

## **INTRODUCTION**

Hate crimes are devastating events, both for the victim and for the community in which they occur. How we respond to them, as advocates and allies, is very important. This short guide provides you with some of the tools to create an effective response to a hate crime after it has happened in your community.

This manual is designed to help you develop a comprehensive and integrated response to a hate crime. This involves working with the victim, friends and family, and the media; educating law enforcement officials; and coordinating with local activists, concerned community members, and sometimes with national organizations. Addressing each of these areas is essential in order to respond effectively to hate crimes.

We strongly recommend that, before engaging in any public discussion of a crime as a hate crime, activists do their best to determine that bias was, in fact, one of the motives behind the crime.

Additionally, we also recommend that activists be aware that legal definitions of hate crimes can vary from state to state and that there are specific conditions which must occur before the federal hate crimes law applies.

## **WHAT IS A HATE CRIME?**

Defined simply, a hate crime is a crime motivated by malice toward someone's identity, perceived identity, or affiliation with a specific group. A common indicator that hate is a motive is the use of slurs that attack someone's racial, ethnic, or gender identity, expression or sexual orientation. Another indicator can be heightened or extreme violence.

People and communities sometimes face multiple forms of discrimination. Hate crimes are often directed toward a transgender person's gender identity or expression, but can also be targeted toward his or her sexual orientation, race, religion, national origin, citizenship status, or class.

## **WHY CREATE A SYSTEMATIC RESPONSE TO HATE CRIMES?**

A well-organized public response to hate violence is part of the process of making society aware of these crimes and of the bias that underlies them. Through education, it is possible to change prejudiced social attitudes and beliefs that support violence. Responding to a specific hate crime does not replace the need for activists to address the violence and discrimination faced by many people in everyday life.

At the same time, however, hate violence and hate crimes are attempts to hurt people not just physically, but also emotionally, psychologically and as members of a community. Hate is targeted at destroying people's identities and at dehumanizing them. Publicly responding to anti-transgender hate crimes is part of affirming the humanity of transgender people.

## **WHO IS INVOLVED IN RESPONDING TO A HATE CRIME?**

There are a number of people to consider when responding to a hate crime, including:

- The victim of the hate crime and family members
- Law enforcement officers who are working to resolve the case
- The person's community
- The general public
- The perpetrator of the crime

We will discuss each of these in detail.

## **WORKING WITH HATE CRIME VICTIMS**

Victims of hate crimes need support on a number of levels, including reestablishing a sense of physical safety and control, being listened to and emotionally validated, and knowing that they are supported by their community. Assistance from their community can help a victim of a hate crime feel less isolated and regain a sense of power and safety.

## **WORKING WITH HATE CRIME VICTIMS**

- Your work as an advocate should be oriented toward helping the crime victim to feel safer and more in control of the situation. Allow crime victims to have plenty of time and opportunities to make informed choices about what they should do. Stress that there is no "right" or "wrong" way to feel after a crime. Assist the victim in accessing appropriate medical and mental health care and offer to go with the person if an advocate is needed or would provide a feeling of safety.
- If the crime involved sexual assault and the victim is considering have a rape kit done, the advocate should try to locate a medical facility that has a Sexual Assault Nurse Examiner (SANE). This is a registered nurse (R.N.) who has advanced education and clinical preparation in forensic examination of sexual assault victims. SANE programs can be found at <http://www.sane-sart.com>. If the local rape crisis center is not transgender-aware, an advocate may want to offer to go with the victim to help deal with any transphobia that comes up at the medical facility.
- Offer assistance to the hate crime victim in reporting the crime to the police. Hate crime victims may be reluctant to do so for fear of being mistreated by the police. Discuss options with the crime victim, but do not pressure the person to make a report. If the crime victim has also been subject to previous and directly related harassment or crimes, the person should consider reporting those incidents, also. Offer to assist by accompanying them if they would prefer it.

