MONTGOMERY COUNTY POLICE DEPARTMENT

2015

ANNUAL BIAS CRIME REPORT

A MESSAGE FROM THE CHIEF

Hate Crimes are serious issues for police. These crimes not only have a profound impact on the victim but they also can send shock waves through our community. The emotional toll that an incident motivated by bias can have on our population is <u>real</u>. Each one of these cases represents a victim and a community that has been harmed .

In fact, victims can be traumatized, angry, scared, and frustrated. Some victims feel powerless and vulnerable. That is why it is so important to demonstrate our care for these victims and our condemnation of these crimes. Every Hate Crime reported to us is assigned to a detective to conduct a thorough investigation. In addition, I have spoken out against these acts of hate and bias, and I have been proud to do so with community members at my side. The right response by law enforcement to a Hate Crime is to help stabilize and calm the community while assisting with the victim'(s) recovery of their sense of safety.

The Montgomery County Human Rights Commission, its Executive Director Jim Stowe and the Committee on Hate Violence, are our partners in the fight against hate and bias in our county. I am proud to work with them every day.

Hate and prejudice have a profound impact on our community. No one should live in fear. The MCPD remains committed to upholding the civil and human rights of all people.

J. Thomas Manger
Chief of Police

§ "[Sec. 1.] (a) This Act may be cited as the 'Hate Crime Statistics Act'.

Defining a Hate Crime

For the purposes of collecting statistics, Congress has defined a hate crime as a "committed criminal offense that is motivated in whole or in part, by the offender's bias(es) against a race, religion, disability, sexual orientation, ethnicity, gender, or gender identity." Hate itself is not a crime—and the FBI is mindful of protecting freedom of speech and other civil liberties. Retrieved from www.fbi.gov

"(b)   (1) Under the authority of section 534 of title 28, United States Code, the Attorney General shall acquire data, for each calendar year, about crimes that manifest evidence of prejudice based on race, gender and gender identity, religion, disability, sexual orientation, or ethnicity, including where appropriate the crimes of murder, non-negligent manslaughter; forcible rape; aggravated assault, simple assault, intimidation; arson; and destruction, damage or vandalism of property.

"(2) The Attorney General shall establish guidelines for the collection of such data including the necessary evidence and criteria that must be present for a finding of manifest prejudice and procedures for carrying out the purposes of this section.

"(3) Nothing in this section creates a cause of action or a right to bring an action, including an action based on discrimination due to sexual orientation. As used in this section, the term 'sexual orientation' means consensual homosexuality or heterosexuality. This subsection does not limit any existing cause of action or right to bring an action, including any action under the Administrative Procedure Act or the All Writs Act [5 U.S.C.S. §§ 551 et seq. or 28 U.S.C.S. § 1651].

"(4) Data acquired under this section shall be used only for research or statistical purposes and may not contain any information that may reveal the identity of an individual victim of a crime.

"(5) The Attorney General shall publish an annual summary of the data acquired under this section, including data about crimes committed by, and crimes directed against, juveniles.

"(c) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section through fiscal year 2002.

"Sec. 2. (a) Congress finds that—

"(1) the American family life is the foundation of American Society,

"(2) Federal policy should encourage the well-being, financial security, and health of the American family,

"(3) schools should not de-emphasize the critical value of American family life.

Matthew Shepard & James Byrd, Jr., Hate Crimes Prevention Act of 2009 (18 U.S.C. § 249)

This statute gives the FBI authority to investigate violent hate crimes, including violence directed at gay, lesbian, bisexual, and the transgender community.

"(b) Nothing in this Act shall be construed, nor shall any funds appropriated to carry out the purpose of the Act be used, to promote or encourage homosexuality."

EXECUTIVE SUMMARY

The Montgomery County Police Department's Annual Bias Crime Report is a report that provides statistical data about incidents and criminal offenses which are committed against persons or property, and are motivated by the victim's race, national or ethnic origin, religion, sex, age, mental or physical disability, sexual orientation, or gender identity.

The Montgomery County Police Department voluntarily reports offense data to the Federal Bureau of Investigation (FBI) under the Uniform Crime Reporting (UCR) program and the UCR program's Hate Crime Statistics program. Hate crimes are not separate, distinct crimes, but rather traditional offenses motivated by the offender's bias. Under the UCR program, hate crime reporting is applicable to the following offenses: homicide, rape, robbery, aggravated assault, burglary, larceny, motor vehicle theft, arson, simple assault, intimidation, destruction/damage/vandalism of property, and human trafficking (commercial sex acts and involuntary servitude).

