
WHITEWATER POLICE DEPARTMENT
INTEROFFICE MEMORANDUM

TO: City Manager John Weidl

FROM: Chief Dan Meyer

SUBJECT: Hate/Bias FAQ Document

DATE: April 27, 2023

CC:

What is the legal definition of a hate crime?

It's important to know that in order to be considered a hate crime, an incident must reach the level of being a crime. It's also important to note that Wisconsin state statutes define hate crimes as an enhancer to a separate underlying crime. For example, if an individual is charged with battery, and there is probable cause to believe the battery was motivated by an element of hate as defined in the statute, the hate crime enhancer could be charged as well.

Wis. Stat. 939.645 – Hate Crime Enhancer

- (1) If a person does all of the following, the penalties for the underlying crime are increased as provided in sub. (2):
- a) Commits a crime under chapters 939 to 948.
 - b) Intentionally selects the person against whom the crime under par. (a) is committed or selects the property that is damaged or otherwise affected by the crime under par. (a) in whole or in part because of the actor's belief or perception regarding the race, religion, color, disability, sexual orientation, national origin or ancestry of that person or the owner or occupant of that property, whether or not the actor's belief or perception was correct.

What should I do if I think I might be a victim of a hate crime?

Contact the Whitewater Police Department to report the incident. An officer will speak with you and review the facts of the case. If there is probable cause to believe a crime was committed, charges will be referred to the appropriate District Attorney's Office. If there is also probable cause to believe the crime was committed as a result of one of the perceptions defined in the hate crime enhancer statute, the hate crime enhancer charge will also be referred to the appropriate District Attorney's Office. If no crime was committed, the officer will refer you to additional reporting resources available.

What other resources are available in the event the situation does not rise to the level of a hate crime?

- U.S. Department of Justice Civil Rights Division

Even if the incident doesn't rise to the level of a hate crime, it's important to report the information. Hate incidents are acts of prejudice that are not crimes and do not involve violence, threats, or property damage. Some hate incidents may be unlawful discrimination.

- Report hate incidents to the Civil Rights Division at civilrights.justice.gov
- The VictimConnect Resource Center helps victims of crimes, including hate crimes, find local support services
 - 1-855-484-2846
 - Chat at <https://victimconnect.org/learn/types-of-crime/hate-crimes/>



U.S. Department of Justice

Civil Rights Division

Reporting Hate Crimes & Hate Incidents

If you believe you have experienced or witnessed a hate crime or hate incident:

Dial 9-1-1 or call your local police to report the hate crime or hate incident.

Report the hate crime to the FBI.

- Online: tips.fbi.gov.
- Phone: 1-800-CALL-FBI (1-800-225-5324).

Report hate incidents to the Civil Rights Division at civilrights.justice.gov.

***Note:** Law enforcement officers may reach out for more information.*

While not every hate incident involves a crime, it is always important to report.

Hate crimes – At the federal level, a crime motivated by bias against race, color, religion, national origin, sexual orientation, gender, gender identity, or disability.

Hate incidents – Acts of prejudice that are not crimes and do not involve violence, threats, or property damage. Some hate incidents may be unlawful discrimination.



U.S. Department of Justice

Civil Rights Division

Additional Resources

Finding Help for Victims of Hate

The VictimConnect Resource Center helps victims of crimes, including hate crimes, find local support services.

Call 1-855-484-2846 or use chat at

<https://victimconnect.org/learn/types-of-crime/hate-crimes/>.

Proactive Steps to Protect Communities

- Develop a **written emergency response plan** for threats and refresh employee training. See <https://www.ready.gov/business/implementation/emergency>.
- **Keep bomb threat/personal threat checklists** by each telephone and ensure staff is familiar with the forms, see <https://www.cisa.gov/publication/dhs-bomb-threat-checklist>.
- Ask local police and/or U.S. Marshal Service to **evaluate your emergency response plan**.
- For **additional safety measures** that can be taken by businesses, at home, in vehicles, and on public transportation, see <https://www.justice.gov/crt/security-recommendations-enhance-safety-and-protection-providers>.