- Be prepared to do some educational work with the police. Police may be uneducated about trans hate crimes and may lack awareness of basic principles of respect towards trans people.
- Help the victim find ways to feel safe and supported by accessing networks of friends, family, community resources, and culturally competent counselors and crisis services. Community crisis programs may also need transgender education.
- An advocate may want to call around to community crisis service programs and assess their level of cultural awareness and find out what types of services they provide.
- Help victims consider whether to speak with the press, and, if they decide to do so, to prepare for interviews and other media contacts. While media attention to a hate crime is often painful for a victim, publicity may help rally the community or locate the perpetrator.
- Help victims learn about their legal rights and locate legal representation if needed.
- Assist the victim in connecting with victim's rights groups and state or federal victim/witness assistance programs.

Community activism may not be appropriate for all victims of hate crimes. The extent of community involvement will vary from person to person depending on personality, time, resources and other forms of support that are available. Decisions about reporting the crime and about working with community activists should ultimately be left up to the individual crime victim(s).

## **WORKING WITH FAMILY AND FRIENDS: GENERAL CONSIDERATIONS**

Families and friends may be important sources of support for victims of hate crimes and for activists. If possible, first discuss with the crime victim whether or not to work with family and friends.

Keep in mind that family members and friends can also be deeply traumatized by hate crimes. Family and friends should be approached with care and respect. You may find it helpful to work with all or only some of the family and friends. Who you choose to work with depends heavily on whether or not family and friends are willing to be supportive of the crime victim.

Remember that different family members and friends can have very different attitudes. The following are important areas to consider when approaching family members and friends.

- Whether the victim is able express preferences about working with family and friends
- Who the crime victim considers a family member
- Religious beliefs and practices
- Language differences
- Race and ethnicity
- Cultural beliefs and practices
- Economic status

## **APPROACHING FAMILY AND FRIENDS**

If the victim has died or is unavailable, one representative of your group should make an initial approach. In order to develop a positive relationship to family and friends, you should carefully:

- Find out how verbal and visible the family wants to be in organizing activities that follow the hate crime.
- Determine whether the family is willing to talk to the media. Help the family develop talking points when working with the media and remind the family members that they can refuse to answer questions and be very selective about whom they speak with.
- Make note of what name the family wants used when referring to the victim. In general, activists should use the name that the victim prefers and uses publicly. However, family members may prefer a different one to be used. Activists should be prepared to respectfully engage in dialogue with family members about their reasons for wanting a different name to be used for the victim and about the importance of honoring the victim's lived identity. Check with the victim, if possible, to see what she/he prefers.
- If the crime victim has been killed, discuss the family's plans for a funeral or other plans they have for remembering the victim. Ask whether they are planning a private remembrance or if the community may participate in mourning their loved one. If needed, you may consider referring them to the local Victim/Witness Office for help in applying for assistance or reimbursement of funeral/burial expenses.
- Discuss holding a vigil for the victim and how the family wants to participate.
- Let the family take the lead role in any police investigation. The community should follow the family's lead and should be willing to terminate contact with the family if requested.

Even if certain family members and friends object to a public discussion of hate crimes, you can still pursue a process of educating the public so long as you treat the hate crime victim and the immediate family with the utmost respect. Do not attempt to speak on behalf of the family without clear permission.

## **RELIGION, LANGUAGE, RACE, ETHNICITY, CULTURE, AND ECONOMIC STATUS**

Working with crime victims, family members and friends requires attention to many parts of people's identities, beliefs, practices and social and economic situations.

Poverty and economic vulnerability may affect a crime victim's willingness to report a crime or to seek public attention. Family members and friends may be similarly affected in their willingness to work with activists around the hate crime.

With the crime victim's assistance, if possible, you may wish to contact the victim's local religious community (church, synagogue, temple or other institution) and/or local cultural organizations. Religious and cultural groups can often provide support, forums for organizing and education, and information on religious and cultural beliefs and appropriate practices.