In addition, technological improvements in the department's records management system and business intelligence dashboard now allow the department to capture and track any incident in which there was some element of bias present, something the department has not been able to do in the past. Using these new tools, the department can ensure more accurate reporting of all bias-related incidents, which may not be considered hate/bias crimes according to the FBI because they lack some element(s) of a hate crime as defined by the *Hate Crime Statistics Act of 1990* and its subsequent amendments, but exhibit some element of bias nonetheless. Overall, there were 63 bias-related incidents in Montgomery County in 2015. Twelve of these incidents were reported to the FBI under the UCR and Hate Crime Statistics program, a relatively small number given the size and diversity of the County's population.

Since 2015 is the first year the department was able to track bias incidents in this manner, there is little comparative data available and readers are cautioned against making simplistic comparisons between multiple years, or data or other reports from other agencies that might utilize different reporting methodologies. Furthermore, many bias incidents go unreported due to fear or embarrassment, making it difficult to accurately track incidents and establish trends. Residents in Montgomery County are encouraged to report all incidents (including non-criminal events) that may single out someone because of that person's perceived race, religion, gender, sexual orientation, or physical handicap. This will give the department the opportunity to quantify resource needs and direct resources to areas where they will be most effective. Likewise, other community organizations will be better able to respond to the needs of victims.

HISTORY

In 1990, Congress passed the *Hate Crime Statistics Act* and as a result, the FBI Uniform Crime Reporting (UCR) Program created a hate crime data collection system to comply with this mandate. Lawmakers amended the *Hate Crime Statistics Act* with the *Violent Crime and Law Enforcement Act of 1994* to include bias against persons with disabilities. Finally, in 2009, Congress passed the *Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act of 2009* and the UCR program expanded its data collection categories for race and ethnicity, and began accepting data on crimes motivated by gender and gender identity bias in 2013. The Montgomery County Police Department voluntarily reports statistics through this program.

REPORTED BIAS INCIDENTS

As mentioned in the Executive Summary, more advanced business intelligence tools allowed the department to better record and track any bias incident (which may or may not have been a hate crime) within the County. In 2015, officers took reports for 63 bias incidents. The following sections provide more detail on those incidents, in general. A more specific section concerning those offenses determined to fit the definition of *hate crime* follows this analysis.

The United States Census Bureau has not yet published updated demographic information for Montgomery County in 2015. However, it is well-known and the residents are proud that the population continues to increase and become more diverse.

In 2014, there were more than 1.03 million people living in Montgomery County. The following characteristics define the community, according to the Census Bureau[1]:

- 24% of persons are under the age of 18. 1% of persons are 65 years of age or older.

- 53.5% of persons are of a non-white race (African-American, Hispanic or Latino, Asian, etc.)
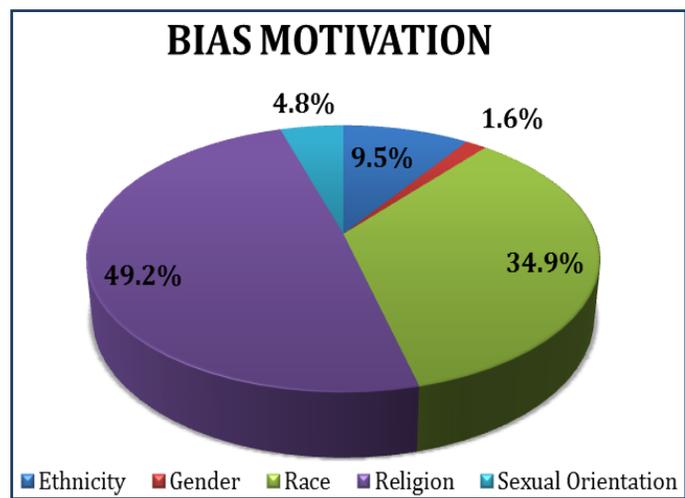
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[1] Data retrieved from http://www.census.gov/quickfacts/dashboard/EDU635214/24031

• And according to another source, approximately 40% of the persons are religious[2] (affiliate with a religion). 13.6% are Catholic; 1.3% are Latter Day Saints; 6.5% are another Christian faith; 3.1% are Jewish; 1.3% are an eastern faith; and 1.3% affiliates with Islam (as of June 2014).

