



Hate Crimes in Florida

January 1, 1999 – December 31, 1999

Office of Attorney General Bob Butterworth

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Dear Floridians:

Your concern about hate crimes in Florida, shown by your interest in this report, is crucial in any effort to eliminate this most repugnant type of crime. We continue to make steady progress in the reporting and prosecution of hate crimes, but a great deal remains to be done and public awareness continues to play an important role.

This report reveals what, at first, appears to be a substantial number of hate crimes committed against individuals in Florida. However, a closer examination shows that the number of law enforcement agencies submitting reports on hate crimes increased by an almost identical amount, suggesting that the real increase was in reporting rather than offenses. It is encouraging that more and more law enforcement agencies are aggressively pursuing and reporting hate crime incidents, even as we work to eliminate the activities that make these reports necessary.

Although this report summarizes hate crimes throughout the State of Florida, the real battle against the insidious threat of bias-motivated crimes must be fought and won at the community level. It is therefore heartening to note the large number of community-based initiatives designed to bridge the gaps that could divide our society. Florida's diversity is one of its greatest strengths, and efforts to reduce crimes resulting from this diversity must continue at every level.

I hope the information contained in this report will be useful in increasing your knowledge and understanding of hate crimes, and that it helps to develop community strategies for preventing and eliminating all bias-motivated offenses. I encourage you to continue your work in identifying and bringing to justice those responsible for these heinous crimes.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Butterworth', with a long horizontal flourish extending to the right.

Robert A. Butterworth
Attorney General

NOTICE

The responsiveness of law enforcement and the success of community initiatives to identify hate crime incidents should not and cannot be measured solely through statistics. Attempts to rank or categorize any agency, county or region based on the number of reported hate crime incidents would be inappropriate and misleading. Such a ranking or comparison would unfairly penalize those agencies that have vigorous reporting policies by making it appear their jurisdictions are more prone to incidents of hate crimes when, in fact, they are simply doing a better job of reporting incidents.

Introduction

In 1989, the Florida Legislature enacted several statutes designed to address the issue of hate crimes. Section 775.085, Florida Statutes, was created to increase penalties for convictions of crimes where there was evidence of certain prejudice. In addition, the Hate Crimes Reporting Act, section 877.19, Florida Statutes, requires law enforcement agencies to report hate crimes to the Florida Department of Law Enforcement (FDLE). Under the Act, the Attorney General's Office is required to publish an annual summary of data collected by FDLE. Through its Hate Crime Program, Florida collects the highest ranking hate-related offense within each incident. Each crime (murder, forcible sex offenses, aggravated assault, simple battery and intimidation) may have multiple victims. Therefore, these multiple victims are reflected in Florida's hate crime offense totals. For example, if two individuals are victims of a single hate crime, Florida will count two offenses for that particular incident. The National Hate Crime Program does not reflect multiple victims in its offense count; therefore, the reader should note that Florida's hate crime offense totals differ from the national hate crime offense totals.

This 1999 Hate Crimes in Florida Report covers the period from January 1, 1999, through December 31, 1999. The information was collected from local law enforcement agencies by FDLE's Division of Criminal Justice Information Services, Uniform Crime Report Section. The data was tabulated by FDLE and provided to the Attorney General's Office for summary and distribution.

Included in this report are excerpts from FDLE's Hate Crime Report Manual, as well as a copy of the relevant hate crimes statutes and a listing of additional sources of information regarding hate crimes. (See Appendices 1-3.) The information is provided as a reference to help explain what constitutes various criminal offenses and when those offenses are deemed to be motivated by hate.

Executive Summary

This 1999 Hate Crimes in Florida Report, submitted in accordance with the 1989 Hate Crimes Reporting Act, contains data reported by individual county and local law enforcement agencies throughout Florida. These agencies reported the occurrence of hate crime incidents in 1999 under the Uniform Crime Reporting (UCR) information system. Currently, 400 agencies participate in the UCR system and this Report is based solely on the information provided to FDLE by the reporting agencies.

The 1999 Report includes data from 94 law enforcement agencies, an increase of 49 percent over the 63 reporting agencies in 1998. Overall, 23 percent of the 400 participating agencies reported hate crimes this year.

The number of reported hate crimes grew in direct proportion, from 203 in 1998 to 307 in 1999 — a 51 percent increase. Although several factors may have contributed to the increase in the reported number of hate crime incidents, one likely reason would appear to be the increase in the number of law enforcement agencies reporting. In addition, law enforcement agencies have received more specialized training in detecting, identifying, investigating and reporting crimes motivated by hate.

Since 1994, this office has conducted hate crimes training seminars for state and local law enforcement agencies throughout Florida. To date, more than 2,800 police personnel in over 150 jurisdictions have received this training.

The 307 reported hate crime offenses represent criminal behavior that has been defined, categorized, and codified in Florida Statutes. The general motivation patterns underlying these incidents remain fairly consistent with previous years. For example, race remains the most common motivation for hate crimes, accounting for 58.6 percent of the 1999 incidents, a decrease when compared to 62.6 percent in 1998. The other motivation types in the report were ethnicity 10.1 percent, religious beliefs 15.6 percent, and sexual orientation 15.6 percent. The number of reported hate crimes increased slightly for religious and sexually motivated types in 1999, while racial and ethnically motivated types decreased.

Hate crimes are classified by two types of offenses, crimes against persons and crimes against property. Crimes against persons accounted for 69 percent of all reported hate crimes in 1999, an increase from 62 percent in 1998. These include robbery, assault, intimidation, and murder. Crimes against property accounted for 31

percent of all reported hate crimes in 1999, a decrease from 38 percent in 1998. These include vandalism, arson and burglary.

Again, caution should be applied in interpreting this data and in drawing conclusions solely from information contained in this report. It is important to note that this report does not include unreported crimes or crimes that may be hate-related but are not classified as such by the local law enforcement agency.

Annual Report Hate Crimes in Florida January 1 – December 31, 1999

What is a Hate Crime?