If translation services are needed in order to communicate with family members or friends, local religious or cultural groups may be able to provide assistance. An important part of demonstrating respect for crime victims and families is correctly spelling and pronouncing names and taking the time to communicate carefully.

More broadly, activists will need to develop, over time, a degree of cultural competency. Cultural competency is more than just cultural awareness or sensitivity. It involves recognizing and correcting

one's own biases and changing one's behaviors to accommodate different cultural beliefs, conventions, and values. In order to begin developing basic cultural competency, stay alert to how a wide range of interactions take place so that you can begin understanding basic cultural practices, such as whether or not it is appropriate to take off one's shoes before entering a house, or whether it is respectful to enter a place of worship with one's head uncovered.

There are also more complex cultural patterns; for example, in cultures in which direct confrontation is typically avoided and in which people seek consensus rather than negotiation and debate, it may be vital to avoid seeming "pushy" and recognize that an uncompromising attitude may be viewed quite negatively. Cultural competency is an important skill for activists to master as they work to bridge communication gaps between trans people (who often have more than one community in which they function), the victim's own various communities, the police, and the media.

## **DEALING WITH THE PERPETRATOR**

In responding to a hate crime, you will most likely have situations in which you will be called upon to speak about the perpetrator. In some instances, you may have to deal with him or her face to face, such as in a courtroom setting. This can be unsettling and fraught with emotion. Think carefully about how you will respond.

In general, when asked to speak about the perpetrator, a good guideline is to speak about what the perpetrator did and not about who he or she is. Avoid all stereotypes of race, socioeconomic status, religion or other characteristics. Remember that this person may well have family members who are grieved and troubled by this crime as well. You can condemn acts of violence and call for accountability for those who perpetrate crimes without doing violence yourself.

## **RESOURCE**

*In some states and jurisdictions, a victim may choose to participate in an alternative form of action, such as a Restorative Justice program. While relatively rare in the United States, they do exist and provide opportunities for the victim and perpetrator to come together and heal their differences in a safe environment. This program must be entered into by both parties entirely voluntarily and both must share the goal of bringing about reconciliation. The perpetrator must take responsibility for his/her crime and take action to restore the situation. See [www.restorativejustice.org](http://www.restorativejustice.org) for more information.*

## **WORKING WITH LAW ENFORCEMENT**

After a police report of a crime has been made, you may need to work with law enforcement.

Law enforcement personnel include a wide range of individuals who work within the criminal justice system, including police officers, prosecutors, and victim advocates who work with the district attorney's office. Developing positive channels of communication and education with police officers

and prosecutors allows you to make law enforcement officials aware that transgender people deserve equal protection and respectful treatment from police and the criminal justice system. A positive relationship also sets the stage for any future work on crime prevention.

Some law enforcement personnel may have only limited or predominantly negative contact with transgender people and a limited knowledge of transgender issues. If the crime does not appear to be taken seriously, law enforcement personnel should be reminded of the following principles:

- Even in jurisdictions without hate crimes laws, criminal law protects and applies to transgender people in the same way that it protects and applies to non-transgender people.
- Being a transgender person is not a crime, nor is being transgender an invitation to theft, sexual assault, or other forms of violence.
- A transgender person should not be assumed to be involved in prostitution or other sex work.
- A transgender person who is involved in sex work is nonetheless also deserving of protection from crime, including sexual assault.

Your first point of contact may be the officer in charge of the investigation. Your communications about the crime, the investigation, and about subsequent opportunities to educate local law enforcement officials are likely to begin with that officer. The investigating officer will most likely be the person through whom you initially contact different parts of the police department, if the department has, for example, a gay and lesbian or GLBT liaison unit.

## **ASSIST THE POLICE BY OFFERING**

- **Information:** Provide all information that you think will help the investigation. If you have evidence that hate was a motive behind the crime, bring it to the investigating officer's attention. Your role is to provide information; be aware that it is up to the investigating officer and prosecutors to determine whether the crime is legally considered a hate crime.
- **Contacts:** Offer to assist the police in making contacts within the transgender community that might be helpful in the investigation.
- **Training:** Offer to provide a training to police on trans issues.

