



Hate Crimes in Florida

January 1, 2008 – December 31, 2008

Office of the Florida Attorney General

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Fellow Floridians:

One of Florida's greatest strengths is its diversity of people and cultures. It is that same diversity which attracts people from around the United States and the world to visit or make Florida their home.

Unfortunately, some individuals choose to express their intolerance of diversity by committing hate crimes. Hate crimes are acts committed as an expression of hatred towards another because of personal characteristics, such as race, color, ancestry, ethnicity, religion, national origin, sexual orientation, mental or physical disability, or age.

This annual hate crimes report tracks the number of hate crimes reported by Florida law enforcement agencies during the calendar year 2008. While crime statistics often fluctuate from year to year, one consistent factor in the fight against hate crimes is the determination of law enforcement and other dedicated individuals to foster a spirit of acceptance among all Floridians. I am pleased to be able to report that the year 2008 saw the lowest level of reported hate crimes in a decade.

I am proud of the role the Attorney General's Office has played in statewide efforts against hate crimes. Our Office of Civil Rights - which celebrates its 17th anniversary this year - conducts hate crimes training for law enforcement and compiles the annual hate crimes report. The office has also developed programs that assist elementary, middle and high school students in recognizing and reporting hate crimes.

Our dedication to prevent hate crimes is unwavering. We are committed to fostering a spirit of acceptance and appreciation of our diversity. We can all make a difference in the fight against intolerance and hate. I encourage everyone to play an active role in bringing an end to hate crimes in Florida.

Sincerely,



Bill McCollum
Attorney General

NOTE

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 providing more accurate report of qualifying incidents.

Introduction

In 1989, the Florida Legislature enacted statutes to address hate crimes. Section 775.085, Florida Statutes, was created to increase penalties for convictions of crimes where there was evidence of certain prejudice. Additionally, the Hate Crimes Reporting Act, Section 877.19, Florida Statutes, requires law enforcement agencies to collect data on hate-related offenses and report these crimes to the Florida Department of Law Enforcement (FDLE). Because each reported crime may have more than one victim, 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. However, the National Hate Crime Program does not reflect multiple victims in its offense count; therefore, Florida's hate crime offense totals may differ from figures included in national reports.

This 2008 Hate Crimes in Florida Report covers the period from January 1, 2008, through December 31, 2008. The information was collected from local law enforcement agencies by FDLE's Audit & Data Collection Unit of the Criminal Justice Information Services Program. The data was tabulated by FDLE and provided to the Attorney General's Office for summary and distribution.

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

Executive Summary

This 2008 Hate Crimes in Florida Report, submitted in accordance with the 1989 Hate Crimes Reporting Act, contains data reported by individual local law enforcement agencies throughout Florida. These agencies reported the occurrence of hate crime incidents in 2008 under the Uniform Crime Reporting (UCR) information system. Currently, 415 agencies participate in the UCR system and this report is based solely on the information provided to FDLE by the reporting agencies.

Of the 415 participating agencies, 72 agencies reported hate crimes in 2008, a slight decrease from the 73 agencies that reported hate crimes the previous year. This year's total represents 17.3 percent of agencies that participate in the UCR reporting system. One year ago, the annual Hate Crimes in Florida Report showed a total of 193 reported hate crimes. The 182 reported hate crimes in 2008 represents the lowest annual total since 1997.

The report shows not only the number of hate crimes committed, but also the nature of the factors motivating the offenses. During 2008, hate crimes motivated by the victim's race represented 47.3 percent of all reported hate crimes, followed by religion at 20.9 percent; sexual orientation at 19.2 percent; ethnicity/national origin at 12.1 percent; and mental disability at 0.5 percent. No hate crimes were reported under the categories of physical disability or advanced age.

There are two categories of hate crime offenses: crimes against persons and crimes against property. Reports for 2008 showed a slight decrease in the number of hate crimes directed at persons and property than in the previous year. Crimes against persons accounted for 65.9 percent of all incidents reported in 2008, down slightly from 66.8 percent in 2007, while crimes against property accounted for the remaining 34.1 percent, up slightly from 33.2 percent in 2007.

Caution should be applied in interpreting this data and in drawing conclusions solely from information contained in this report, as variations may exist among law enforcement agencies in how hate crime data is gathered and reported. 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 reporting agencies.

Annual Report Hate Crimes in Florida January 1 – December 31, 2008

What is a Hate Crime?