A hate crime is among the most insidious acts taken by one person against another, founded in prejudice and intolerance. A hate crime is an act committed or attempted by one person or group against another, or their property, that in any way constitutes an expression of hatred toward the victim based on his or her personal characteristics. It is a crime in which the perpetrator intentionally selects the victim based on one of the following characteristics: race, color, religion, ethnicity, ancestry, national origin, sexual orientation, mental or physical disability, or advanced age. Under section 775.085, Florida Statutes, criminal penalties are reclassified for such hate-based acts. As the Florida Department of Law Enforcement notes in its Hate Crime Report Manual, the motivation behind the act is the key element in determining whether an incident is hate-related.

NOTE: Although the 1998 Legislature amended the law to add victim mental or physical disability and advanced age to the elements to be covered by the hate crimes law, the Legislature failed to amend the corresponding Hate Crimes Reporting Act, Section 877.19, Florida Statutes, to include these elements. Consequently, law enforcement is not required to capture data on hate crimes involving victims with mental or physical disability or advanced age, and such information is not included in this Hate Crimes in Florida Report 1999.

Types of Offenses

A total of 307 hate crimes was reported by Florida law enforcement agencies in 1999, an increase of 51 percent from 1998. Reported hate crime offenses ranged in seriousness from vandalism and intimidation to aggravated assault and murder. (See Table 1)

Table 1. Offense Totals by Motivation Type
January 1 – December 31, 1999

Offenses	Race/Color	Religion	Ethnicity/ National Origin	Sexual Orientation	Totals
Murder/Manslaughter	2				2
Robbery	3		1	5	9
Aggravated Assault	54		4	17	75
Burglary	3		1		4
Larceny/Theft	1				1
Motor Vehicle Theft					0
Arson	3	1		2	6
Obscenity Offenses	1				1
Simple Assault	50	1	8	8	67
Intimidation	34	14	7	3	58
Vandalism	29	29	10	13	81
Trespassing					0
Weapons Violations		3			3
TOTALS	180	48	31	48	307

Crimes Against Persons

Hate crimes, like other offenses, can be classified as crimes against persons or crimes against property. Of all the reported hate crimes in 1999, a total of 69 percent was committed against persons, including simple assault, aggravated assault, and intimidation. The remaining 31 percent of hate crimes were committed against property, including vandalism, burglary, and arson.

Of the total number of hate crimes reported in 1999 in Florida, 104 were in the form of assaults (simple or aggravated assault). This means that 34 percent of all the reported hate crimes committed in Florida involved assault. The actual number of hate-based assaults increased from 88 in 1998, to 104 in 1999. Although the total number of assaults increased in 1999 by 16 incidents, the number of assaults as a share of overall hate crimes decreased from 43 percent in 1988, to 34 percent in 1999. Of the remaining crimes against persons, the vast majority took the form of intimidation, which more than doubled from 1999.

Table 2. Crimes Against Persons (1991–1999)

Report Year	Total Offenses	Number of Assaults	Percent of Total	Total Personal Crimes	Percent of Total
1991	309	165	53.4%	217	70.2%
1992	395	222	56.2%	297	75.2%
1993	312	175	56.1%	238	76.0%
1994	283	153	54.1%	206	72.8%
1995	184	91	49.5%	119	65.0%
1996	212	105	49.5%	148	69.8%
1997	160	84	52.5%	117	73.1%
1998	203	88	43.3%	125	61.6%
1999	307	104	34.1%	212	69.0%

The total number of reported crimes against persons rose from 125 in 1998 to 212 in 1999, a 70 percent increase. As the rate of assaults increased, the total number of crimes against persons also increased in 1999.

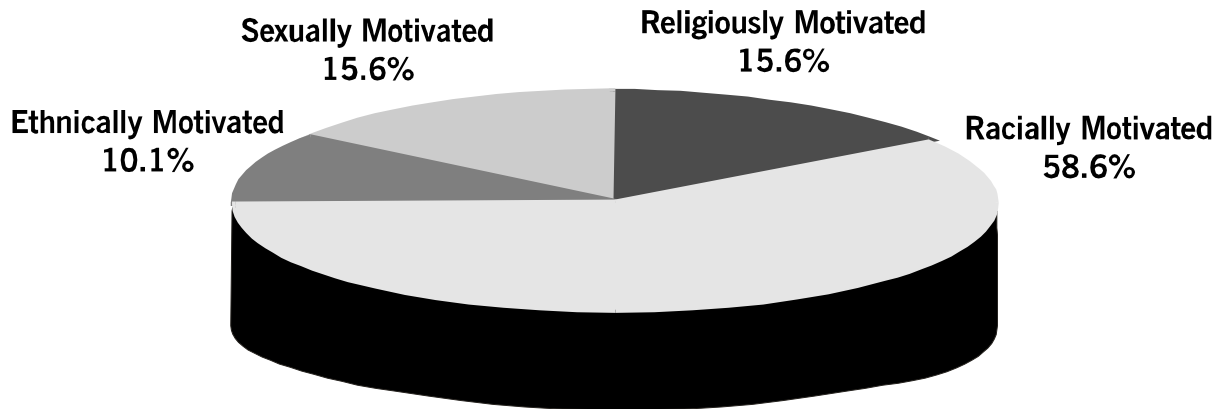
Table 3. Crimes Against Persons vs. Crimes Against Property

Year	Crimes Against Persons		Crimes Against Property	
	Count	Percent	Count	Percent
1993	238	76%	74	24%
1994	206	73%	77	27%
1995	119	65%	65	35%
1996	148	70%	64	30%
1997	119	76%	41	24%
1998	125	62%	78	38%
1999	212	69%	95	31%

Motivation

In well more than half of reported hate crime offenses (58.6 percent) the perpetrator’s motivation involved race. Other motivation categories were religion (15.6 percent), ethnicity/national origin (10.1 percent), and sexual orientation (15.6 percent). See Figure 1.

Figure 1. 1999 Florida Hate Crimes Overview By Motivation Type



The motivations that prompted hate-based crimes in 1999 remained relatively consistent with the pattern of the previous eight years. The overall increase in the number of hate crimes is reflected in increases in two of the four motivation categories. The share of hate crimes attributed to religion and sexual orientation increased from the previous year, while racial and ethnicity motivated hate crimes experienced a slight decrease. Table 4, following, provides a year-by-year breakdown of reported hate crimes by motivation.