## **ASK THE POLICE TO**

- **NOT blame the victim or add insult to injury:** The police should treat the crime, the victim and the community seriously and respectfully. Ask that they keep in mind that the victims did not "deserve" the crime or bring it on themselves.
- **Discuss ways to prevent future hate crimes:** Ask that the police work with you and local or national organizations to figure out strategies to prevent future hate crimes. Ask them to send a clear message to the larger community that the police have no tolerance for hate crimes and to help you reach out and educate people about transgender issues.

If a victim feels that the police are not taking the crime as seriously as they should or are being abusive to the victim, the individual should consult with a victim/witness advocate, a community anti-violence group or an attorney as soon as possible.

## **WHAT IF A POLICE OFFICER IS RESPONSIBLE FOR A HATE CRIME?**

Police officers do not have the right to harass, assault or rape anyone in their custody and are subject to the laws of their jurisdiction. When a crime is committed by a police officer, you have the right to report that crime to the police review commission, to that officer's superiors, and to your elected representatives.

## **WORKING WITH THE DISTRICT ATTORNEY'S OFFICE AND A VICTIM/WITNESS ADVOCATE**

Once the investigation has been completed, the police detective(s) will submit the report to the District Attorney's (DA) Office to determine if there will be a prosecution. You can assist the victim and/or family by speaking with the Deputy DA reviewing the report. If charges are filed, a victim/witness advocate should be assigned to work with the victim and/or family through the court process.

The victim/witness advocate can help to explain the court system, set up appointments or interviews with the Deputy DA assigned to the case, and assist with completion of the Victim of Crime paperwork and restitution.

A victim/witness advocate can also assist with the special needs of the client and serve as a liaison to the DA. A victim/witness advocate may also work with concerned community organizations and activists.

## **VICTIM/WITNESS PROGRAMS AND ADVOCATES**

Programs to help crime victims and witnesses exist in all counties. If a crime is federal, then it is best to contact the local Department of Justice office or Attorney General's Office and ask for the victim services unit.

Typically, victim/witness programs are found in the District Attorney's Office, the Probation Department or in various non-profit organizations. They will be able to assign an advocate to help crime victims and family members work with the criminal justice system.

Victims and/or family members should contact the victim/witness program of the county in which the crime was committed. Victims and/or family members can still request an advocate to help, even before a suspect is charged with the crime. A good rapport with an advocate can be helpful in many ways and, after a criminal investigation, the victim/witness advocate is often the only consistent contact a victim or family member will have throughout the criminal court process.

Victim/witness advocates provide services that include:

- crisis intervention
- providing case status information
- guiding people through the criminal justice system
- assisting in the crime victim restitution process
- assisting in the victim of crime application
- court support
- employer notification and intervention
- direct counseling

- property return
- notification of family and friends
- transportation assistance

Advocates may also provide other services. Most of these services are provided to crime victims after charges have been filed by the District Attorney's office in the county the crime was committed. However, victim/witness advocates can assist victims of crime with applications and referrals, even if a crime is not ultimately charged.

## **THE TECHNOLOGY DIVIDE**

It is helpful to pay attention to the difference between people's access to technology. The Internet has opened opportunities for communities to organize, but many people may have irregular, limited, or no access to computers, or may be unaware that they can use the computers in their public library. Some parts of the community may rely on getting information through phone trees, leaders in their social circle, and/or flyers in their local neighborhood.

## **THE ROLE OF NATIONAL ORGANIZATIONS**

Working with national organizations may bring additional resources to the table. These resources can include staff, expertise, national contacts, greater political clout, media attention, and money. Responses to hate violence in your community should be driven by the needs of the local community, as well as the needs of the victim.

When resources from national organizations are brought in, we recommend that you:

- Be clear with national organizations about community wants and needs.
- Keep the majority of media attention focused on local people and activities.
- Ask national organizations to focus their resources on building local institutions and resources.

