



Tips for Interacting with the Police when Reporting a Hate or Bias Crime

Considerations for victims and witnesses when making a police report.

Oregon Department of Justice's

CIVIL RIGHTS UNIT



Oregon's Statewide Bias Response Hotline

Bias Response Hotline (non-emergency hotline)

1-844-924-BIAS (2427)

Monday-Friday, 9am-5pm

Interpretation in 240+ languages

We Accept All Relay Calls

Report Online anytime at StandAgainstHate.Oregon.gov

- * The hotline can help with **all** hate crime reporting
- * You don't have to figure it out on your own, even after reading these slides

Tips for Interacting with Police

Where and when do I report?

- **Report to the police agency where the crime occurred**
 - Even if you're now in another state, you should report to the police department located in the town and state where the crime occurred
 - You can report by phone
- **Timeliness matters**
 - Sometimes evidence (like video recordings) goes away quickly
 - Sometimes the statute of limitations expires
- **There is no police agency hierarchy**
 - If you don't like the response of the town police department where the crime occurred, the sheriff's office, the Oregon State Police, the FBI, Oregon DOJ, and US DOJ aren't their bosses
- **Report if, when, and where you feel comfortable**

Tips for Interacting with Police

Preparation

- Ask to meet in a place and time that's comfortable for you
 - Do you prefer your home, a coffee shop, the police station, a virtual meeting?
- Request an interpreter
 - It's best to be crystal clear with your words and for you to fully understand
- Request accessibility needs
 - "I have a disability and I'm requesting a reasonable accommodation"
- Request a support person you trust to accompany you
 - You must be 15 or older
 - Support person must be 18 or older and not a witness

Tips for Interacting with Police

Preparation

- Write a list of things you want to include in your report
 - Dates
 - Times
 - Specific language/conduct
 - Bias indicators
 - Witnesses, including who else you've told
 - Previous incidents
- Write a list of questions you have
- Remember, you don't have to solve it, or even have leads

Tips for Interacting with Police

Preparation

Review the list of bias indicators

- Differences**, whether actual or perceived by the suspect, in victim's race, color, ethnicity, gender, gender identity, national origin, religion, sexual orientation, disability status, or other cultural expression.
- Victim was engaged in **activities** promoting or advocating for a specific group or identity.
- Incident coincided with a **holiday** or date of particular significance to the victim's or suspect's group.
- Bias-related **language, written statements, or gestures** were made by the suspect.
- Bias-related **drawings, markings, symbols, and graffiti** on suspect's clothing, person, or property were left at the scene of the incident.
- Objects, words, or items** that represent the work of organized hate groups were left (e.g., white hoods, burning crosses, nooses, etc.).
- Previous bias crimes have been committed at the same **location**.
- Location represents a **safe, special, gathering, or holy space** for the group.
- Victim or witness(es) **perceive** that the incident was **motivated** by bias.
- Suspect was **previously involved** in similar incident or is a member of/associates with **organized hate group**.
- Suspect engages in **hate activity** in person and/or online.
- Victim was previously **harassed or verbally abused** based on their affiliation with a targeted group.
- Lack of other motives** for the incident.

Tips for Interacting with Police

Reporting

- Use the words “hate crime,” not bias
 - Hate crime is more universally understood
- Be specific about how you know you were targeted
 - Report the exact slurs you heard
 - Explain how that language targets your actual or perceived identity
 - Describe any bias indicators
 - Explain your location or the date, if relevant
 - Describe any clothing, symbols, signs, or tattoos you saw related to hate
- Share any and all details (sounds, smells, gestures, etc.)
 - This could link to another crime, or be relevant to proving bias motivation
- Report property damage or loss with a specific dollar amount/value
 - Priceless/sentimental = \$0
 - Value of damage/loss determines what crime can be charged

Tips for Interacting with Police Reporting

- Report pain
 - Don't tough it out
 - No pain/injury means no assault charge under Oregon law
 - Level of pain, if pain was lasting, if injury impaired your use/movement determines what crime can be charged
- Cite the statutes
 - Bias Incident, [ORS 147.380](#)
 - Bias Crime in the Second Degree, [ORS 166.155](#)
 - Bias Crime in the First Degree, [ORS 166.165](#)
 - Intimidation by Display of a Noose, [ORS 163.191](#)
- No referral to the hotline for bias incidents? Share your knowledge, hold them accountable
 - [ORS 147.380\(2\)](#) requires police to refer victims of bias incidents to Qualifying Local Victim Services or the statewide Bias Response Hotline

Bias Motivation In Part

- For Oregon bias crimes, hate or bias can be *one* contributing motive; it does NOT have to be the *sole* motive of the perpetrator.
 - For example, a driver can be “mad” at your driving, hit your car intentionally, and then call you a slur, and this can be a bias crime.

State v. Hendrix, 107 Or. App. 734 (Or. Ct. App. 1991), affirmed by Oregon Supreme Court in 314 Or. 170 (1992)

“Defendant, without citing any authority, also argues that the state must prove that one or more persons are motivated to act *solely* or *principally* because of their perception of a victim's race, color, religion, national origin or sexual orientation. We disagree...Nothing in the progression of language chosen by the legislature quantifies the percentage of unlawful motivation necessary to constitute the crime of intimidation. On its face, the Intimidation Law creates criminal liability when unlawful motive plays any role in the proscribed conduct.”

Tips for Interacting with Police

Reporting

- Ask the police officer to write a report
- Take notes during or immediately after
 - What was the officer's full name who responded? Badge #?
 - What police agency responded?
 - Ask for the officer's business card
 - Ask for the case # and CAD #
 - Note the time you reported
 - Ask witnesses for their names and contact info
 - Write down license plates of witnesses

Tips for Interacting with Police

Follow-Up

- Ask what will happen next, and when
- Inquire about how to get in contact with the officer, prosecutor, or victim advocate
- You can designate someone else as the main point of contact for police follow-up
 - If they have evidentiary questions for you, they may still need to talk to you
- Ask what to do if there are additional crimes or incidents that occur
- Take notes about every follow-up interaction

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