Table 4. Hate Crimes Comparison by Motivation (1991–1999)

	Race/Color		Religion		Ethnicity		Sexual Orientation	
	Percent of Total	Number of Offenses	Percent of Total	Number of Offenses	Percent of Total	Number of Offenses	Percent of Total	Number of Offenses
1991	71.5%	221	14.9%	46	10.4%	32	*3.2%	10
1992	62.0%	245	12.2%	48	11.1%	44	14.7%	58
1993	72.5%	227	9.9%	31	9.3%	29	8.3%	26
1994	70.0%	198	10.2%	29	9.9%	28	9.9%	28
1995	69.9%	128	12.6%	23	9.3%	17	8.2%	15
1996	73.6%	156	12.3%	26	11.3%	24	2.8%	6
1997	70.6%	113	11.3%	18	4.2%	5	13.4%	16
1998	62.6%	127	13.3%	27	10.3%	21	13.8%	28
1999	58.6%	180	15.6%	48	10.1%	31	15.6%	48

* Collection of data on sexual orientation began on October 1, 1991.

Hate Crime Offenses by County and Agency

In this report, basic information regarding the reported occurrences of hate crimes is provided in two separate tables: Offenses by County and Agency (Table 5) and Hate Crimes by Offense and Motivation Type (Table 6).

With many more agencies submitting reports for 1999, hate crimes were reported in 35 Florida counties, compared to 24 counties the previous year. This reporting again included six of Florida’s most populous counties: Broward, Dade, Hillsborough, Orange, Palm Beach, and Pinellas. Collier County was the only county that reported a hate crime in 1998 but none in 1999. Counties that did not report any hate crimes in 1998 but did report hate crimes in 1999 were: DeSoto, Hendry, Indian River, Lee, Madison, Manatee, Okeechobee, Pasco, Polk, and St. Lucie. Among those counties reporting hate crime incidents in 1999, totals ranged from one incident each in Columbia, Escambia, Hendry, Hernando, Indian River, Levy, Madison, Manatee, Putnam, and Santa Rosa counties; to 42 in Broward County; 50 in Dade County; 22 in Orange County; 23 in Palm Beach County; and 37 in Pinellas County. Again, it is important to bear in mind that this report does not determine whether this change reflects an absence of such offenses or a lack of reporting.

Within the 35 reporting counties, a total of 94 law enforcement agencies identified at least one hate crime incident. These agencies include county sheriff’s offices, municipal police departments, and several universities. The agency reporting the most hate crimes in 1999 was the Miami Beach Police Department (21).

Table 5. Offense Totals by County and Agency
January 1 – December 31, 1999

County	Reporting Agency	Totals
ALACHUA	Alachua County Sheriff’s Office	2
	Gainesville Police Department	12
	Alachua Police Department	1
	TOTAL	15
BREVARD	Brevard County Sheriff’s Office	3
	Melbourne Police Department	2
	Titusville Police Department	2
	Palm Bay Police Department	1
	TOTAL	8

County	Reporting Agency	Totals
BROWARD	Broward County Sheriff's Office	2
	Deerfield Beach Police Department	4
	Fort Lauderdale Police Department	11
	Plantation Police Department	2
	Pembroke Pines Police Department	4
	Cooper City Police Department	1
	Coconut Creek Police Department	3
	Davie Police Department	2
	Tamarac Police Department	1
	Lauderdale Lakes Police Department	2
	Oakland Park Police Department	1
	Sunrise Police Department	2
	Coral Springs Police Department	5
	Pembroke Park Police Department	1
	Port Everglades Police Department	1
	TOTAL	42
CITRUS	Citrus County Sheriff's Office	2
CLAY	Clay County Sheriff's Office	7
COLUMBIA	Columbia County Sheriff's Office	1
DADE	Metro-Dade Police Department	10
	Coral Gables Police Department	6
	Miami Beach Police Department	21
	South Miami Police Department	4
	West Miami Police Department	1
	Medley Police Department	1
	Dade County Public Schools	3
	Sunny Isles Beach Police Department	1
	Aventura Police Department	3
	TOTAL	50
DESOTO	Arcadia Police Department	3
DUVAL	Jacksonville Police Department	11
	University of North Florida Police Department	1
		TOTAL
ESCAMBIA	Escambia County Sheriff's Office	1
FLAGLER	Flagler County Sheriff's Office	4
HENDRY	Hendry County Sheriff's Office	1
HERNANDO	Hernando County Sheriff's Office	1

County	Reporting Agency	Totals
HILLSBOROUGH	Hillsborough County Sheriff's Office	3
	Plant City Police Department	4
	Tampa Police Department	3
	TOTAL	10
INDIAN RIVER	Vero Beach Police Department	1
LAKE	Lake County Sheriff's Office	2
LEE	Lee County Sheriff's Office	6
	Fort Myers Police Department	1
	Cape Coral Police Department	2
	TOTAL	9
LEON	Tallahassee Police Department	1
	Florida A&M University Police Department	2
	TOTAL	3
LEVY	Levy County Sheriff's Office	1
MADISON	Madison County Sheriff's Office	1
MANATEE	Manatee County Sheriff's Office	1
MARION	Marion County Sheriff's Office	1
	Ocala Police Department	1
	TOTAL	2
MONROE	Monroe County Sheriff's Office	3
	Key West Police Department	4
	TOTAL	7
OKEECHOBEE	Okeechobee County Sheriff's Office	1
	Okeechobee Police Department	1
	TOTAL	2
ORANGE	Orange County Sheriff's Office	12
	Ocoee Police Department	4
	Winter Park Police Department	1
	Orlando Police Department	4
	University of Central Florida Police Department	1
	TOTAL	22
OSCEOLA	Osceola County Sheriff's Office	1
	Kissimmee Police Department	2
	TOTAL	3

