

Community Guide on Hate Crimes

What is a hate crime?¹ A hate crime must meet two criteria:

1. A crime must occur: examples include murder, physical assault, arson, or vandalism;
2. The crime must be motivated totally or partially by bias (showing prejudice against someone based on their race, gender, or religion in most cases).

The list of biases included in hate crime laws vary because each state has its own law with the exception of **Arkansas, Georgia, Indiana, South Carolina, and Wyoming**, which have none. Most state hate crime laws prohibit bias based on race, ethnicity, and religion. Some also include sexual orientation, gender, and/or disability.

What is the difference between a hate crime, hate speech, and an act of bias or discrimination?²

Hate crimes involve criminal acts and, if charged and prosecuted, are dealt with in the court system. They typically carry heavier penalties than other crimes.

Hate speech is written and/or verbal communication intended to degrade, intimidate, or incite violence or discriminatory action against a group of people based on their race, ethnicity, national origin, religion, sexual orientation, or disability.³

Incidents of bias and discrimination include behavior, speech, or expression that do not involve a criminal act punishable by the law.

How and Where to Report a Hate Crime

Muslim, Arab, and South Asian communities have been facing higher levels of hate crime, hate speech, and incidents of bias and discrimination, particularly in 2016 and after the presidential election. We are facing levels of hate violence not seen since the year after 9/11. Recently released 2015 FBI data shows that hate crimes against Muslims surged 67% since 2014. At the same time, a 2013 government study⁴ showed that only one in three hate crimes is actually reported to law enforcement.

You can check the specific law for your state and find the appropriate contacts in your state to report a hate crime here⁵. If you live in a state where there is no hate crimes law or you do not feel comfortable contacting local police in your area, you should consider reporting confidentially on SAALT's online database⁶ and someone will follow up with you.

¹ <https://www.splcenter.org/20100216/ten-ways-fight-hate-community-response-guide>

² <https://www.splcenter.org/20100216/ten-ways-fight-hate-community-response-guide>

³ <http://ejce.berkeley.edu/report-incident/what-hate-crime#hatespeech>

⁴ <http://www.bjs.gov/index.cfm?ty=pbdetail&iid=4614>

⁵ <https://www.muslimadvocates.org/hate/reporting-hate-crimes-in-your-state/>

⁶ <http://saalt.org/policy-change/post-9-11-backlash/>

You can also contact the **South Asian Bar Association of North America** to speak to a lawyer.



It is important to report every incident as it occurs even if you are not sure it qualifies as a hate crime. Hate crimes, hate speech, and incidents of bias and discrimination also occur based on a person's **perceived** race, gender, or religion. You can report a hate crime, hate speech, and incidents of bias and discrimination on SAALT's online database⁷. You can also use the hashtag **#TrackHate** if you are comfortable sharing it on social media platforms.

What to do if you are the victim of a hate crime?

1. Report

Report the incident to local police or a trusted community group or leader. If you decide to do this, you should try to report the crime as soon as possible so that police can conduct a thorough investigation quickly.

Local police are required to investigate after you file a complaint. If you do report the crime, make sure to report all aspects of the incident (including slurs and comments made by the perpetrators) that lead you to believe that you were singled out on the basis of your race, color, national origin, ancestry, gender, sexual orientation, religion, age, or disability. Be sure to ask your local police to use the FBI hate crimes reporting form. For the first time, the form now includes categories for crimes against Arabs, Sikhs, and Hindus.

It is possible that law enforcement may ask about your immigration status and report those without status to a federal immigration enforcement agency. If you have any concerns, it is best to speak with an immigration law expert first.

2. Support

Consult with a community based organization to assess your options and receive assistance. You can find a list of **South Asian organizations** around the country here⁸ or you can contact SAALT directly (info@saalt.org).

Seek mental and physical care, as necessary to receive immediate support after an incident. This is an important first step often before legal assistance is available (make sure to keep records of medical care you receive). You can go here⁹ for a list of **mental health providers** in New York and New Jersey who identify as culturally responsive to the needs of Muslim clients.

We will continue to update this guide as resources become available.

⁷ <http://saalt.org/policy-change/post-9-11-backlash/>

⁸ <http://saalt.org/the-coalition/meet-the-ncso/>

⁹ <http://www.haqqer.com/muslim-mental-health-nynj.html>