A hate crime is an act committed or attempted by one person or group against another - or that person's 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(s) intentionally selects the victim(s) based on one or more of the following characteristics: race, color, religion, ethnicity, ancestry, national origin, sexual orientation, advanced age or mental/physical disability. 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. Ultimately, it is up to the judgment of individual law enforcement officers and agencies to determine whether a particular incident constitutes a hate crime and is therefore reported as such to the state.

Since hate crime reporting began in 1990, Florida law enforcement agencies have reported 5,084 such crimes to the state, for an annual average of 267 reported hate crime incidents, well above the 182 crimes reported during 2008. (See Table 1)

Table 1. Hate Crimes Reported by Year

Year	Total Reported Hate Crimes	Change from Previous Year
1990	306	—
1991	309	+ 1.0%
1992	395	+27.8%
1993	313	-20.8%
1994	283	-9.6%
1995	183	-35.3%
1996	212	+15.8%
1997	160	-24.5%
1998	203	+26.9%
1999	307	+51.2%
2000	269	-12.4%
2001	335	+24.5%
2002	306	-8.7%
2003	275	-10.1%
2004	334	+21.5%
2005	260	-22.2%
2006	259	-0.3%
2007	193	-25.5%
2008	182	-5.7%

Types of Offenses

Reported hate crime offenses in 2008 ranged from robbery to assault. Aggravated and simple assaults together accounted for almost two out of every five reported hate crime incidents, while intimidation and vandalism were other frequent forms of hate crimes. (See Table 2)

**Table 2. Offense Totals by Motivation Type
January 1 – December 31, 2008**

Offenses	Race/ Color	Religion	Ethnicity/ National Origin	Sexual Orientation	Disability	Mental Disability	Advanced Age	Totals
Robbery	0	0	0	2	0	0	0	2
Aggravated Assault	25	0	6	14	0	0	0	45
Burglary/ Breaking & Entering	0	1	1	1	0	0	0	3
Simple Assault	21	3	3	10	0	0	0	37
Intimidation	21	10	5	0	0	0	0	36
Destruction/ Damage/ Vandalism of Property	19	24	7	8	0	1	0	59
TOTALS	86	38	22	35	0	1	0	182

Crimes Against Persons vs. Crimes Against Property

Hate crimes are classified as crimes against persons or crimes against property. In 2008, there were 120 reported hate crimes committed against persons, 65.9 percent of the total number of reported hate crimes. These offenses against persons included simple and aggravated assault, robbery and intimidation. The remaining 62 offenses - 34.1 percent of the reported hate crimes - were committed against property, including vandalism and burglary.

A comparison of the portion of hate crimes that are committed against persons vs. those committed against property can be seen in Table 3.

Table 3. Crimes Against Persons vs. Crimes Against Property (1991–2008)

Year	Total Crimes Against Persons	Percent Of Total	Total Crimes Against Property	Percent Of Total
1991	217	70%	92	30%
1992	278	71%	117	29%
1993	238	76%	74	24%
1994	206	73%	77	27%
1995	119	65%	65	35%
1996	148	70%	64	30%
1997	119	74%	41	26%
1998	125	62%	78	38%
1999	212	69%	95	31%
2000	174	65%	95	35%
2001	207	62%	128	38%
2002	220	72%	86	28%
2003	186	68%	89	32%
2004	254	76%	80	24%
2005	185	71%	75	29%
2006	171	66%	88	34%
2007	129	66.8%	64	33.2%
2008	120	65.9%	62	34.1%

Out of the total number of hate crimes committed in 2008 in Florida, 82 were in the form of assaults (aggravated or simple assault).

Table 4. Assaults as Share of All Hate Crimes (1991–2008)

Report Year	Total Offenses	Number Of Assaults	Percent Of Total
1991	309	165	53.4%
1992	395	222	56.2%
1993	313	175	55.9%
1994	283	153	54.1%
1995	183	91	49.7%
1996	212	105	49.5%
1997	160	84	52.0%
1998	203	88	43.3%
1999	307	104	34.1%
2000	269	131	48.7%
2001	335	124	37.0%
2002	306	156	51.0%
2003	275	134	48.7%
2004	334	177	53.0%
2005	260	106	40.8%
2006	259	115	44.4%
2007	193	96	49.7%
2008	182	82	45.1%

Motivation

The victim's race has usually been the most common motivating factor in hate crimes reported in Florida. This trend continued in 2007, when race was responsible for more than half the state's reported hate crimes. However, in 2008 race-related crimes only accounted for 47.3 percent of motivated hate crimes, which is approximately a 17.3 percent decrease from the previous year. Offenses based on the victim's ethnicity/national origin also decreased. The categories of motivation which saw a slight increase in the number of reported hate crimes were sexual orientation and religion. Also, for the first time since the beginning of the annual hate crimes report, mental disability was reported as a motivating factor in at least one alleged hate crime in Florida.