County	Reporting Agency	Totals
PALM BEACH	Palm Beach County Sheriff's Office	10
	Belle Glade Police Department	2
	Boca Raton Police Department	1
	West Palm Beach Police Department	4
	Royal Palm Beach Police Department	1
	Florida Atlantic University Police Department	1
	Palm Beach County School Police Department	3
	Wellington Police Department	1
	TOTAL	23
PASCO	Pasco County Sheriff's Office	6
	Port Richey Police Department	3
	TOTAL	9
PINELLAS	Pinellas County Sheriff's Office	11
	Clearwater Police Department	4
	Pinellas Park Police Department	6
	St. Petersburg Police Department	15
	Tarpon Springs Police Department	1
	TOTAL	37
POLK	Polk County Sheriff's Office	6
	Lakeland Police Department	2
	TOTAL	8
PUTNAM	Putnam County Sheriff's Office	1
ST. LUCIE	Fort Pierce Police Department	2
SANTA ROSA	Santa Rosa County Sheriff's Office	1
SEMINOLE	Winter Springs Police Department	1
	Lake Mary Police Department	1
	TOTAL	2
VOLUSIA	Volusia County Sheriff's Office	5
	Daytona Beach Police Department	2
	Oak Hill Police Department	1
	Orange City Police Department	4
	Port Orange Police Department	1
	TOTAL	13
TOTAL		307

Hate Crimes by Offense and Motivation Type

Table 6 provides a listing of all agencies that reported hate crimes for 1999, with a breakdown of the offenses and the motivation type for each offense. The figures in Table 6 provide the most complete picture of reported hate crimes in individual communities, as well as entire counties, based on the information provided to the Attorney General's Office.

Again, it is important to note that any attempt to rank or categorize an agency, county, or region based solely on this information may be misleading, as it may unfairly penalize those jurisdictions that have a more vigorous policy of identifying, investigating and reporting such incidents. These jurisdictions may not actually experience a greater number of hate crime incidents, but may only do a more thorough job of reporting them. In addition, as with other crime data, this report does not include unreported crimes or crimes that may be hate-related but are not classified as such by local law enforcement.

**Table 6. Hate Crimes by Offenses and Motivation Type by County and Agency
January 1 – December 31, 1999**

County	Agency	Offenses	Race/ Color	Religion	Ethnicity/ Natl. Origin	Sexual Orientation	Totals
ALACHUA	Alachua County Sheriff's Office	Simple Assault Destruction/Damage/ Vandalism/Property	1		1		1 1
	Gainesville Police Dept.	Aggravated Assault	4			1	5
		Simple Assault	1				1
		Intimidation	2			1	3
		Burglary/Breaking & Entering	1				1
	Destruction/Damage/ Vandalism/Property		2			2	
Alachua Police Dept.	Robbery	1				1	
	County Total:		10	2	1	2	15
BREVARD	Brevard County Sheriff's Office	Aggravated Assault Simple Assault	1			2	1 2
	Melbourne Police Dept.	Aggravated Assault			2		2
	Titusville Police Dept.	Simple Assault			2		2
	Palm Bay Police Dept.	Aggravated Assault	1				1
		County Total:		2		4	2

County	Agency	Offenses	Race/ Color	Religion	Ethnicity/ Nat. Origin	Sexual Orientation	Totals	
BROWARD	Broward County Sheriff's Office	Intimidation	2				2	
	Deerfield Beach Police Dept.	Simple Assault Intimidation	1	3			1 3	
	Fort Lauderdale Police Dept.	Robbery Aggravated Assault Simple Assault Intimidation Arson Weapons Violations	1 1 1		1	2 2	1 3 1 1 2 3	
	Plantation Police Dept.	Simple Assault Destruction/Damage/ Vandalism/Property	1	1			1 1	
	Pembroke Pines Police Dept.	Aggravated Assault Arson Burglary/Breaking & Entering Destruction/Damage/ Vandalism/Property	1 1 1 1				1 1 1 1	
	Cooper City Police Dept.	Destruction/Damage/ Vandalism/Property		1			1	
	Coconut Creek Police Dept.	Simple Assault Intimidation Destruction/Damage/ Vandalism/Property	1 1		1		1 1 1	
	Davie Police Dept.	Destruction/Damage/ Vandalism/Property	2				2	
	Lauderdale Lakes Police Dept.	Intimidation			2		2	
	Oakland Park Police Dept.	Murder & Non-Negligent Manslaughter	1				1	
	Sunrise Police Dept.	Intimidation Destruction/Damage/ Vandalism/Property			1 1		1 1	
	Coral Springs Police Dept.	Aggravated Assault Simple Assault	1 3			1	1 4	
	Pembroke Park Police Dept.	Intimidation	1				1	
	Tamarac Police Dept.	Intimidation			1		1	
	Port Everglades Police Dept.	Simple Assault				1	1	
		County Total:		21	14	1	6	42

County	Agency	Offenses	Race/ Color	Religion	Ethnicity/ Natl. Origin	Sexual Orientation	Totals
CITRUS	Citrus County Sheriff's Office	Intimidation Destruction/Damage/ Vandalism/Property	1		1		1 1
	County Total:		1		1		2
CLAY	Clay County Sheriff's Office	Intimidation Destruction/Damage/ Vandalism/Property	5 2				5 2
	County Total:		7				7
COLUMBIA	Columbia County Sheriff's Office	Aggravated Assault	1				1
	County Total:		1				1
DADE	Metro-Dade Police Dept.	Simple Assault	2				2
		Intimidation	1				1
		Burglary/Breaking & Entering	1		1		2
		Destruction/Damage/ Vandalism/Property	3	2			5
	West Miami Police Dept.	Destruction/Damage/ Vandalism/Property		1			1
	Medley Police Dept.	Destruction/Damage/ Vandalism/Property	1				1
	Dade County Public Schools	Intimidation Destruction/Damage/ Vandalism/Property	1	1 1			2 1
	Sunny Isles Beach Police Dept.	Aggravated Assault				1	1
	Aventura Police Dept.	Aggravated Assault Destruction/Damage/ Vandalism/Property		2		1	1 2
	Coral Gables Police Dept.	Intimidation Destruction/Damage/ Vandalism/Property		1	2	3	2 4
	Miami Beach Police Dept.	Robbery Aggravated Assault Simple Assault Intimidation Destruction/Damage/ Vandalism/Property	1 4	2 2		4 6 2	4 6 1 6 4
South Miami Police Dept.	Simple Assault Destruction/Damage/ Vandalism/Property	3	1			3 1	
County Total:		17	13	3	17	50	