## **ORGANIZING WITH THE MEDIA**

Four common ways of taking action with the media are through media advisories, press releases, op-eds, and press conferences. Media advisories are generally used to inform the media of an upcoming event or press conference, and provide only basic "advisory" information. Press releases allow you to provide the media with background and commentary on news items and relevant quotes from individuals and institutions. Op-eds are opinion pieces for print media intended for you to express your positions on issues, people or events. Press conferences allow you to work directly with the media, share your positions on an issue, and answer questions from the media.

## **MEDIA ADVISORIES AND PRESS RELEASES**

For both media advisories and press releases:

- Always include the phone number of a designated media contact so that reporters can easily follow up.



- Stay brief, to-the-point, and preferably within one page.
- Head the page with the release date. Writing "For Immediate Release" will indicate that the media can use the information immediately. If you want to delay the release of information to the public, use an embargo date instead: "Embargoes for Release Until Time and [Date].">
- Close all releases/advisories with an endstamp (a symbol that indicates the end of the document), such as "###".
- Make sure that your media contact has received the material. Be prepared to send another copy if requested, provide more information, or discuss the contents.

## Media Advisory

In a media advisory, address each of the following points:

- **What:** What kind of event will you be holding, and what is its purpose? (e.g., a press conference to address the recent rise in hate crimes in Washington, DC).
- **Who:** Who will be speaking, presenting, or in attendance? Highlight high-profile figures such as politicians, celebrities, academics, or local or national activists.
- **When:** Indicate the time and date of the event.
- **Where:** Indicate the exact address and cross streets of the event, unless location is well known and unambiguous (e.g., on the steps of the U.S. Capitol Building in Washington, DC).
- **Why:** Note briefly the relevance of the issue and any compelling statistics (e.g., "Hate crimes are on the rise throughout the country. Our local community has seen five anti-immigrant hate crimes in the past three years.>").
- **How:** Include event contact information (often different from the media contact information).

## Press Release

A press release can be written in the following way:

- **First Paragraph:** State the issue in question directly. Identify who, what, where, when, and why to be as clear as possible.
- **Body Paragraph(s):** State your main points in order of importance. Briefly provide essential supporting data and quotes by your designated spokesperson.
- **Final Paragraph:** Provide basic information about your organization.

[Download a sample media advisory and press release here.](#)

## OP-ED

Develop an op-ed in the following way:

- Focus on no more than two main points, providing supporting details for each.
- Check the editorial guidelines of the venue for word limits. Op-eds are generally 500-800 words. Anticipate deadlines. Plan for an op-ed review process that can take up to 10 days.
- Be clear about your timing: when is the ideal time for your op-ed to be published?
- Think about what tone the op-ed should be written in, and who should write it. What messages will the tone and the writer's identity or institutional affiliation send?

## SENDING INFORMATION TO THE MEDIA

- Fax, or a combination of fax and email, is the best method to send advisories, releases, and op-eds to the media. Email alone can be ineffective. You can locate fax numbers and email addresses on most media outlet's websites or mastheads.
- Follow up with a phone call to make sure your item was received and to answer any questions. A phone call is especially important when you are trying to get media to attend specific events such as press conferences. Make your follow-up calls in the morning: journalists are typically on deadline in the afternoons and they may not be receptive to a phone call.
- Learn the deadlines for submissions and how they correspond to upcoming issues of a newspaper.

## PRESS CONFERENCES

Press conferences are a good way to get media coverage of a particular hate incident and to ensure that the media is paying attention to the community reaction and response.

Smooth and careful organization is essential for a press conference: a disorganized and poorly planned event will have the press question your professionalism and put into doubt whether they will contact you about stories in the future.