BIAS MOTIVATION

Of the 63 total bias incidents that were recorded in 2015, religion continued to be the primary bias motivator (30 incidents), followed by race (22 incidents), and ethnicity (6 incidents). Gender and sexual orientation had one and three incidents, respectively. This is consistent with trends from the last several years in Montgomery County, but is slightly different than trends at the national level, where race motivated 47% of bias incidents in 2014.[3]
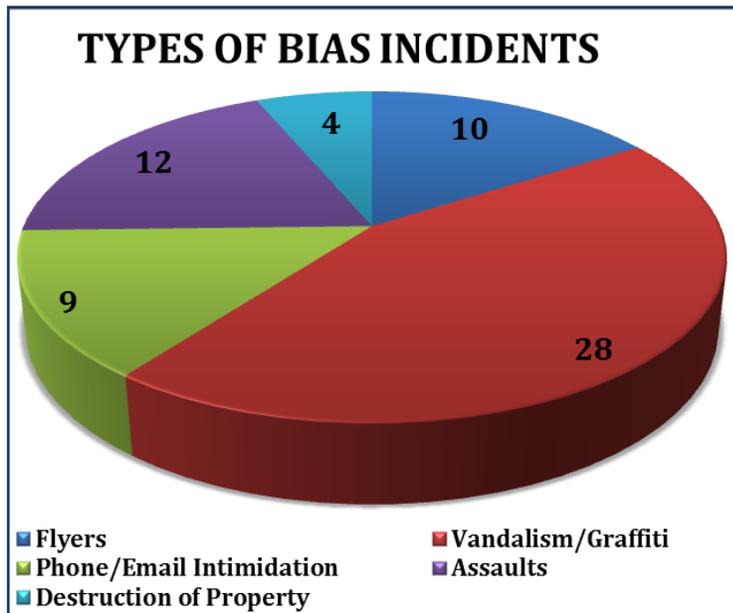

Within these categories, the following points should be considered:

- Of the 31 incidents motivated by bias towards religion, 74% (23) were considered anti-Jewish, despite Jewish persons making up only 3.1% of the population.

- Of the 22 incidents motivated by bias towards a race, 68% (15) were considered anti-black. There were also five multi-racial incidents (four of which were vandalism) in which anti-black sentiments were found, along with anti-white and anti-Hispanic drawings.

- The incidents motivated by ethnicity bias were more evenly divided: two anti-Hispanic, two anti-Asian/Pacific Islander, one anti-Arab, and one anti-other ethnicity.

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[2] Data retrieved from http://www.bestplaces.net/religion/county/maryland/montgomery
[3] Federal Bureau of Investigation. (2015). 2014 Hate Crime Statistics. Retrieved from https://www.fbi.gov/about-us/cjis/ucr/hate-crime/2014. FBI statistics from 2015 will not be available until the fall of 2016.

TYPES OF BIAS INCIDENTS

For statistical purposes, the bias incidents were classified into five separate categories that are separate and distinct from offense classifications. More than 43% of the reported bias incidents fall into the category of Vandalism/Graffiti. The most frequent type of vandalism/graffiti reported is the swastika, identified in more than half of the vandalism cases. Generally, the swastikas are reported in locations such as public restrooms, public recreation areas, and even the department's speed cameras. It is often very dif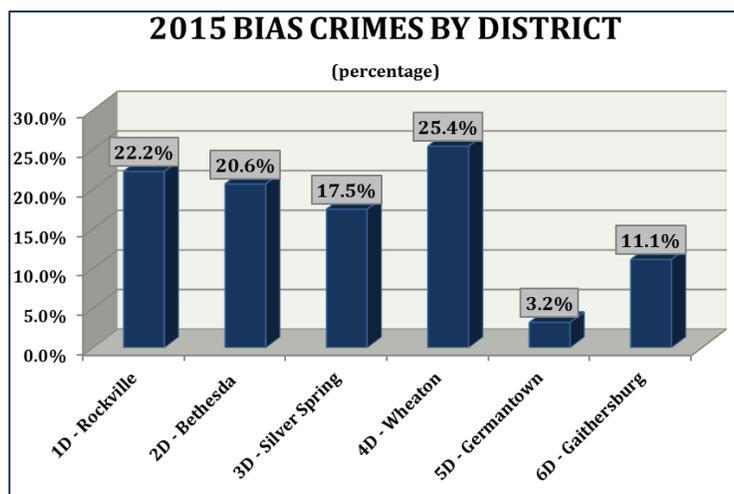ficult to identify suspects in these cases. However, in April, a significant amount of vandalism, including 11 swastikas, was discovered on the Shaare Torah Synagogue in the Kentlands. Montgomery County and Gaithersburg detectives worked together to identify the two subjects responsible for this crime and arrested them within a week.

Nearly 20% of the total bias incidents were classified as Assaults. This is an increase in bias motivated crimes against persons. There were only seven assaults total in 2013 and 2014, combined. In 2015, 12 assaults occurred, resulting in 14 victims. Five of these incidents were motivated by racial bias, while four were motivated by religious bias. Ethnicity, gender, and sexual orientation were the reasons behind the remaining three assaults.

