCAT users should determine how to best integrate this assessment tool with other regular procedures of their organization, as each agency has a unique mission and may have existing protocols in place. Ideally, the BACT is complementary and part of a larger suite of best practices.
- Interviewers should familiarize themselves with the questions in advance and avoid reading them in a mechanical manner. Questions may be re-phrased to ensure the victim's understanding.
- If the screening questions suggest that doing a full BCAT assessment is advisable, assessors should be as thorough as possible even if bias victimization is uncertain. Hate crimes are complex and often occur in conjunction with other forms of discrimination or victimization.

THE BCAT SECTIONS

The BCAT should be completed if the answers to the initial screening questions suggest that a hate incident or hate crime may have occurred. The screening questions are quick indicators of possible bias, but not a shortcut to gathering evidence. It will be necessary to continue with questions in many cases. First and foremost is ensuring that the victim or the reporting person's safety concerns are being addressed before proceeding. The BCAT is comprised of two parts: <u>Part 1 is essential and should be used for all intakes when the screening questions are answered affirmatively.</u> Part 2 is useful for more comprehensive assessments and may be especially helpful in case management, victim assistance, planning and case review. Short descriptions of the sections follow:

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[7] The U nonimmigrant status (U visa) is set aside for victims of certain crimes (including immigrants) who have suffered mental or physical abuse and are helpful to law enforcement or government officials in the investigation or prosecution of criminal activity. Congress created the U visa with the passage of the Victims of Trafficking and Violence Protection Act in 2000. The legislation was intended to strengthen the ability of law enforcement agencies to investigate and prosecute cases of domestic violence, sexual assault, trafficking of aliens and other crimes, while also protecting victims of crimes who have suffered substantial mental or physical abuse due to the crime and are willing to help law enforcement authorities in the investigation or prosecution of the criminal activity. The legislation also helps law enforcement agencies to better serve victims of crimes, but its use is limited in local practice. *See: https://www.uscis.gov/humanitarian/victims-human-trafficking-other-crimes/victims-criminal-activity-u-nonimmigrant-status/victims-criminal-activity-u-nonimmigrant-status*

PART 1

Intake information. This section records basic information about the assessor and person reporting.

Types of hate incidents and crimes. More than one type of crime can occur as part of a single incident or series of incidents. Types of hate incidents may include discrimination, verbal harassment, downgraded or denial of services or attention, or cyberbullying, which is increasingly common. Hate crimes may include threats to harm, robbery, sexual assault, vandalism, physical attacks or other acts. It is important to document incidents such as discrimination, including downgraded or denied services or attention, because they can be indicative of behavior patterns that set the tone for commission of hate offenses.

Details of the incident: date, time, location and what occurred. This includes essential facts and whether the incident happened during a routine activity, religious holiday or at a public event. These contextual details build evidence and contribute to the proper assessment of hate motivation. They may also reveal patterns that impact crime prevention and public safety. Evidence can take the form of one or more of the following: name calling or derogatory slurs, threats of violence; cyberbullying; acts, gestures or symbols such as graffiti or signs; property damage, and hate speech. If appropriate given the details of the incident, the assessor should probe for evidence of offenders' affiliation or sympathies with hate groups as well as for any similar past incidents.

Identity Markers. Identity markers are often indicators of bias. They are features of identity *as reported by the victim,* who believes that these characteristics explain the offender's reason for targeting them. Identity markers typically include disability, ethnicity, gender, gender identity, national origin, race, color, religion, sexual orientation. A person's identity may combine more than one of these features, all of which may be important in obtaining an accurate picture of bias motivation. Identity markers also may include other "extra-legal" features such as age, appearance, social class, language spoken, association with people or places who have these characteristics, the perception that someone has these characteristics, or any combination of these. For example, a person who is seen at an ethnic business may be targeted because of assumed religious identity. Bias against a person's national origin is implicated in targeting someone because of their perceived immigrant status. Especially in the absence of other apparent motivations for a crime, these characteristics may indicate that the perpetrator was motivated by bias.

Offender characteristics. Offender characteristics are important to document to solve crimes, and possibly for crime prevention. Hate crime offenders often strike in groups and are often strangers, but are sometimes known to the victim. Offenders may even be authority figures or service providers.