### Timing and Planning

A press conference should last no more than 30 minutes. However, there should be substantial planning at least one week before the event. Below is a detailed breakdown of how to plan a press conference:

#### One Week Before Press Conference:

- Reserve a room. Choose one that will accommodate your expected audience but will not look empty if attendance is low.
- Pick a convenient date and time. Usually days in the middle of the week and between 10 AM and 2 PM are best.
- Prepare written materials, including written statements and press kits.
- Create any visuals for cameras and video that illustrates your message.
- Check on audio/microphones and electrical outlets for the event.

#### Three Days Before AND the Day Before:

- Send out written announcements to:
  - Assignment desks for television
  - Radio and newspapers
  - Alternative press
  - Weekly calendars
  - Other supportive groups

## The Day Before

- Decide firmly on the order of speakers and their topics.
- Call on prospective media and encourage their attendance.
- Send a media advisory to the wire services so that you will be listed in their "daybooks" (a daily listing of press conferences and events).
- Walk through the site so that you are familiar with it.
- Type up materials for press packets including names and titles of speakers.
- Assign liaisons to greet press people and hand out press packets.

## That Morning:

- Make last minute calls to assignment desks and desk editors.
- Double-check the room.
- Rehearse the press conference with the principal speakers

## During the press conference:

- Have a sign-in sheet for reporters' name and addresses.
- Hand out press kits, including a written list of participants.
- Arrange one-on-one interviews on request.

## Model Press Conference Structure

### Overall Style:

- Maintain a professional appearance.
- Stay focused on your key points.
- Be aware of time. Reporters and journalists are usually working on strict deadlines.
- Be concise and direct, and use plain language.
- Remember that you are communicating to the public.

### Overall Agenda:

- Open with an introduction, thanks to sponsors, and the general message.
- Describe the issue.
- Speakers present for 2 or 3 minutes, each with a clearly defined message.
- Invite questions. Answers should be informative, but concise and stay on the message. Do not get into arguments or debates.
- Finish by directed the press to where they can get additional information.
- Distribute handouts.

## PRESS KITS

You may wish to create a press kit to be distributed to the media. A press kit gives journalists materials to refer to when writing their story after the press conference.

A press kit may contain the following items:

- **Organization Fact Sheet and Contact Sheet:** a one-page sheet about your organization, including contact information for the designated press spokesperson. If

you are not part of a formal organization, this could be a few paragraphs about your group and why you came together along with your contact information.

- Copies of any other articles about the crime, if there has been previous media coverage.
- Your press release.
- A one-page fact sheet on transgender hate crimes: this might include statistics from the most recent National Coalition of Anti-Violence Program's National LGBT Hate Crimes Report (available online at [www.ncavp.org](http://www.ncavp.org)).
- The Associated Press Stylebook recommendation for covering transgender people, noted at the start of this chapter.
- A copy of the statement from the victim or family member, if available.

## RESPONDING TO HATE CRIMES CONCLUSION

Hate crimes committed against transgender people have both a chilling affect and galvanizing effect on our community. They cause us to recoil in fear, or to collapse in grief, yet they may also cause us to rise up in anger or resolve. It is extremely important that we, as activists, react to these events with every appropriate emotion, and also with carefully planned actions.

While the media, police, or even local officials may portray us as deserving of whatever violence befalls us, we must be able to react to this kind of further abuse as a community and in ways that are constructive, clearly demonstrating the very best principles of dignity, justice, and humanity. We must be ready and able to make the connections between communities and ideologies that are necessary to awaken in others a desire to join us in our resistance to violence. We also must be ready and able to step forward as proud transgender people to help other communities fight injustices that they face, too, to build coalitions and ongoing partnerships that will strengthen our cause, as well as the cause of social justice.

Hate-motivated violence stems from a wide range of sources, including pervasive bigotry, misdirected anger and irrational fears. We can combat hate over the long term through both education and legislation. We need to reinforce attitudes and behaviors that create a social atmosphere of understanding, acceptance, and respect for all people.

We hope this manual will aid in this effort of responding to violence motivated by bias. When we work together, we can bring humanity and compassion to a community in a time of need and hopefully create a better and safer society for us all.