INCIDENTS BY DISTRICT

In 2015, just over one quarter of the total bias incidents occurred in the 4th District (16), the 1st District has 14 incidents, and the 2nd District each had 13 incidents.
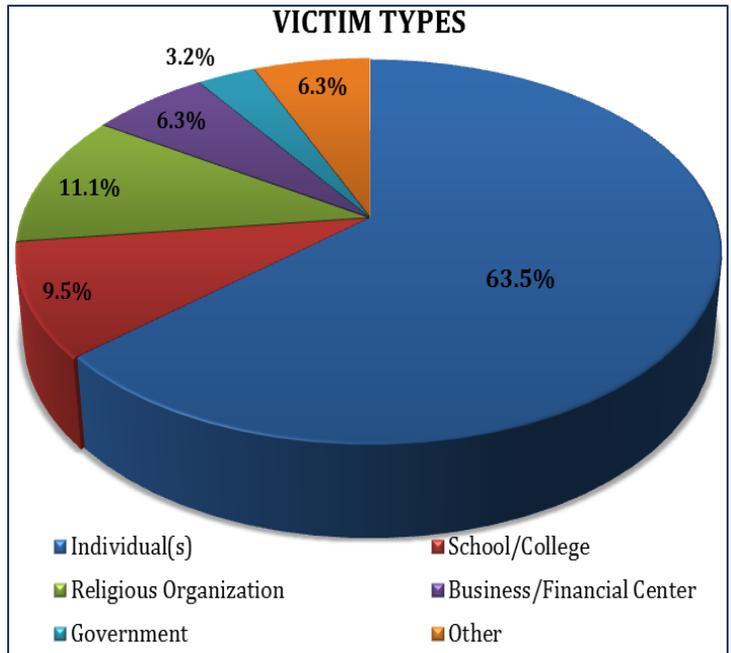
Last year, an analysis of available bias incident data for the previous ten years revealed that bias-motivated incidents are consistently higher in these three districts.
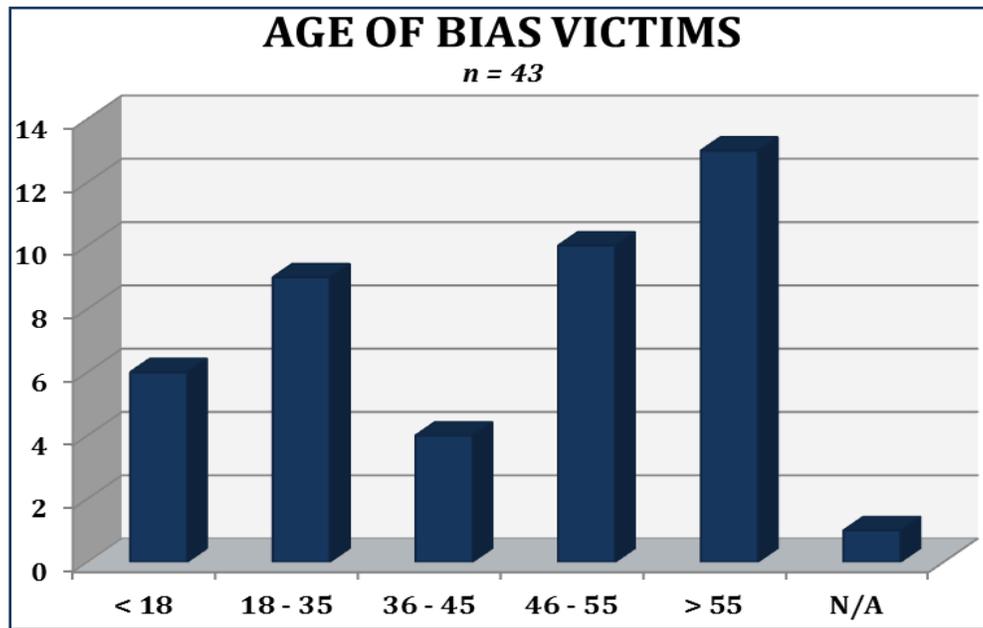
VICTIMS OF BIAS INCIDENTS