Reported hate crimes in 2008 were based on the following characteristics: race/color, 47.3 percent; ethnicity/national origin, 12.1 percent; religion, 20.9 percent, sexual orientation, 19.2 percent; and mental disability, 0.5 percent.

Table 5 provides a year-by-year breakdown of reported hate crimes by the five most common motivating factors.

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

Table 5. Hate Crimes Comparison by Motivation (1991–2008)

Year	RACE/COLOR		RELIGION		ETHNICITY/NATIONAL ORIGIN		SEXUAL ORIENTATION		Mental Disability	
	Number of Offenses	Percent of Total	Number of Offenses	Percent of Total	Number of Offenses	Percent of Total	Number of Offenses	Percent of Total	Percent of Total	Number of Offenses
1991	221	71.5%	46	14.9%	32	10.4%	10	* 3.2%	-	-
1992	245	62.0%	48	12.2%	44	11.1%	58	14.7%	-	-
1993	227	72.5%	31	9.9%	29	9.3%	26	8.3%	-	-
1994	198	70.0%	29	10.2%	28	9.9%	28	9.9%	-	-
1995	128	69.9%	23	12.6%	17	9.3%	15	8.2%	-	-
1996	156	73.6%	26	12.3%	24	11.3%	6	2.8%	-	-
1997	113	70.6%	18	11.3%	7	4.4%	22	13.8%	-	-
1998	127	62.6%	27	13.3%	21	10.3%	28	13.8%	-	-
1999	180	58.6%	48	15.6%	31	10.1%	48	15.6%	-	-
2000	155	57.8%	44	16.4%	28	10.4%	41	15.2%	-	-
2001	129	39.0%	68	21.0%	95	27.0%	42	13.0%	-	-
2002	161	52.6%	41	13.4%	44	14.4%	56	18.3%	-	-
2003	135	49.1%	34	12.4%	51	18.6%	55	20.0%	-	-
2004	190	56.9%	41	12.3%	51	15.3%	52	15.6%	-	-
2005	130	50.0%	36	13.8%	58	22.3%	34	13.1%	-	-
2006	143	55.2%	35	13.5%	29	11.2%	52	20.1%	-	-
2007	104	53.9%	28	14.5%	33	17.1%	28	14.5%	-	-
2008	86	47.3%	38	20.9%	22	12.1%	35	19.2%	0.5%	1

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 6) and, for each reporting county and agency, Hate Crimes by Offenses and Motivation Type (Table 7).

Hate crimes were reported in 32 Florida counties in 2008, compared to 30 the previous year. 6 counties reported hate crimes in 2008 after reporting none the previous year. Additionally, 4 counties reported hate crimes in 2007, but did not report any in 2008.

Broward County, Palm Beach County, and Miami Dade County law enforcement agencies submitted the largest number of hate crime reports in 2008. These three counties showed an increase in hate crimes in their areas compared to the previous year. Broward County and Hillsborough County law enforcement agencies submitted the largest number of hate crime reports in 2007, both reporting 17 offenses. In 2008, the number of reported hate crimes has risen in Broward County to 25 offenses, but has decreased in Hillsborough County to 5. Palm Beach County reported 12 offenses in 2007. In 2008, the number of reported hate crimes had risen to 18 offenses. Miami Dade County reported 14 offenses in 2007. In 2008, the number of reported hate crimes had risen to 18 offenses.

This report does not determine whether these statistics reflect an absence of hate crimes in certain counties or a rash of them in other counties, or if the differing figures are the result of how and whether such crimes are reported by victims to law enforcement agencies. Reporting agencies in 2008 included, among others, county sheriffs' offices, municipal police departments, university and school police departments.