County	Agency	Offenses	Race/ Color	Religion	Ethnicity/ Natl. Origin	Sexual Orientation	Totals
DESOTO	Arcadia Police Dept.	Simple Assault Destruction/Damage/ Vandalism/Property	2 1				2 1
	County Total:		3				3
DUVAL	Jacksonville Police Dept.	Murder & Non-Negligent Manslaughter	1				1
		Aggravated Assault	2				2
		Simple Assault	2				2
		Intimidation	2				2
	Arson	1				1	
	Destruction/Damage/ Vandalism/Property	2		1		3	
	Univ. of North Florida Police Dept.	Destruction/Damage/ Vandalism/Property				1	1
County Total:			10	1		1	12
ESCAMBIA	Escambia County Sheriff's Office	Aggravated Assault				1	1
	County Total:					1	1
FLAGLER	Flagler County Sheriff's Office	Aggravated Assault	2				2
		Intimidation	2				2
	County Total:		4				4
HENDRY	Hendry County Sheriff's Office	Destruction/Damage/ Vandalism/Property			1		1
	County Total:				1		1
HERNANDO	Hernando County Sheriff's Office	Simple Assault			1		1
	County Total:				1		1
HILLSBOROUGH	Hillsborough County Sheriff's Office	Intimidation			1		1
		Destruction/Damage/ Vandalism/Property		1	1		2
	Plant City Police Dept.	Simple Assault	3				3
		Intimidation	1				1
Tampa Police Dept.	Aggravated Assault	2				2	
	Destruction/Damage/ Vandalism/Property	1				1	
County Total:		7	1	2		10	
INDIAN RIVER	Vero Beach Police Dept.	Destruction/Damage/ Vandalism/Property				1	1
	County Total:					1	1

County	Agency	Offenses	Race/ Color	Religion	Ethnicity/ Natl. Origin	Sexual Orientation	Totals
LAKE	Lake County Sheriff's Office	Intimidation	2				2
	County Total:		2				2
LEE	Lee County Sheriffs' Office	Aggravated Assault	1				1
		Intimidation	3				3
		Destruction/Damage/ Vandalism/Property	1	1			2
	Fort Meyers Police Dept.	Destruction/Damage/ Vandalism/Property	1				1
Cape Coral Police Dept.	Aggravated Assault Destruction/Damage/ Vandalism/Property	1			1	1	
County Total:		7	1	1		9	
LEON	Tallahassee Police Dept.	Simple Assault	1				1
	Florida A&M Univ. Police Dept.	Destruction/Damage/ Vandalism/Property	2				2
	County Total:		3				3
LEVY	Levy County Sheriff's Office	Intimidation			1		1
	County Total:				1		1
MADISON	Madison County Sheriff's Office	Intimidation		1			1
	County Total:			1			1
MANATEE	Manatee County Sheriff's Office	Arson	1				1
	County Total:		1				1
MARION	Marion County Sheriff's Office	Aggravated Assault			1		1
	Ocala Police Dept.	Aggravated Assault	1				1
	County Total:		1		1		2
MONROE	Monroe County Sheriff's Office	Aggravated Assault	1				1
		Simple Assault	1				1
		Destruction/Damage/ Vandalism/Property	1				1
	Key West Police Dept.	Simple Assault Destruction/Damage/ Vandalism/Property	3			1	3 1
County Total:		6			1	7	

County	Agency	Offenses	Race/ Color	Religion	Ethnicity/ Natl. Origin	Sexual Orientation	Totals
OKEECHOBEE	Okeechobee County Sheriff's Office	Simple Assault	1				1
	Okeechobee Police Dept.	Simple Assault	1				1
	County Total:		2				2
ORANGE	Orange County Sheriff's Office	Robbery	1				1
		Aggravated Assault	4			1	5
		Simple Assault	2				2
		Destruction/Damage/ Vandalism/Property		1	1	2	4
	Ocoee Police Dept.	Aggravated Assault	1				1
		Simple Assault Destruction/Damage/ Vandalism/Property	1 1			1	2 1
	Orlando Police Dept.	Simple Assault Destruction/Damage/ Vandalism/Property	1 1			2	1 3
Winter Park Police Dept.	Destruction/Damage/ Vandalism/Property			1		1	
Univ. Of Central Florida Police Dept.	Intimidation			1		1	
County Total:			12	3	3	4	22
OSCEOLA	Osceola County Sheriff's Office	Intimidation				1	1
	Kissimmee Police Dept.	Intimidation Destruction/Damage/ Vandalism/Property	1		1		1 1
	County Total:		1	1		1	3

County	Agency	Offenses	Race/ Color	Religion	Ethnicity/ Natl. Origin	Sexual Orientation	Totals
PALM BEACH	Palm Beach County Sheriff's Office	Robbery	1				1
		Aggravated Assault	4				4
		Intimidation	1				1
		Destruction/Damage/ Vandalism/Property		1	2		3
		Obscenity Offenses	1				1
	Belle Glade Police Dept.	Aggravated Assault Simple Assault	1 1				1 1
	Boca Raton Police Dept.	Destruction/Damage/ Vandalism/Property		1			1
	West Palm Beach Police Dept.	Aggravated Assault Intimidation	2			1 1	1 3
	Royal Palm Beach Police Dept.	Intimidation	1				1
	Florida Atlantic Univ. Police Dept.	Destruction/Damage/ Vandalism/Property				1	1
Palm Beach County School Police Dept.	Simple Assault	3				3	
Wellington Police Dept.	Destruction/Damage/ Vandalism/Property		1			1	
	County Total:		15	3	2	3	23
PASCO	Pasco County Sheriff's Office	Aggravated Assault	2				2
		Simple Assault	2				2
		Intimidation		1			1
		Destruction/Damage/ Vandalism/Property			1		1
Port Richey Police Dept.	Aggravated Assault	3				3	
	County Total:		7	1	1		9