This year, the Montgomery County Police Department is able to provide more information related to the victims and the suspects of these bias incidents.
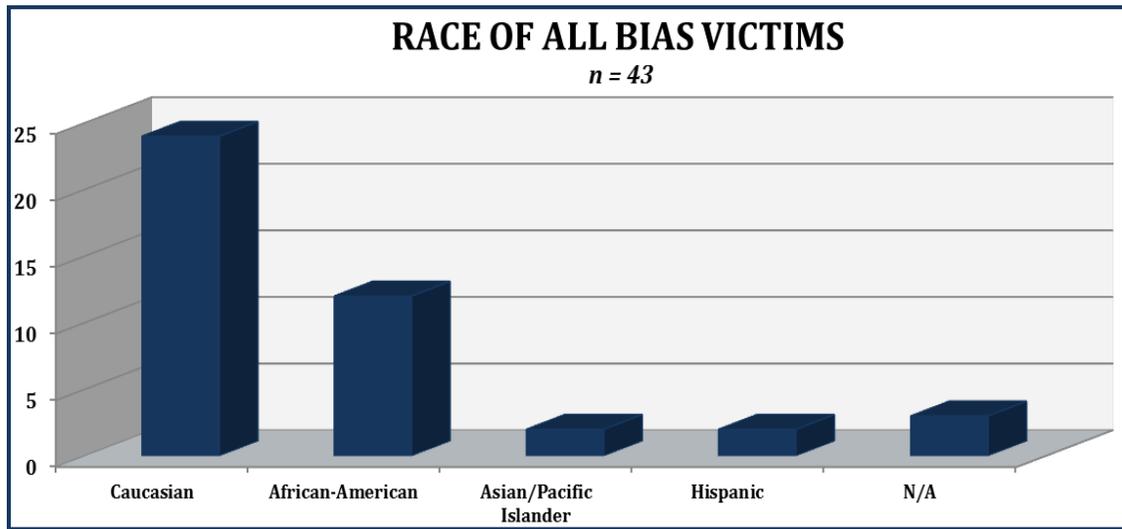
Of the 63 bias incidents reported in 2015, there were 40 incidents that were committed against individuals; three of those incidents had multiple victims (two each). The remaining incidents were committed against society: religious organizations, schools/colleges, government entities, financial organizations, or something else (e.g., a veterinarian's office, a park, etc.). These trends are consistent with trends reported to the FBI in 2014.

VICTIM TYPES

- 3.2%
- 6.3%
- 6.3%
- 11.1%
- 9.5%
- 63.5%

- Individual(s)
- School/College
- Religious Organization
- Business/Financial Center
- Government
- Other

Amongst those cases in which specific individuals were victims (43 victims, total), 30% of the victims were 55 years of age or older. Offenses against this age group were equally distributed (i.e., they were not more frequent victims of a specific type of offense).
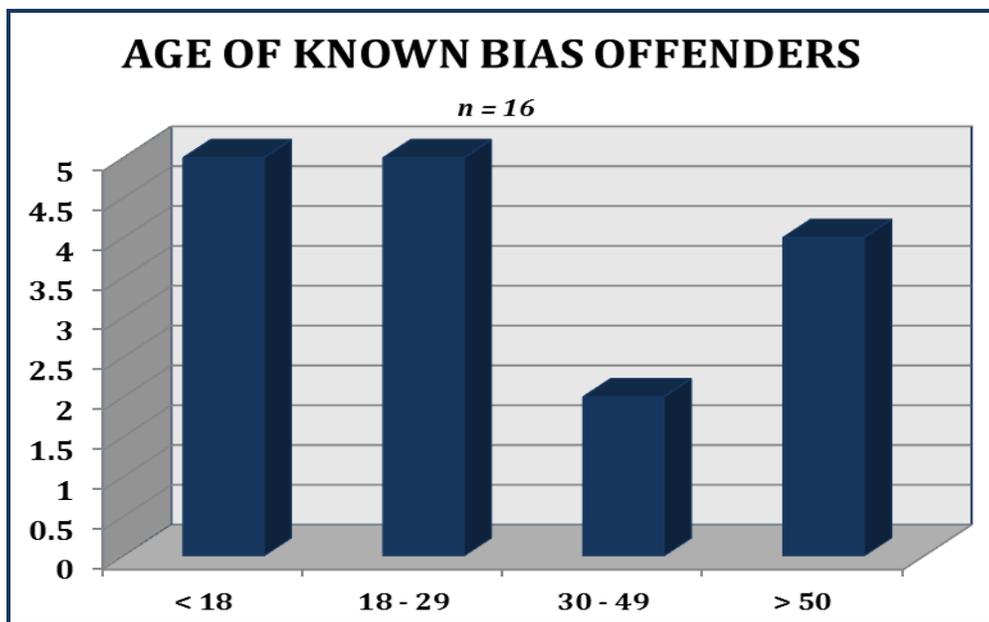
AGE OF BIAS VICTIMS
n = 43

Age Group	Count
< 18	6
18 - 35	9
36 - 45	4
46 - 55	10
> 55	13
N/A	1

Nearly 56% of the total individual victims of all bias-motivated incidents identify as Caucasian and 28% as African American.