**Table 6. Offense Totals by County and Agency
January 1, 2008 – December 31, 2008**

COUNTY	REPORTING AGENCY	TOTALS
ALACHUA	Alachua County Sheriff's Office	1
	Gainesville Police Department	9
	High Springs Police Department	1
	TOTAL	11
BAY	Panama City Police Department	3
	TOTAL	3

COUNTY	REPORTING AGENCY	TOTALS
BREVARD	Brevard County Sheriff's Office	3
	Cocoa Police Department	1
	Melbourne Police Department	8
	Palm Bay Police Department	1
	TOTAL	13
BROWARD	Broward County Sheriff's Office	4
	Deerfield Beach Police Department	2
	Fort Lauderdale Police Department	3
	Hallandale Police Department	2
	Hollywood Police Department	1
	Pompano Beach Police Department	2
	Wilton Manors Police Department	3
	Coconut Creek Police Department	1
	Davie Police Department	1
	Sunrise Police Department	3
	Parkland Police Department	2
	Town of Southwest Ranches	1
	TOTAL	25
	CHARLOTTE	Punta Gorda Police Department
TOTAL		1
CLAY	Clay County Sheriff's Office	9
	TOTAL	9
COLLIER	Collier County Sheriff's Office	13
	TOTAL	13
DUVAL	Jacksonville Police Department	3
	TOTAL	3
ESCAMBIA	Escambia County Sheriff's Office	3
	Pensacola Police Department	1
	TOTAL	4
FLAGLER	Flagler County Sheriff's Office	5
	TOTAL	5
HILLSBOROUGH	Hillsborough County Sheriff's Office	2
	Tampa Police Department	2
	Temple Terrace Police Department	1
	TOTAL	5

COUNTY	REPORTING AGENCY	TOTALS
LAKE	Clermont Police Department	1
	Mascotte Police Department	1
	Lady Lake Police Department	1
	TOTAL	3
LEE	Lee County Sheriff's Office	3
	TOTAL	3
LEON	Tallahassee Police Department	3
	TOTAL	3
MANATEE	Manatee County Sheriff's Office	1
	TOTAL	1
MARTIN	Martin County Sheriff's Office	2
	TOTAL	2
MIAMI-DADE	Coral Gables Police Department	3
	Hialeah Police Department	2
	Miami Beach Police Department	11
	Sunny Isles Police Department	1
	Miami Gardens Police Department	1
	TOTAL	18
MONROE	Key West Police Department	1
	TOTAL	1
ORANGE	Orange County Sheriff's Department	1
	Winter Park Police Department	1
	University of Central Florida Police Department	1
	TOTAL	3
OSCEOLA	Osceola County Sheriff's Office	1
	TOTAL	1
PALM BEACH	Palm Beach County Sheriff's Office	6
	Boca Raton Police Department	1
	Palm Beach Police Department	1
	Riviera Beach Police Department	2
	Palm Beach Gardens Police Department	5
	Tequesta Police Department	1
	Palm Beach County School Police Department	1
	Wellington Police Department	1
	TOTAL	18

COUNTY	REPORTING AGENCY	TOTALS
PASCO	Pasco County Sheriff's Office	1
	TOTAL	1
PINELLAS	Pinellas County Sheriff's Office	4
	Largo Police Department	1
	St. Petersburg Police Department	2
	TOTAL	7
POLK	Polk County Sheriff's Office	1
	Winter Haven Police Department	3
	TOTAL	4
PUTNAM	Putnam County Sheriff's Office	1
	TOTAL	1
ST. JOHNS	St. Johns County Sheriff's Office	1
	TOTAL	1
ST. LUCIE	St. Lucie County Sheriff's Office	1
	Fort Pierce Police Department	1
	Port St. Lucie Police Department	4
	TOTAL	6
SANTA ROSA	Santa Rosa County Sheriff's Office	2
	TOTAL	2
SARASOTA	North Port Police Department	3
	TOTAL	3
SEMINOLE	Casselberry Police Department	4
	Oviedo Police Department	4
	TOTAL	8
SUMTER	Sumter County Sheriff's Office	1
	TOTAL	1
VOLUSIA	Daytona Beach Police Department	3
	TOTAL	3
GRAND TOTAL		182

Hate Crimes by Offense and Motivation Type

Table 7 provides a listing of all agencies that reported hate crimes for 2008, with a breakdown of the offenses and the motivation type for each offense. The figures in Table 7 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 and reporting such incidents. These jurisdictions may not actually experience a greater number of hate crime incidents, but may 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 or that are not reported by victims.

