

# A guide to identifying & understanding

# Bias Crime

The mission of the **Bias Crime and Community Relations Initiative**, located within the Major Crimes Bureau of the New Jersey Division of Criminal Justice, is the statewide coordination of efforts to eliminate crimes motivated by prejudice against others based on race, color, religion, sexual orientation, gender, disability or ethnicity.

The Bias Crime Guide is designed to provide our community with useful and pertinent information to assist them in identifying, fighting and eliminating Bias and Hate crimes in the State of New Jersey. Only through the committed, collaborative efforts of all concerned will we be able to create a society free of bias and prejudice.

*Paula T. Dow,  
Attorney General*



New Jersey Office of the Attorney General • Division of Criminal Justice

[www.nj.gov/oag/bias](http://www.nj.gov/oag/bias)

# What is a Bias or Hate Crime?

A person is guilty of a bias intimidation crime under New Jersey law if he commits, attempts to commit, conspires with another to commit, or threatens the immediate commission of an offense with the purpose to intimidate an individual or group of individuals because of race, color, religion, gender, disability, sexual orientation, gender identity or expression, national origin, or ethnicity.

Such an offense also constitutes a bias intimidation crime if the manner in which the offense is committed causes the victim to reasonably believe either:

1. that the offense was committed with a purpose to intimidate the victim because of race, color, religion, gender, disability, sexual orientation, gender identity or expression, national origin, or ethnicity; or
2. that the victim or his property was selected to be the target because of race, color, religion, gender, disability, sexual orientation, gender identity or expression, national origin, or ethnicity.

These offenses are a distinctive category and are more likely to involve a heightened assault and injury level or serial attacks of escalating severity. There are often multiple assailants and the victims generally do not know their offenders. As a result of these offenses, there is often a spiral of community violence and extended psychological trauma for victims.

## The Underlying Causes of Bias & Hate Crimes:

1. The continuing demographic change in the United States as the population becomes more diverse.
2. The continuing shift to a service economy and the economic uncertainties that provides a source of conflict between groups.
3. Prevalence of negative stereotypes in our culture, as well as an atmosphere of intolerance in politics and public debate.
4. Racial division among our youth and in schools, the persistence and continued vitality of hate groups, and continued violence by minorities against members of their own race.
5. Lack of hope among some ethnic groups.

# Who Are Often Victims?

1. The skin color black represents the group most frequently victimized by bias crimes.
2. The Jewish religion represents the religious group crimes.
3. The gay and lesbian community.
4. Immigrants and all other ethnic groups

# Who Commits Bias & Hate Crimes?

1. Members of organized hate groups.
2. The majority of offenders are juveniles and young adults, between the ages of 12 - 21.
3. Any individual if their actions fall within the elements of the crime.

# Types of Bias / Hate Crimes:

- Harassment
- Assault
- Terroristic Threats
- Arson
- Criminal Mischief
- Homicide

# Information Needed When Reporting a Hate Crime:

1. The name and address of the victim
2. The time and place where the crime occurred
3. The type of crime committed..
4. The description and license plate number of vehicle involved in crime.
5. A description of the perpetrator – i.e., race, sex, height, weight, scars, tattoos, hair color and style, clothing and jewelry. Provide the name or street name if known.

# Laws Protecting People Against Bias or Hate Crimes

Since 1979, nearly every State in the United States has enacted some form of bias crime statute. The most common statues are penalty enhancement and criminal civil rights statues. Other types of statues include institutional vandalism laws, cross-burning statutes, anti-masking laws and laws prohibiting interference with religious worship.

# Penalty Enhancements Statutes

These statutes increase the penalty for existing criminal offenses when a victim is targeted, based in whole or in part on the perception or beliefs of the actor, because of race, color, religion, gender, disability, sexual orientation, gender identity or expression, national origin, or ethnicity of that person, owner or occupant of that property, regardless of whether or not the perpetrator's belief was correct.

# Civil Rights & Ethnic Intimidation Statutes

Unlike the penalty enhancements, these statutes do not require the charging of an underlying offense, such as an assault. However, prosecutors still have the option of charging additional offenses, such as assault, when applicable.

# Institutional Vandalism Statutes

These statutes prohibit vandalism and other willful property damage to churches, synagogues and cemeteries. These laws have been enacted in approximately 40 states.

# How to Report a Bias/Hate Crime

**ALWAYS DIAL 911 TO REPORT A CRIME IN PROGRESS!**

## Contact your local Police Department

- Berkeley Heights Police Department . . . . . 908-464-1111
- NJ Attorney General's Bias Crime Initiative . . . 1-800-277-BIAS (2427)
- Union County Human Relations Commission. . . 908-889-6359
- Union County Prosecutor's Office . . . . . 908-527-4500
  - New Jersey State Police. . . . . 609-882-2000