Witnesses or bystanders. This information can aid in understanding victims' sources of help and suggest who may be engaged in providing supporting evidence.

Victim's perception of intent and impact of offence. The victim's perception of the offenders' intent is a legitimate way to build evidence and is critical for understanding what motivated the offence, which is a key to determining if a bias crime occurred. Documenting victim impact also contributes to relevant criminal evidence of threat and harm, and reassures the victim of a genuine interest in responding.

Conclusion of Part 1. The likelihood of hate crime victimization depends upon the totality of information gathered. At the end of Part 1, an assessor should use their own judgement to provisionally determine whether a bias crime has occurred, and what the appropriate next steps should be. The

assessment and follow-up may be discussed with a supervisor. *If the assessor decides against proceeding with Part 2, an explanation for the decision to stop should be given.*

PART 2

Victim narrative. Optimally, in depth bias crime assessment should include obtaining a detailed narrative statement from the victim, including details about the sequence of events, how the incident unfolded, how it affected the victim, if there are any ongoing needs for protection or services, and inquiry into any barriers to timely reporting that could be addressed.

Prior incidents and community concerns. Some victims have been repeatedly targeted. Moreover, similar prior incidents may be indicative of ongoing hate crime problems that need to be addressed to prevent recurrence and escalation of hate crimes in the community. Documenting such patterns can ultimately help build evidence for investigations, improve reporting, and promote community education.

Victim assistance and additional action plans. The assessor should be able to provide the victim with information and referrals to victim assistance specialists or other service providers. The assessor also should be able to provide the contact information of specific law enforcement personnel who will follow up with the victim to share information about progress and case outcomes.

Incident review / performance measures. These items are included in the assessment process to promote long-term improvement in reporting and institutional responses to hate crimes.

See the following pages for the Bias Crime Assessment Tool →

BIAS CRIME ASSESSMENT TOOL

INITIAL SCREENING QUESTIONS

1. *Did you feel unsafe or threatened? _____yes _____no Do you feel unsafe now? ____yes _____ no*
2. *Why do you think that this happened to you? _____*
3. *Do you believe this incident happened to you because of your identity, appearance, or your association with others who have a particular identity? _____yes _____ no   (If yes, please describe) _____*
4. *Do you think that bias or hate was part of the other person's motivation? _____yes _____no*
5. *Did the offenders call you names or use derogatory language in your presence? ____yes ____no*

*If the person answers **YES to two or more** of these questions, **proceed with Part 1** below. Proceed only when the victim or person reporting feels safe enough to continue.*

PART 1

INTAKE INFORMATION

Place of assessment: _____ Date: _____

Assessment done in person ___ by phone____ Assessment done by: _____

Title: _____Contact information: _____

Person reporting the incident:

_____Victim reporting directly _____Witness reporting	_____Third-person (family, friend, employer) _____Community organization, other advocate

Victim wishes to remain anonymous at this time _____yes _____no _____undecided

Name of victim or person reporting (if given): _____

Address and phone number (if given):_____
_____

Confidentiality or safety concerns of person reporting, if any:
_____
_____
_____

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TYPE(S) OF INCIDENT(S)   CHECK ALL THAT APPLY

More than one type of bias offence may have occurred during a single incident. *Check all types of incidents reported.* If multiple incidents occurred over time, attach a written description of the events.

_____Discrimination	_____Use of force/harm/threats at work
_____Verbal harassment	_____Robbery
_____Downgraded services or attention	_____Sexual assault
_____Denied services or attention	_____Vandalism of property
_____Cyberbullying/Internet harassment	_____Physical attack
_____Denial of religious accommodation	_____Wage theft
_____Intimidation/obstruction of movement	_____Other (please specify below)
_____Threat to harm	_____

Have there been previous incidents similar or related to this one? _____yes _____no

DETAILS OF INCIDENT

DATE of the incident/crime _____**TIME of day/night?** _____

If incident occurred during a routine activity, a public event or a religious holiday*, please describe:*