**Table 7. Hate Crimes by Offense and Motivation Type
January 1 – December 31, 2008**

County	Agency	Offenses	Race/ Color	Religion	Ethnicity/ Nat'l Origin	Sexual Orientation	Physical Disability	Mental Disability	Advanced Age	Total
ALACHUA	Alachua County Sheriff's Office	Destruction/Damage/ Vandalism of Property	1	0	0	0	0	0	0	1
	Gainesville Police Department	Robbery	0	0	0	1	0	0	0	1
		Aggravated Assault	3	0	0	0	0	0	0	3
		Simple Assault	0	0	0	1	0	0	0	1
		Intimidation	0	0	1	0	0	0	0	1
		Destruction/Damage/ Vandalism of Property	1	1	0	1	0	0	0	3
	High Springs Police Department	Destruction/Damage/ Vandalism of Property	0	0	0	0	0	1	0	1
County Total		5	1	1	3	0	1	0	11	
BAY	Panama City Police Department	Simple Assault	0	0	3	0	0	0	0	3
	County Total		0	0	3	0	0	0	0	3
	Brevard County Sheriff's Office	Aggravated Assault	0	0	3	0	0	0	0	3
BREVARD	Cocoa Police Department	Destruction/Damage/ Vandalism of Property	1	0	0	0	0	0	0	1
	Melbourne Police Department	Simple Assault	5	0	0	0	0	0	0	5
		Destruction/Damage/ Vandalism of Property	1	2	0	0	0	0	0	3
	Palm Bay Police Department	Destruction/Damage/ Vandalism of Property	1	0	0	0	0	0	0	1
	County Total		8	2	3	0	0	0	0	13

County	Agency	Offenses	Race/ Color	Religion	Ethnicity/ Nat'l Origin	Sexual Orientation	Physical Disability	Mental Disability	Advanced Age	Total
BROWARD	Broward County Sheriff's Office	Simple Assault Destruction/Damage/ Vandalism of Property	3 0	0 1	0 0	0 0	0 0	0 0	0 0	3 1
	Deerfield Beach Police Department	Simple Assault	2	0	0	0	0	0	0	2
	Fort Lauderdale Police Department	Aggravated Assault Simple Assault	0 0	0 0	0 0	1 2	0 0	0 0	0 0	1 2
	Hallandale Police Department	Aggravated Assault	2	0	0	0	0	0	0	2
	Hollywood Police Department	Destruction/Damage/ Vandalism of Property	0	1	0	0	0	0	0	1
	Pompano Beach Police Department	Aggravated Assault Destruction/Damage/ Vandalism of Property	1 0	0 1	0 0	0 0	0 0	0 0	0 0	1 1
	Wilton Manors Police Department	Simple Assault Destruction/Damage/ Vandalism of Property	0 0	0 0	0 0	1 2	0 0	0 0	0 0	1 2
	Coconut Creek Police Department	Aggravated Assault	0	0	0	1	0	0	0	1
	Davie Police Department	Destruction/Damage/ Vandalism of Property	0	1	0	0	0	0	0	1
	Sunrise Police Department	Aggravated Assault Destruction/Damage/ Vandalism of Property	0 1	0 0	0 0	2 0	0 0	0 0	0 0	2 1

County	Agency	Offenses	Race/ Color	Religion	Ethnicity/ Nat'l Origin	Sexual Orientation	Physical Disability	Mental Disability	Advanced Age	Total
BROWARD (cont.)	Parkland Police Department	Destruction/Damage/ Vandalism to Property	0	2	0	0	0	0	0	2
	Town of Southwest Ranches	Simple Assault	1	0	0	0	0	0	0	1
	County Total		10	6	0	9	0	0	0	25
CHARLOTTE	Punta Gorda Police Department	Destruction/Damage/ Vandalism to Property	1	0	0	0	0	0	0	1
	County Total		1	0	0	0	0	0	0	1
CLAY	Clay County Sheriff's Office	Aggravated Assault	1	0	0	0	0	0	0	1
		Intimidation	3	0	1	0	0	0	0	4
		Destruction/Damage/ Vandalism to Property	3	0	0	1	0	0	0	4
County Total		7	0	1	1	0	0	0	9	
COLLIER	Collier County Sheriff's Office	Aggravated Assault	4	0	0	0	0	0	0	4
		Simple Assault	1	0	0	0	0	0	0	1
		Intimidation	3	1	0	0	0	0	0	4
		Burglary/Breaking and Entering	0	1	1	0	0	0	0	2
		Destruction/Damage/ Vandalism of Property	0	2	0	0	0	0	0	2
County Total		8	4	1	0	0	0	0	13	