County	Agency	Offenses	Race/ Color	Religion	Ethnicity/ Natl. Origin	Sexual Orientation	Totals	
PINELLAS	Pinellas County Sheriff's Office	Aggravated Assault	2				2	
		Simple Assault	2			2	4	
		Destruction/Damage/ Vandalism/Property	1	3		1	5	
	Clearwater Police Dept.	Aggravated Assault				1		1
		Simple Assault	2					2
		Intimidation		1				1
	Pinellas Park Police Dept.	Aggravated Assault	1				1	2
Simple Assault					3		3	
Intimidation		1					1	
St. Petersburg Police Dept.	Aggravated Assault	8				2	10	
	Simple Assault					1	1	
	Arson			1			1	
	Larceny/Theft Offenses	1					1	
Destruction/Damage/ Vandalism/Property		1				1	2	
	Tarpon Springs Police Dept.	Intimidation			1		1	
County Total:			19	5	5	8	37	
POLK	Polk County Sheriff's Office	Aggravated Assault	2				2	
		Simple Assault	3				3	
		Destruction/Damage/ Vandalism/Property				1		1
Lakeland Police Dept.	Destruction/Damage/ Vandalism/Property	2					2	
County Total:			7		1		8	
PUTNAM	Putnam County Sheriff's Office	Simple Assault	1				1	
	County Total:			1			1	
ST. LUCIE	Fort Pierce Police Dept.	Simple Assault	2				2	
	County Total:			2			2	
SANTA ROSA	Santa Rosa County Sheriff's Office	Destruction/Damage/ Vandalism/Property	1				1	
	County Total:			1			1	
SEMINOLE	Winter Springs Police Dept.	Aggravated Assault	1				1	
	Lake Mary Police Dept.	Intimidation			1		1	
	County Total:			1		1	2	

County	Agency	Offenses	Race/ Color	Religion	Ethnicity/ Natl. Origin	Sexual Orientation	Totals
VOLUSIA	Volusia County Sheriff's Office	Aggravated Assault	3	1			3
		Simple Assault					1
		Destruction/Damage/ Vandalism/Property	1				1
	Daytona Beach Police Dept.	Robbery Simple Assault	1			1	1 1
	Oak Hill Police Dept.	Simple Assault	1				1
	Orange City Police Dept.	Aggravated Assault Simple Assault Destruction/Damage/ Vandalism/Property	2		1		2 1 1
Port Orange Police Dept.	Destruction/Damage/ Vandalism/Property	1				1	
	County Total:		9	2	1	1	13
GRAND TOTAL			180	48	31	48	307

Appendices

Appendix 1 — Hate Crimes Reporting

The Florida Department of Law Enforcement’s Hate Crime Report Manual defines “hate crime” as, “A committed or attempted act by any person or group of persons against a person or the property of another person or group, which in any way constitutes an expression of hatred toward the victim because of his/her personal characteristics. Personal characteristics include race/color, religion, or ethnicity/ancestry/national origin or sexual orientation.”

The motivation behind the act is the key element in determining whether an incident is hate-related.

The mention of a prejudiced remark does not necessarily make a criminal incident hate-motivated any more than the absence of such a remark makes the criminal incident a non-hate one. Law enforcement officers must rely on their investigative judgment, as well as the use of probable cause standards, to assist them in determining whether a specific incident constitutes a hate-motivated crime. Statements of victims or witnesses, as well as physical evidence, may be used to make this determination.

The thorough and immediate reporting of hate crimes is essential. Law enforcement officials will be in a better position to effectively handle hate-related crimes only when a realistic assessment of the problem is made. There is much to gain by increasing the amount and detail of information gathered and shared about hate crime. Law enforcement officials will be able to detect patterns and anticipate increases in tensions by compiling data and charting the geographic distribution of these crimes. Enhanced information about victims, offenders, and types of incidents will assist law enforcement and community service agencies in targeting hate crime prevention programs. Policy makers will have the basic information necessary for making decisions on the allocation of resources for education, prevention, enforcement, and prosecution efforts related to hate-motivated crime.

The Hate Crime Report Manual provides the following definition of offenses which are most frequently associated with hate crime incidents.

1. Homicide Offenses

Homicide offenses include murder, non-negligent manslaughter, and negligent manslaughter.

A. Murder and Non-Negligent Manslaughter

Definition: The killing of one human being by another.

General Rule: Any death due to a fight, argument, quarrel, assault, commission of a crime, or by premeditated design.

B. Negligent Manslaughter

Definition: The killing of another person through negligence.

General Rule: Any death of an individual resulting from a negligent act of another individual. Negligent acts resulting in the death of the individual committing those acts and not the death of another will be considered accidental and will not be reported to the Hate Crime Data Base.

2. Sex Offenses, Forcible

Definition: Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.

Forcible sex offenses include forcible rape, forcible sodomy, and forcible fondling/ indecent liberties/child molesting.

General Rule: The element of force or threat of force is necessary before a sexual offense is reported in this category. Any sexual act or attempt accomplished by force is classified as a forcible sex offense regardless of the age of the victim or the relationship of the victim to the offender. Statutory rape is not counted in the forcible sex offense category, as no force is used.

A. Forcible Rape

Definition: The carnal knowledge of a female by a male, forcibly and against her will or where the victim is incapable of giving consent because of her youth or because of her temporary or permanent mental incapacity.

B. Forcible Sodomy

Definition: Oral or anal sexual intercourse with another person, forcibly and/or against the person's will or where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

C. Forcible Fondling/Indecent Liberties/Child Molesting

Definition: The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental incapacity.

3. Robbery

Definition: The taking, or attempting to take, anything of value under confrontational circumstances from the control, custody, or care of another person by force or threat of force or violence, and/or putting the property custodian in fear.

General Rule: Robbery differs from larceny in that it is aggravated by the element of force or threat of force to the custodian of the property. The custodian, who may be the owner or person having custody of the property, is directly confronted by the perpetrator and is threatened with force or fears that force will be used.