_____

LOCATION of incident   CHECK ALL THAT APPLY

_____On my way to work/home	_____In or near a hospital or clinic
_____In my home	_____In an airport/on a plane
_____Right outside my home	_____On public transportation, at bus stop or parking lot
_____At someone else's home	_____Other public location (street, park, ethnic store, mall)
_____On the internet, social media or text	_____In or around a bar, pub restaurant or nightclub
_____At a current or former workplace	_____At a movie theater or other place of entertainment
_____At a place of worship	_____Don't know/don't remember
_____In a school, college or university	_____Elsewhere (please specify)_____

WHAT OCCURRED before, during or after the incident   CHECK ALL THAT APPLY

_____Name-calling, slurs, derogatory speech	_____Property damage
_____Threats of violence (spoken or written)	_____Other physical evidence at the scene
_____Cyberbullying (text, email or social media)	_____Hate speech/hate literature nearby
_____Acts/symbols/graffiti/posted signs	_____Similar past experiences
_____Intimidation (e.g. blocking the sidewalk)	_____Other evidence (specify) _____

Note: Details of what occurred may be described more fully in the narrative section

IDENTITY MARKERS CHECK ALL THAT APPLY

What about the victim's identity might be the reason for being targeted?

To elicit accurate information, assessors might ask "Why do you think you were targeted?" and "How would you describe yourself?"

It is important to ask about the *victim's view of themselves*, and not make assumptions about a person's identity that may be incomplete or inaccurate. Some identity markers in the list below (e.g. immigrant status) are not legally protected classes, but are relevant extralegal factors indicating bias. Remember that multiple forms of identity may be combined.

____Age
____Race
____Ethnicity/Country of Origin
____Immigration status
____Sexual Orientation
____Sex/Gender (Other than Transgender)
____Gender Identity (Cis-,Transgender, Non-binary or Gender fluid)
____Gender Expression
____Dress and Appearance
____Language spoken, Accent or Manner of Speech
____Religion
____Social Class
____Mistaken Identity/Assumed By Offender
____Association with Places or People with Certain Characteristics
____Learning Disability Or Impairment Status
____Mental Health Status
____Physical Disability Or Impairment Status
____Political Orientation
____Other (Please Specify Below)

OFFENDER(S) CHARACTERISTICS

Number _____only one _____two or more (estimate number) _____

Sex _____male _____female _____ other _____

Estimated ages _____ *Race/ethnicity* _____

Who was /were the offender(s) in relation to the victim? **CHECK ALL THAT APPLY**

_____Stranger(s)	_____ Classmates/other students
_____Acquaintance(s)	_____Teacher(s) / professor(s)
_____Family member(s)	_____Law enforcement
_____Current spouse/partner	_____Security guard
_____Former spouse/partner	_____Social or health service provider(s)
_____Friend(s)	_____Do not know/ do not remember
_____Employer/employer's associates	_____Other (please specify below)
_____Coworker(s) / Supervisor(s)	_____

WITNESSES / BYSTANDERS

Were there witnesses or bystanders? ____yes ____no

If yes, who were they in relation to you / the victim? **CHECK ALL THAT APPLY**

_____Stranger(s)	_____ Classmates/other students
_____Acquaintance(s)	_____Teacher(s) / professor(s)
_____Family member(s)	_____Law enforcement or security guard
_____Current or former spouse/partner	_____Social or health service provider(s)
_____Friend(s)	_____Do not know/ do not remember
_____ Employer/employer's associates	_____Other (please specify below)
_____Coworker(s) / Supervisor(s)	_____

VICTIM'S PERCEPTION OF INTENT AND IMPACT OF OFFENCE

What makes you / the person reporting believe this incident was motivated by bias?

_____
_____
_____
_____

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How did this incident make you / the victim feel? (e.g., anxious, threatened, afraid for self or others)
_____
_____
_____

Were you / the victim injured? _____yes _____no *Did you need medical attention?* ____yes ____no

If so, what medical attention was received, if any?
_____
_____
_____

Note: *The assessor should* **REVIEW THE INFORMATION** *provided* up to this point *with the victim or person reporting to ensure that no relevant information is missed or recorded incorrectly.*

CONCLUSION OF PART 1: *TO BE COMPLETED BY THE ASSESSOR ONLY*

Based on the information provided in your professional judgement,

Do you think what has been reported is a CRIME? _____yes _____no _____uncertain

Do you think what happened was BIAS MOTIVATED? _____ yes _____no_____ uncertain

Please explain why, or what factor was most compelling in your determination.
_____
_____
_____
_____
_____

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What follow-up actions would you recommend?