County	Agency	Offenses	Race/ Color	Religion	Ethnicity/ Nat'l Origin	Sexual Orientation	Physical Disability	Mental Disability	Advanced Age	Total
DUVAL	Jacksonville Police Department	Aggravated Assault	1	0	0	0	0	0	0	1
		Destruction/Damage/ Vandalism of Property	2	0	0	0	0	0	0	2
	County Total		3	0	0	0	0	0	0	3
ESCAMBIA	Escambia County Sheriff's Office	Aggravated Assault	1	0	0	1	0	0	0	2
		Destruction/Damage/ Vandalism of Property	1	0	0	0	0	0	0	1
	Pensacola Police Department	Simple Assault	0	0	0	1	0	0	0	1
	County Total		2	0	0	2	0	0	0	4
FLAGLER	Flagler County Sheriff's Office	Aggravated Assault	2	0	0	0	0	0	0	2
		Intimidation	2	0	0	0	0	0	0	2
		Destruction/Damage/ Vandalism of Property	1	0	0	0	0	0	0	1
	County Total		5	0	0	0	0	0	0	5
HILLSBOROUGH	Hillsborough County Sheriff's Office	Simple Assault	2	0	0	0	0	0	0	2
	Tampa Police Department	Aggravated Assault	1	0	0	0	0	0	0	1
		Simple Assault	0	0	0	1	0	0	0	1
	Temple Terrace Police Department	Aggravated Assault	1	0	0	0	0	0	0	1
	County Total		4	0	0	1	0	0	0	5

County	Agency	Offenses	Race/ Color	Religion	Ethnicity/ Nat'l Origin	Sexual Orientation	Physical Disability	Mental Disability	Advanced Age	Total
LAKE	Clermont Police Department	Aggravated Assault	1	0	0	0	0	0	0	1
	Mascotte Police Department	Simple Assault	1	0	0	0	0	0	0	1
	Lady Lake Police Department	Intimidation	1	0	0	0	0	0	0	1
	County Total		3	0	0	0	0	0	0	3
LEE	Lee County Sheriff's Office	Intimidation Destruction/Damage/ Vandalism of Property	0 0	0 0	2 0	0 1	0 0	0 0	0 0	2 1
	County Total		0	0	2	1	0	0	0	3
LEON	Tallahassee Police Department	Aggravated Assault	0	0	0	3	0	0	0	3
	County Total		0	0	0	3	0	0	0	3
MANATEE	Manatee County Sheriff's Office	Destruction/Damage/ Vandalism of Property	0	0	1	0	0	0	0	1
	County Total		0	0	1	0	0	0	0	1
MARTIN	Martin County Sheriff's Office	Intimidation	0	2	0	0	0	0	0	2
	County Total		0	2	0	0	0	0	0	2

County	Agency	Offenses	Race/Color	Religion	Ethnicity/ Nat'l Origin	Sexual Orientation	Physical Disability	Mental Disability	Advanced Age	Total	
MIAMI-DADE	Coral Gables Police Department	Intimidation	0	3	0	0	0	0	0	3	
	Hialeah Police Department	Simple Assault Destruction/Damage/ Vandalism of Property	1 0	0 1	0 0	0 0	0 0	0 0	0 0	1 1	
	Miami Beach Police Department	Robbery Aggravated Assault Simple Assault Destruction/Damage/ Vandalism of Property	0 0 1 3	0 0 1 3	0 0 0 0	0 0 0 0	1 1 0 1	0 0 0 0	0 0 0 0	1 1 2 7	
	Sunny Isles Police Department	Destruction/Damage/ Vandalism of Property	0	1	0	0	0	0	0	1	
	Miami Gardens Police Department	Aggravated Assault	0	0	0	0	1	0	0	1	
	County Total		5	9	0	0	4	0	0	18	
	MONROE	Key West Police Department	Aggravated Assault	0	0	0	1	0	0	0	1
		County Total		0	0	0	1	0	0	0	1
	ORANGE	Orange County Sheriff's Office	Destruction/Damage/ Vandalism of Property	0	0	0	1	0	0	0	1
		Winter Park Police Department	Destruction/Damage/ Vandalism of Property	1	0	0	0	0	0	0	1
University of Central Florida Police Department		Destruction/Damage/ Vandalism of Property	0	1	0	0	0	0	0	1	
County Total			1	1	0	1	0	0	0	3	