4. Aggravated Assault

Definition: An unlawful attack by one person upon another where either the offender displays a weapon or the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

General Rule: All felonies and aggravated assaults are classified in this category. Not included are assaults with intent to rob or rape. Attempts to commit these crimes are reported in the categories of robbery or rape.

An assault, or threat of an assault, with any weapon or item used as a weapon other than hands, fists, and feet, is classified as an aggravated assault. It is not necessary that injury be inflicted.

When personal weapons (hands, fists, feet, etc.) are used, the victim must be seriously injured by personal weapons. Usually this involves a broken bone or injury so severe that the victim should be admitted to a hospital beyond mere emergency room treatment.

5. Burglary/Breaking and Entering

Definition: The unlawful entry into a building or other structure with the intent to commit a felony or theft.

General Rule: Report as one offense any unlawful entry or attempted forcible entry of any dwelling, house, attached structure, public building, shop, office, factory, storehouse, apartment, house trailer, warehouse, mill, barn, other building, ship, or

railroad car. If there is apparent unlawful entry and the offender has not completed an act or the actions or intent of the offender are unknown, it is reported as a burglary. Any time there is an uncertainty as to why entry was made to a structure, it is reported as a burglary.

Any time force of a physical nature has been used in order to gain entrance to a premise, the attempted burglary is reported.

Breaking into a vehicle is not reported as burglary, but as a larceny.

6. Larceny/Theft Offenses

Definition: The unlawful taking, carrying, leading, or riding away of property from the possession, or constructive possession, of another person.

Larceny/theft offenses include pocket picking, purse-snatching, shoplifting, theft from a building, theft from a motor vehicle (including motor vehicle parts/accessories), theft of bicycles, and all other type larcenies.

General Rule: Embezzlement; fraudulent conversion of entrusted property; conversion of goods lawfully possessed by bailees, lodgers, or finder of lost property; obtaining money or property by false pretenses; larceny by check; larceny after trust; and larceny by bailee are all classified as either fraud or embezzlement.

Thefts from rented property or from property which has been rented are not classified as larceny. This type of incident is considered a fraud, i.e., defrauding an innkeeper, failure to return rented property, etc.

7. Motor Vehicle Theft

Definition: Theft of a motor vehicle.

General Rule: Any theft of a motor vehicle is reported in this category.

Joy riding should be classified as a motor vehicle theft with the vehicle being shown as stolen and recovered.

8. Kidnaping/Abduction

Definition: The unlawful seizure, transportation, and/or detention of a person against his/her will, or of a minor without the consent of his/her custodial parent(s) or legal guardian.

General Rule: The kidnaping offense should be recorded regardless of the length of time the victim was detained/held. Kidnaping or false imprisonment is a by-product

of many crimes, such as rape or robbery, and as such would not normally be counted as a separate offense.

9. Arson

Definition: To unlawfully and intentionally damage, or attempt to damage, any real or personal property by fire or incendiary device.

Special Instructions: Suspicious fires associated with a hate-motivated incident should be classified as arson. If the investigation later proves that an arson has not occurred, the Offense Code can be modified.

10. Simple Assault

Definition: An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury.

General Rule: All physical assaults not classified in the aggravated assault category are reported as simple assault. This would include those assaults where no weapons, other than personal, were used and which resulted in only minor injuries.

11. Bribery

Definition: The offering, giving, receiving, or soliciting of anything of value (i.e., a bribe, gratuity, or kickback) to sway the judgement or action of a person in a position of trust and/or influence.

Special Instructions: The person offering or receiving a bribe will be considered the offender in these incidents. The victim will be the individual or business most affected by the bribe, or other (crime against society) if the entity cannot be defined.

For example, a bank official is bribed not to qualify a Hispanic family for a home loan for a particular neighborhood.

12. Embezzlement

Definition: The unlawful misappropriation by an offender to his/her own or purpose, money, property, or some other thing of value entrusted to his/her care, custody, or control.

General Rule: Any time a person entrusted with anything of value, during the normal course of operations and the function assigned, misappropriates such item, it is classified in this category.

13. Fraud Offenses

Definition: The intentional perversion of the truth for the purpose of inducing another person, or other entity, in reliance upon it to part with something of value or to surrender a legal right.

Fraud offenses include false pretenses/swindle, impersonation, wire fraud, theft of rental cars (i.e., not returned or obtained by fraud), and other types of fraud.

General Rule: Fraudulent conversion of entrusted property; conversion of goods lawfully possessed by bailees, lodgers, or finders of lost property; obtaining money or property by false pretenses; larceny after trust; and larceny by bailee are all reported in this category.

When a fraud is committed in which a counterfeit item is used or a forgery is committed in carrying out the fraud, the counterfeit or forgery is considered an integral part of fraud.

14. Counterfeiting/Forgery

Definition: The altering, copying, or imitation of something, without authority or right, with the intent to deceive or defraud by passing the copy or thing altered or imitated as that which is original or genuine; or the selling, buying, or possession of an altered, copied, or imitated thing with the intent to deceive or defraud.

15. Extortion/Blackmail

Definition: Obtaining money, property, or any other thing of value, either tangible or intangible, from another person through the use or threat of force, misuse of authority, threat of criminal prosecution, or the destruction of the victim's reputation or social standing, or through other coercive measures.

16. Intimidation

Definition: To unlawfully place another person in fear of bodily harm through verbal threats without displaying a weapon or subjecting the victim to actual physical attack.

Intimidation includes, but is not limited to, the following offenses:

- Breach of peace/disorderly conduct.
- Applying unlawful standards, procedures, or intimidating a qualified voter.
- Corruptly influencing voting by bribery, menace, threat, or corruption.

17. Sex Offenses, Non-Forcible (Except Prostitution/Commercialized Sex)

Definition: Unlawful sexual intercourse, sexual contact, or other unlawful behavior or conduct intended to result in sexual gratification without force or threat of force and where the victim is capable of giving consent. This may include sex offenses or obscenity offenses.

A. Sex Offenses

Indecent Exposure

Definition: Exposure by the offender of his/her private body parts to the sight of another person in a lewd or indecent manner in a public place.