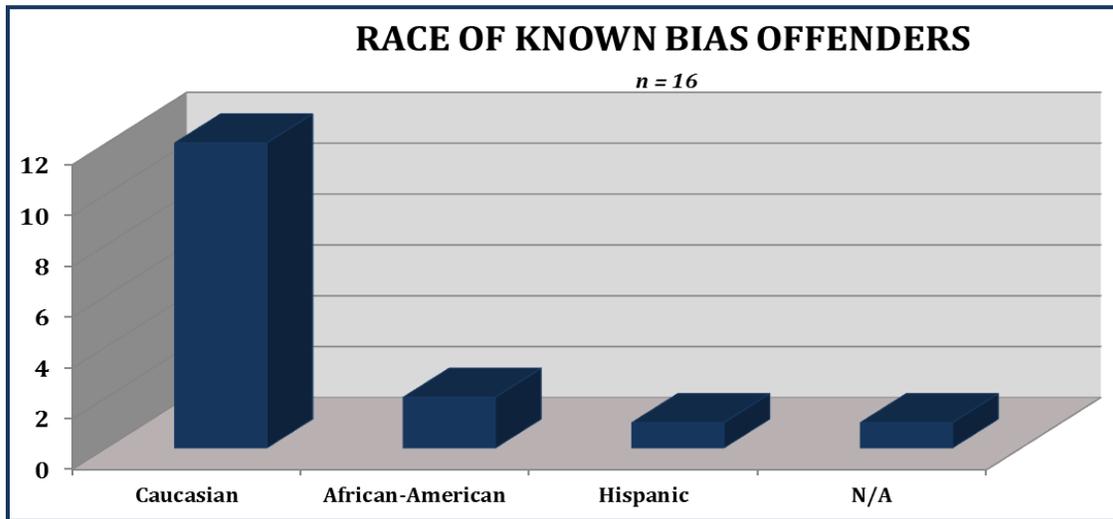**RACE OF ALL BIAS VICTIMS**
n = 43

Note: Jewish victims are included in the Caucasian category.

OFFENDERS OF BIAS INCIDENTS

It is often very difficult to identify suspects, as many bias incidents occur without any witnesses present. Moreover, many bias incidents occur without the victim present, as in the case of bias motivated graffiti or vandalism. In 2015, victims were able to provide suspect information in 22.2% of the 63 total reported incidents, most of which were for assaults motivated by bias. **There were a total of 16 subjects developed and/or identified in these 14 incidents**. Ten arrests were made for eight of these cases and four were closed by exception. A demographic profile of those 16 subjects is presented in the next two charts:

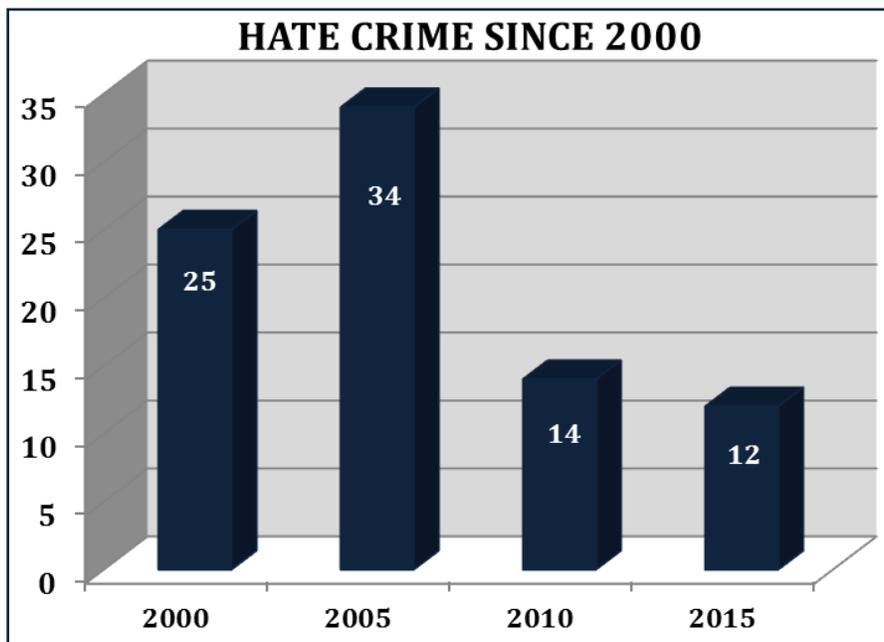**AGE OF KNOWN BIAS OFFENDERS**
n = 16

Among known suspects, the dominant offender group is males (14 of the 16 suspects were males). Five of the suspects were under the age of 18; three of these six suspects were involved in assaults against their classmates. Twelve of the 16 suspects identified as Caucasian.

RACE OF KNOWN BIAS OFFENDERS

n = 16

HATE/BIAS CRIMES

Of the 63 reported bias incidents, investigation determined that 12 cases met the criteria of the *Hate Crime Statistics Program*. Since 2000[4], this is a 52% reduction in reported hate crimes, but it is an increase since 2014, when there were only six reported, according to the published FBI data.

HATE CRIME SINCE 2000

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[4] All historical data retrieved from the FBI UCR Hate Crime Statistics reports. 2015 data has not been published yet, and is not expected until late 2016.

As the population has increased, the number of hate crimes has declined dramatically. Since 2000, the population in Montgomery County has increased nearly 18%, while the number of hate crimes per capita has declined to 1.2 per 100,000 people.