County	Agency	Offenses	Race/ Color	Religion	Ethnicity/ Nat'l Origin	Sexual Orientation	Physical Disability	Mental Disability	Advanced Age	Total	
OSCEOLA	Osceola County Sheriff's Office	Aggravated Assault	1	0	0	0	0	0	0	1	
	County Total		1	0	0	0	0	0	0	1	
	Palm Beach County Sheriff's Office	Simple Assault	0	2	0	0	0	0	0	0	2
		Destruction/Damage/Vandalism of Property	1	3	0	0	0	0	0	0	4
	Boca Raton Police Department	Intimidation	1	0	0	0	0	0	0	1	
	Palm Beach Police Department	Intimidation	1	0	0	0	0	0	0	1	
	PALM BEACH	Riviera Beach Police Department	Aggravated Assault	0	0	0	1	0	0	0	1
			Simple Assault	0	0	0	1	0	0	0	1
		Palm Beach Gardens Police Department	Intimidation	2	3	0	0	0	0	0	5
		Tequesta Police Department	Intimidation	0	0	1	0	0	0	0	1
PASCO	Palm Beach County School Police Department	Simple Assault	0	0	0	1	0	0	0	1	
	Wellington Police Department	Destruction/Damage/Vandalism of Property	0	1	0	0	0	0	0	1	
	County Total		5	9	1	3	0	0	0	18	
	Pasco County Sheriff's Office	Simple Assault	1	0	0	0	0	0	0	1	

County	Agency	Offenses	Race/ Color	Religion	Ethnicity/ Nat'l Origin	Sexual Orientation	Physical Disability	Mental Disability	Advanced Age	Total
PASCO (Cont.)	County Total		1	0	0	0	0	0	0	1
	Pinellas County Sheriff's Office	Simple Assault Burglary/Breaking and Entering	3 0	0 0	0 0	0 1	0 0	0 0	0 0	3 1
PINELLAS	Largo Police Department	Aggravated Assault	0	0	1	0	0	0	0	1
	St. Petersburg Police Department	Aggravated Assault Destruction/Damage/ Vandalism to Property	0 0	0 0	1 1	0 0	0 0	0 0	0 0	1 1
	County Total		3	0	3	1	0	0	0	7
POLK	Polk County Sheriff's Office	Simple Assault	0	0	0	1	0	0	0	1
	Winter Haven Police Department	Aggravated Assault	3	0	0	0	0	0	0	3
	County Total		3	0	0	1	0	0	0	4
PUTNAM COUNTY	Putnam County Sheriff's Office	Destruction/Damage/ Vandalism of Property	0	1	0	0	0	0	0	1
	County Total		0	1	0	0	0	0	0	1
ST. JOHNS	St. Johns County Sheriff's Office	Intimidation	0	1	0	0	0	0	0	1
	County Total		0	1	0	0	0	0	0	1
ST. LUCIE	St. Lucie County Sheriff's Office	Aggravated Assault	1	0	0	0	0	0	0	1
	County Total		1	0	0	0	0	0	0	1

County	Agency	Offenses	Race/ Color	Religion	Ethnicity/ Nat'l Origin	Sexual Orientation	Physical Disability	Mental Disability	Advanced Age	Total
ST. LUCIE (cont.)	Fort Pierce Police Department	Aggravated Assault	0	0	1	0	0	0	0	1
	Port St. Lucie Police Department	Destruction/Damage/ Vandalism of Property	0	1	3	0	0	0	0	4
	County Total		1	1	4	0	0	0	0	6
SANTA ROSA	Santa Rosa County Sheriffs Office	Intimidation	2	0	0	0	0	0	0	2
	County Total		2	0	0	0	0	0	0	2
SARASOTA	North Port Police Department	Aggravated Assault Destruction/Damage/ Vandalism of Property	0	0	0	2	0	0	0	2
			0	0	1	0	0	0	0	1
	County Total		0	0	1	2	0	0	0	3
SEMINOLE	Casselberry Police Department	Intimidation	4	0	0	0	0	0	0	4
	Oviedo Police Department	Intimidation Destruction/Damage/ Vandalism of Property	2	0	0	0	0	0	0	2
			0	0	1	1	0	0	0	2
	County Total		6	0	1	1	0	0	0	8
SUMTER	Sumter County Sheriffs Office	Destruction/Damage/ Vandalism to Property	0	1	0	0	0	0	0	1
	County Total		0	1	0	0	0	0	0	1

County	Agency	Offenses	Race/ Color	Religion	Ethnicity/ Nat'l Origin	Sexual Orientation	Physical Disability	Mental Disability	Advanced Age	Total
VOLUSIA	Daytona Beach Police Department	Aggravated Assault	2	0	0	0	0	0	0	2
		Simple Assault	0	0	0	1	0	0	0	1
	County Total		2	0	0	1	0	0	0	3
GRAND TOTAL			86	38	22	35	0	1	0	182

Appendices

Appendix 1 - Florida Hate Crime Statutes 2008

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 of organization which establishes by clear and convincing evidence that it has been coerced, intimidated, or threatened in violation of this section has 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 in this section.