____Review case with supervisor ____Continue assessment (Part 2) ____Engage a translator to continue ____Contact relevant law enforcement ____Contact prosecutor's office ____Research similar incidents to check for patterns in the community/workplace/school	____Contact witnesses ____Confer with relevant community organization ____Refer to victim specialist ____Refer to health or social service provider ____Address safety concerns (specify below) _____

If you decide NOT to proceed with BCAT Part 2, please explain your reasons for not continuing.

____Insufficient Evidence ____Insufficient Time ____More Investigation Needed ____Person Reporting Declined To Continue ____Person Reporting Postponed Interview	_____Victim Needs Medical Attention _____Victim Needs Other Supportive Services _____Other (Please Specify) _____ _____

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PART 2

CONTINUE the bias victimization assessment when more detail or victim assistance is needed. Allow the victim or person reporting an opportunity to take a break before providing a narrative statement. You may use the questions suggested below to guide the conversation.

VICTIM NARRATIVE   ATTACH ADDITIONAL PAGES IF NEEDED

Assessor: Ask the person reporting to describe what happened in as much detail as possible:

Can you tell me, in general, what happened? Why do you think this happened to you?
What about your identity do you think was the most important reason you were targeted?

Prompts: *How did the incident begin? What did the perpetrator say? What happened next?*
Had something like this happened before? Did you, or anyone else, try to stop the incident?
What was its impact on you? Have you felt any long-lasting effects?
What help would you have liked to receive that you did not receive?
What made you decide to report the incident? If you delayed reporting, why was that?

_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____
_____

Is there anything else about this event that you can tell me to help me understand it?
_____
_____
_____

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PRIOR INCIDENTS AND COMMUNITY CONCERNS FOR CASE REVIEW

Had any similar incident happened to the victim before? _____yes _____no

If yes, please describe the prior incident.

_____

Were the same offenders involved before? _____yes _____no_____ maybe

_____

Was it reported? _____yes _____no

If yes, who reported? _____

To whom was it reported? _____

What was the outcome of that report? _____

Note any other relevant history, previous patterns of similar incidents, or ongoing community concerns:

_____

_____

_____

VICTIM ASSISTANCE AND ACTION PLANS

Contact information of law enforcement provided to person reporting:

_____

_____

Concerns for victim safety noted _____yes _____no If yes, specify actions taken:

_____

Information or referrals requested:

_____

— _____

Referrals provided (e.g. to local law enforcement, counseling, health services):

_____

_____

INCIDENT REVIEW / PERFORMANCE MEASURES

In the interests of improving reporting, victim support, public safety and crime prevention, assessors, supervisors and others addressing bias incidents may want to perform a second tier review of cases, or develop performance measures if they are in a law enforcement agency. The following questions would be a starting point for review.

PRIOR INCIDENT AND REPORTING PATTERNS

- Was this incident/crime part of a series of similar or related incidents?

- Had the victim experienced a similar incident before?

- Had the victim tried to report previously?

- If the victim report to the police, what actions were taken?

- If the victim did NOT report to the police, what barriers did they face?
  (E.g. fear, lack of trust, language proficiency)

- What other help did the victim need?

- What investigation or follow up should have occurred?

- How would you recommend that incident/crime reporting be improved?

SUGGESTED PERFORMANCE MEASURES FOR LAW ENFORCEMENT

Measuring BCAT use and follow up by the agency: Many law enforcement agencies use a check box or other means of flagging a case that might be bias or hate motivated. Dividing the number of BCAT tools completed by cases that are potentially bias related would provide a percentage of cases where the BCAT is used. This would be an important indicator of thorough follow up steps being taken when responding to hate crime.

Measuring improved reporting: An agency could track changes in the percentage of cases with unreported prior incidents over time to see if it declines as a result of improved outreach to victims. This is information taken from two questions asked in the BCAT: If the respondent answers "yes" to the following "Had any similar incident happened to the victim before?" and "no" to the follow up question, "Was it reported?" then there is evidence that cases are not being reported to police in a timely fashion.

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