Of the 12 incidents that were reported to the FBI, five were motivated by religion, four by race, two by sexual orientation, and one by ethnicity. Arrests were made in six of these incidents. One incident was closed by exception because the victim refused to cooperate with the police and identify the individuals who had assaulted him, and another is still under investigation.

TRAINING & OUTREACH

An important distinction must be made when reporting a hate crime. The mere fact the offender is biased against the victim does not mean that a hate crime was involved. Rather, the offender's criminal act must have been motivated, in whole or in part, by his or her bias.

Motivation is subjective; therefore, it is difficult to know with certainty whether a crime was the result of an offender's bias. Comments and/or actions of an offender (if known) are most significant in determining whether an incident is motivated by bias or hate. Montgomery County police officers receive training specific to investigating suspected hate crimes, including the criteria for determining whether a hate crime has occurred, and responding to the needs of a victim of a hate crime. As part of ongoing in-service training, the police officers receive instruction in the concept of bias-based policing, a term used to describe any stop, detention, search or arrest based solely on a person's race, national origin, citizenship, religion, ethnicity, age, gender, or sexual orientation. In-service training may also cover diversity training and cultural sensitivity. And most recently, several members of the department received instructor training for implicit bias, predilections held by everyone that operate largely outside of one's awareness. This new training will help officers recognize and understand how their unconscious biases can impact the way they do their jobs.

Bias crimes are more likely to create or exacerbate tension or conflict in a community, so it is important for the police department to work closely within the community to confront hatred and overcome the fear and mistrust that may exist. Communication and interaction is often a key factor in preventing tension or restoring peace. Every interaction with the public is an opportunity to build relationships and trust with the community. The community services officers at each district frequently attend training and meet with community members and present on the subject of hate crimes to schools and other community organizations, as requested.

The department's Public Information Office also plays an important role in preventing an increase in tension throughout the community by informing public attitudes about the crime, the offenders, and the law enforcement response. Timely and accurate reporting significantly increases the likelihood that peace, stability, and understanding will be restored and fear, suspicion, and anger will be alleviated.

Montgomery County is a diverse, yet inclusive community that does not tolerate hatred. Throughout the county, efforts are made to educate and engage the community in matters that foster understanding while repudiating ignorance. For example, in early 2015, when three Muslim students were killed in North Carolina, the Muslim Community Center in Silver Spring hosted a conference with speakers representing Montgomery, Anne Arundel, Baltimore, and Howard counties, calling on the media to stop contributing to an anti-Islamic climate that instigates senseless hate crimes.

There is also a collaborative effort in Montgomery County between the World Organization for Resource Development and Education (WORDE), the Faith Community Working Group, and the Montgomery County Police Department that helps foster a relationship between the Muslim and non-Muslim communities through networking events and service projects. This model, which has received attention on a national level, also trains local community members how to recognize potential threats.

Photo credit to the International Cultural Center.

However, there are still many opportunities to combat bias and stereotypes that lead to bias incidents and build trust amongst the diverse residents of Montgomery County. While the Montgomery County Police Department continues to engage political, business, civic, religious, and other community organizations to create a positive climate and encourage constructive dialogue, the Montgomery County Office of Human Rights continues to promote trust and inclusiveness amongst minority communities. In December, in response to the terror attacks in Paris and San Bernardino, the Committee on Hate Violence hosted a meeting to hear the concerns of local Muslims. Several of our community services officers were present and able to speak directly to the community members who turned out to share the fears. Later, the Interfaith Community Liaison, on behalf of the County Executive, convened a Summit of Muslim leaders in an effort to express solidarity and appreciation for the Muslim community's contributions to the County, and pledge full support to their protection and empowerment of programs to overcome Islamophobia and desire to live in harmony.

SUMMARY

Bias incidents may have a disproportionately greater impact upon their victims than other types of incidents. Furthermore, these types of incidents also have more serious side effects for society, as a whole. A bias incident not only victimizes the individual, but also the entire group the individual belongs to, resulting in increased isolation, stress, and vulnerability of that group. A timely and effective police response can have a very positive and lasting impact on the relationship between the police and various communities, which can also influence other aspects of public safety.

If you believe a hate/bias crime has occurred, please call 301-279-8000 to report the incident to the MCPD immediately! The Montgomery County Office of Human Rights can also be contacted at 240-777-8450, even if you do not have any information on the suspects, or there is no physical injury or property damage. Do not destroy any evidence related to the crime; keep any letters or voicemails. Do not clean up any vandalism until the police arrive and conduct the investigation, which may also include photographs.

Chief Manger speaks to the Summit of Muslim leaders, as County Executive Leggett and Iman Faizul Khan look on.

Chief Manger speaks at a recent meeting of the Committee on Hate Violence.

Please consider contacting the department's Victim Assistance Coordinators at each district station. They can direct you to other resources and put you in contact with human rights organizations.