History. - s. 1, ch. 89-133; s. 1, ch. 91-83; s. 1, ch. 98-83; s. 1, ch. 99-172.

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.

(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; s. 432, ch. 96-406.

Appendix 2 — 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, ethnicity/ancestry/national origin or sexual orientation, mental or physical disability or advanced age."

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 and 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 process hate-related crimes more effectively only when a realistic assessment of the problem is known. There is much to gain by increasing the amount and detail of information gathered and shared about hate crimes. 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 as to the allocation of resources for education, hate crime prevention and enforcement, and prosecutorial efforts related to hate-motivated crimes.

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 any 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 these 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 some premises, 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 types of larcenies.

General Rule: Embezzlement; 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 by check; larceny after trust; and larceny by bailee, are all classified as either fraud or embezzlement.

Thefts from rented property or from property that 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. Kidnapping/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 kidnapping offense should be recorded regardless of the length of time the victim was detained/held. Kidnapping 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 hate-motivated incidents should be classified as arson. If the investigation later proves that 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 judgment 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 if the entity cannot be defined, the crime will be classified as a crime against society.

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 for 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 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 category may conclude 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 care, 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 3 — Florida Attorney General's Office of Civil Rights Hate Crimes Training Program

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, supervisory personnel and command staff in the detection, investigation, processing and reporting of hate crimes. This training is available upon request without charge to any Florida law enforcement agency

For more information, contact:

The Florida Attorney General's Office
Office of Civil Rights
110 Southeast Sixth Street, Tenth Floor
Fort Lauderdale, FL 33301
(954) 712-4606

Appendix 4 — Sources of Additional Information on Hate Crimes

Anti-Defamation League
Florida Regional Office
621 N.W 53RD Street
Suite 450
Boca Raton, Florida 33487
(561) 988-2900
E-mail: florida@adl.org
www.adl.org

Education Development Center, Inc.
55 Chapel Street
Newton, Massachusetts 02458-1060
(617) 969-7100
<http://main.edc.org/>

Federal Bureau of Investigation
Uniform Crime Reporting Program
100 Custer Hollow Road
Clarksburg, WV 26306
(304) 625-2000
(304) 625-4995
www.fbi.gov

Japanese-American Citizens League
1828 L Street, N.W.
Suite 802
Washington, D.C. 20036
(202) 223-1240
www.jacl.org

NAACP, Southeast Region
970 Martin Luther King, Jr. Dr., S.W.
Suite 203
Atlanta, Georgia 30314
(404) 688-8868
www.naacp.org

National Gay and Lesbian Task
Force and Policy Institute
1325 Massachusetts Ave., N.W.
Suite 600
Washington, D.C. 20005
(202) 393-5177
or
3510 Biscayne Boulevard
Suite 206

Miami, FL 33137
(305) 571-1924
www.thetaskforce.org

National Organization of Black Law
Enforcement Executives (NOBLE)
4609 Pinecrest Office Park Drive
Suite F
Alexandria, Virginia 22312-1442
(703) 658-1529
www.noblenational.org

Organization of Chinese Americans, Inc.
1322 18th Street, N.W.
Washington, D.C. 20036
(202) 223-5500
www.ocanatl.org

The Prejudice Institute
2743 Maryland Avenue
Baltimore, Maryland 21218-4329
(410) 243-6987
www.prejudiceinstitute.org

Southern Poverty Law Center
400 Washington Avenue
Montgomery, Alabama 36104
(334) 956-8200
www.splcenter.org

League of United Latin American Citizens
2000 L Street, N.W.
Suite 610
Washington, DC 20036
(202) 833-6130
www.lulac.org

U.S. Department of Justice
Community Relations Services
51 First Avenue, S.W.
Suite 624
Miami, Florida 33130
(305) 536-5206
www.usdoj.gov/crs/