B. Obscenity Offenses

Definition: Conduct which, by community standards, is deemed to corrupt public morals by its indecency and/or lewdness. This may include:

Obscene Communication/Telephone Call

Definition: To make or transmit a lewd, indecent, or lascivious telephone call or other communication.

Obscene Material/Pornography

Definition: To unlawfully manufacture, publish, sell, buy, or possess material (e.g., literature, photographs, statuettes, etc.) which, by community standards, is deemed capable of corrupting public morals.

Special Instructions: The persons willfully participating in these activities will be considered the offenders in these incidents. The victim will be the individual or business suffering the greatest embarrassment, harassment, or financial loss due to the offense.

18. Destruction/Damage/Vandalism of Property

Definition: The willful and/or malicious destruction, damage, or defacement of public or private property, real or personal, without the consent of the owner or the person having custody or control of the property.

19. Weapons Violations

Definition: The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

20. Trespassing

Definition: To enter unlawfully upon the real property of another person. To enter or remain in any property, structure, or conveyance without being authorized, licensed, or invited.

Appendix 2 — Florida Hate Crime Statutes

775.085 Evidencing prejudice while committing offense; reclassification.

(1)(a) The penalty for any felony or misdemeanor shall be reclassified as provided in this subsection if the commission of such felony or misdemeanor evidences prejudice based on the race, color, ancestry, ethnicity, religion, sexual orientation, national origin, mental or physical disability, or advanced age of the victim:

1. A misdemeanor of the second degree is reclassified to a misdemeanor of the first degree.
2. A misdemeanor of the first degree is reclassified to a felony of the third degree.
3. A felony of the third degree is reclassified to a felony of the second degree.
4. A felony of the second degree is reclassified to a felony of the first degree.
5. A felony of the first degree is reclassified to a life felony.

(b) As used in paragraph (a), the term:

1. "Mental or physical disability" means that the victim suffers from a condition of physical or mental incapacitation due to a developmental disability, organic brain damage, or mental illness, and has one or more physical or mental limitations that restrict the victim's ability to perform the normal activities of daily living.
2. "Advanced age" means that the victim is older than 65 years of age.

(2) A person or organization which establishes by clear and convincing evidence that it has been coerced, intimidated, or threatened in violation of this section shall have a civil cause of action for treble damages, an injunction, or any other appropriate relief in law or in equity. Upon prevailing in such civil action, the plaintiff may recover reasonable attorney's fees and costs.

(3) It is an essential element of this section that the record reflect that the defendant perceived, knew, or had reasonable grounds to know or perceive that the victim was within the class delineated herein.

History. — s. 1, ch. 89-133; s. 1, ch. 91-83.

877.19 Hate Crimes Reporting Act. —

(1) SHORT TITLE. — This section may be cited as the "Hate Crimes Reporting Act."

(2) ACQUISITION AND PUBLICATION OF DATA.— The Governor, through the Florida Department of Law Enforcement, shall collect and disseminate data on incidents of criminal acts that evidence prejudice based on race, religion, ethnicity, color, ancestry, sexual orientation, or national origin. All law enforcement agencies shall report monthly to the Florida Department of Law Enforcement concerning such offenses in such form and in such manner as prescribed by rules adopted by the department. Such information shall be compiled by the department and disseminated upon request to any local law enforcement agency, unit of local government, or state agency.

(3) LIMITATION ON USE AND CONTENT OF DATA.

Such information is confidential and exempt from s. 119.07(1). Data required pursuant to this section shall be used only for research or statistical purposes and shall not include any information that may reveal the identity of an individual victim of a crime. The exemption from s. 119.071(1) provided in this subsection is subject to the Open Government Sunset Review Act in accordance with s. 119.14

(4) ANNUAL SUMMARY. — The Attorney General shall publish an annual summary of the data required pursuant to this section.

History. — s. 1, ch. 89-132; s. 2, ch. 91-83; s. 1, ch. 94-125.

Appendix 3 — Florida Attorney General's Office of Civil Rights

The Florida Attorney General's Office of Civil Rights has developed a hate crimes training program specifically designed to train law enforcement officers, detectives, investigators, police supervisory personnel, and command staff in the detection, investigation, processing and reporting of hate crimes. The training is available upon request.

For more information, contact:

Division of Civil Rights
Florida Attorney General's Office
110 Southeast Sixth Street, Tenth Floor
Fort Lauderdale, FL 33301
(954) 712-4608
(954) 712-4826 FAX

Appendix 4 — Sources of Additional Information on Hate Crimes

Anti-Defamation League
Florida Regional Office
Two South Biscayne Boulevard
Suite 2650
Miami, Florida 33131
(305) 373-6306

Education Development Center, Inc.
55 Chapel Street
Newton, Massachusetts 02158-1060
(617) 969-7100

Federal Bureau of Investigation
Uniform Crime Reporting Program
Gallery Row Building
Washington, DC 20535
(202) 324-5015

Japanese-American Citizens League
1001 Connecticut Avenue, NW
Washington, DC 20036
(202) 223-1240

NAACP, Southeast Region
970 Martin Luther King, Jr. Dr., SW
Suite 203
Atlanta, Georgia 30314
(404) 688-8868

National Gay and Lesbian Task
Force and Policy Institute
2320-17th Street, NW
Washington, DC 20009-2702
(202) 332-6483

National Organization for Victim
Assistance
1757 Park Road, NW
Washington, DC 20010
(202) 232-6682

National Organization of Black Law
Enforcement Executives (NOBLE)
4609 Pinecrest Office Park Drive
Suite F
Alexandria, Virginia 22312
(703) 658-1529

Organization of Chinese
Americans, Inc.
1001 Connecticut Avenue, NW
Suite 707
Washington, DC 20036
(202) 223-5500

Prejudice Institute
Stephens Hall Annex
Towson, Maryland 21204
(410) 830-2435

The Southern Poverty Law Center
400 Washington Avenue
Montgomery, Alabama 36104
(334) 264-0286

Spanish American League Against
Discrimination
900 SW First Street, Suite 201
Miami, Florida 33130
(305) 326-8585

U.S. Department of Justice
Community Relations Services
51 First Avenue, SW
Room 24
Miami, Florida 33130
(305) 536-5206