1st District – Rockville	240-773-6070
2nd District – Bethesda	240-773-6700
3rd District – Silver Spring	240-773-6800
4th District – Wheaton	240-773-5500
5th District – Germantown	240-773-6200
6th District – Montgomery Village	240-773-5700

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APPENDIX A: SUMMARY OF REPORTED BIAS INCIDENTS IN 2015

JANUARY
- Complainant reported that a racist comment was spray painted on the garage door; a family member suspected.
- The victim reported that rocks were thrown through his windows, and believed it was because of posters that were hanging in the room.
- African-American victim reported that a Caucasian subject threatened him with a knife.
- Complainant reported racially charged-graffiti in the men's room of a library.

FEBRUARY
- Complainant reported racially-charged graffiti discovered in a college restroom.
- Victim received phone calls telling her to go back to her country.
- The Asian victim reported the words "Go back" were written in the snow on his car.
- Victim received phone calls telling him to go back to his country.
- Student reported being assaulted by another student over religious beliefs.

MARCH
- Non-Jewish student assaulted Jewish student over religious beliefs.
- Anonymous report of swastikas spray painted on a fountain.

APRIL
- Complainant reported that two masked suspects vandalized a synagogue.
- Complainant reported that Anti-Israeli/pro-Iranian flyers were left at his home and two of his neighbors' homes.
- Victim stated her car was surrounded and beat on by African American teenagers.
- Complainant reported that the temple received a threatening/harassing voicemail.
- Complainant reported a swastika drawn on the bleachers at a high school.
- Complainant reported vandalism (anti-multiracial) on a neighborhood walkway.

MAY
- A biracial couple reported a small crack in their vehicle's windshield; male victim believed it was because his girlfriend was African American.
- A homosexual victim was assaulted at a bar.
- Complainant reported a variety of multi-racial graffiti found on a school playground.
- The African American victim reported her vehicle was heavily damaged and vandalized.
- The complainant reported finding an anti-Semitic flyer on his door.

JUNE
- Complainant reported that anti-Semitic flyers were distributed throughout a neighborhood.
- Two African-American victims were assaulted by their Caucasian landlord.
- There were four separate reports taken for anti-Semitic flyers distributed throughout neighborhoods in the 4h District.
- Complainant reported his son was assaulted by another juvenile because he was dressed too femininely.
- Anti-Semitic flyers distributed throughout a neighborhood.
- Victim reported that her car window was broken and believed it was because she is Asian.
- Flyers containing anti-black and anti-Asian sentiments left at Costco.

JULY
- Victim reported receiving anti-Semitic emails.
- Victim had signboard stating "God is not real" knocked out of his hands.
- A Confederate statue was vandalized with "Black Lives Matter".
- Complainant reported seeing a swastika painted in a parking garage.

AUGUST
- Church reported several instances of someone removing the word "Black" from their "Black Lives Matter" sign.
- Victim received anti-Semitic emails from a former client. .
- African-American victim reports that his home was egged and damaged; no other racially-based vandalism found.
- Montgomery County speed camera and a community entrance were vandalized with a swastika.
- Caucasian subject assaulted a Hispanic mother and son.

SEPTEMBER
- African-American driver alleged that Caucasian driver used a racial slur towards her while travelling on the roadway.
- Complainant reported anti-homosexual graffiti to the ledges in the community.
- Victims discovered a swastika formed out of bricks in their driveway.

OCTOBER
- Victim received phone call stating that her house would be bombed if she did not return to her country.
- A swastika was scratched into a restroom door at a veterinary center.
- Church reported that someone had changed the letters around on their sign to reflect negativity.
- Jewish victim reported that he was verbally harassed while walking his dog.
- A Catholic Church reported religious-motivated property damage and vandalism.
- Business owner received a phone call with racially motivated threats.
- Two subjects vandalized a business with a swastika after being caught shoplifting and asked to leave.

NOVEMBER
- Complainant reported swastika and other graffiti spray painted on a college restroom door.
- Complainant reported racially-charged graffiti found in men's room at a school.
- Board of Education member received an intimidating email after a recent decision about a holiday.
- African-American victim reported that while travelling on the roadway, subjects vandalized her car by throwing an object at it while yelling racial slurs.
- Complainant reported anti-Christian vandalism to church signs and a nearby commercial sign.
- African-American victim found a paper with a racial slur taped to his car.
- Anti-racial graffiti reported in a college men's restroom.
- "ISIS" was spray painted on the back of a retail establishment.
- A church received a suspicious letter/Spanish flyer.
- Victim reported anti-racial graffiti/swastika was scratched into her car.

- Victim reported receiving hateful messages about his sexual orientation via social media.

DECEMBER
- High school security reported anti-Semitic graffiti in the men's restroom.