

## **ROBBINSDALE HUMAN RIGHTS COMMISSION Hate/Bias Incident Response and Prevention Plan**

### **Hate or Bias Crime Defined:**

Under Minnesota law, a hate or bias crime is one that was committed against a person, institution, or property, for which the primary motivation is the victim's actual or perceived affiliation with a protected class. *See* Minnesota Statutes Section 609.2231, subd. 4. State law establishes the following protected classes: *race, color, religion, gender, sexual orientation, age, disability, and national origin*. *Id.* Hate crimes include such criminal acts as arson, assault, vandalism, threats, harassment, and physical acts of violence. A crime may be categorized as a hate or bias crime based on the perception of either the victim or the police officer as to the bias motivation of the crime. Convictions resulting from hate crimes carry enhanced penalties.

Hate crimes are different from discrimination complaints. Although discriminatory acts can also violate the law, they typically do not result in criminal violations.<sup>1</sup> If the Robbinsdale Human Rights Commission (RHRC) receives a discrimination complaint, the RHRC may refer the complainant to organizations in the Community Resources Network.

### **Purpose**

The purposes of this plan are:

- To establish a procedure for appropriate and timely local response to bias/hate crimes or incidents, showing strong community support for the victim(s) and zero community tolerance for bias/hate crimes that occur within the boundaries of the City of Robbinsdale;
- To raise awareness of this issue within Robbinsdale;
- To establish a network of community resources that can be drawn upon as needed or desired; and
- To maintain good communication with the Robbinsdale Police Department.

### **Notification of a Hate/Bias Crime or Incident**

The RHRC may respond to a hate/bias crime or incident brought to its attention, including through the following:

- 1) The Robbinsdale Police Department notifies the RHRC of a hate/bias crime complaint; or
- 2) A victim of a hate/bias crime directly contacts the RHRC for information or assistance; or
- 3) When the RHRC becomes aware of a hate/bias crime event which has occurred in Robbinsdale and it is not known whether the Police Department has been contacted or is involved.

In any of these instances, the RHRC does not investigate such crimes or incidents. Rather, it provides or coordinates support to victims of such crimes or incidents when appropriate and desired, encourages involvement of law enforcement in those cases where they have not already been contacted, and seeks

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<sup>1</sup> More information about civil law protections against discrimination is available on the Minnesota Department of Human Rights website at [http://www.humanrights.state.mn.us/yourrights/practices\\_prohibited.html](http://www.humanrights.state.mn.us/yourrights/practices_prohibited.html).

to provide leadership in the community in the prevention of bias and hate crimes and incidents through education and collaborative community action.

**Procedures in the event of a report of a hate/bias crime or incidents:**

1. This is a wholly voluntary process. Victims of hate/bias crimes or incidents may choose whether to participate and/or to what extent.
2. Upon receiving information regarding a hate/bias crime or incident, the RHRC Chair and Vice Chair will consult with each other, and may consult with the Police and/or City Staff to determine what further action is warranted, including whether an emergency meeting of the full RHRC is warranted.
3. The Chair or Vice Chair will contact victim(s) by phone. They will explain that the RHRC is not affiliated with the police or any investigative organization, and that the RHRC does not investigate these incidents. Rather, the RHRC's role is to offer support and provide information. During conversations with the victim(s), the following guidelines may be helpful:
  - a. Expressions of regret and concern that the crime or incident occurred should be offered, and it should be reiterated that such incidents or crimes do not reflect the values of our community. It should be clearly conveyed that the person(s) making the contact are calling to express support and provide information, and that they do not speak on behalf of the city or the policy, and that they cannot provide any legal advice.
  - b. Sensitivity to individual circumstances is important. Assure the victim(s) that confidentiality will be respected. Assure them that they can determine the extent of any involvement by the RHRC. Recognize that some people may not be willing to discuss their experiences with RHRC members at that time, or at all.
  - c. If the Robbinsdale police have not already been contacted, the victim(s) should be encouraged to do so as soon as possible. The RHRC must honor the wishes of the victim, including if the victim does not wish to involve the police department.
  - d. An offer to visit in person may be made. Alternatively or in addition, an invitation to the next RHRC meeting should also be extended.
  - e. Offer to exchange phone numbers. Give assurance that the RHRC can be contacted through city hall.
  - f. If the victim(s) choose to terminate the process, then the RHRC representatives may send a follow up letter, but generally should not initiate any further contact otherwise.
  - g. If the victim(s) do not wish to meet personally with RHRC representatives, the phone call could be followed up by a letter on RHRC letterhead within one week of the initial contact. The letter should include information about other services which may be helpful. Assure victim(s) that they can contact the RHRC at a later date if they so choose.
4. If the victim(s) consents or requests it, two or more commissioners will make a personal visit. The following are intended only as a guide for such a visit:
  - a. Allow enough time for the story to be communicated.
  - b. Invite the victim to talk about what happened.
  - c. Ask if there have been other incidents, either before or after?
  - d. If children were involved, encourage the victim(s) to contact District 281.
  - e. Ask the victim(s) about how they felt about the Robbinsdale Police Department's response, and encourage them to contact the Police Department if they have not already done so.

- f. What can we do to help you? Is there anyone you would like to have contact you?
  - g. How do you feel about efforts to inform and educate the community about the incident? For example, would you mind if we wrote a letter to the editor or a column about it in the local newspaper? Would you want your name used, or not?
  - h. Offer to exchange phone numbers. Give assurance that the RHRC can be contacted through city hall.
  - i. Follow up with a phone call or personal visit within one week, and if appropriate one month later. Inquire about any recurrence, and if so, encourage the victim(s) to report the recurrence to the Robbinsdale Police Department.
5. In implementing this Plan in response to an incident or crime, the RHRC may call upon members of the Community Resources Network (see below) as needed. Community response options include:
- a. Contact appropriate members of Community Resources Network to inform them of the incident and request their support and participation in the response.
  - b. Contact the Project Coordinator of the League of Minnesota Human Rights Commission to seek support and ensure that the Minnesota Department of Human Rights is notified.
  - c. Contact neighborhood crime watch coordinator, who could determine whether the affected area is participating in a watch program and could assist in enlisting the victim's neighbors to attend the interview or offer other necessary support.
  - d. As appropriate, and after consultation with the victim(s), the Mayor or City staff, the Commission and/or network representatives may contact local media and plan other community-wide responses.
6. Following a hate/bias crime or incident, the RHRC may review the response provided to identify opportunities for improvements. RHRC members may also meet with the Robbinsdale Police Chief, or other Police Department representative, if necessary.

### **Periodic Review of the Response Plan**

During the first meeting of the calendar year, the Plan may be scheduled for review by the RHRC and updated as necessary, including arranging a meeting with the Robbinsdale Police Chief, or other Police Department representative, to discuss the Response Plan. New RHRC members should be given a copy of the Plan at the first meeting they attend and the Plan will be available on the City's website or upon request.