



## **UNDERSTANDING A HATE CRIME:**

Although the term "Hate Crimes" is the most frequently used term throughout the U.S., the accurate definition may differ depending on the jurisdiction or state in which you reside. In the State of Washington, the correct term is **Malicious Harassment**.

A person is guilty of a Malicious Harassment if he/she maliciously and intentionally commits one of the following acts because of his or her perception of the victim's *race, color, religion, ancestry, national origin, gender, sexual orientation, gender expression or identity, or mental, physical, or sensory disabilities:*

*Causes physical injury to another person; or*

Causes physical damage to or destruction of the property of the victim or another person; or

Threatens a specific person or group of persons and places that person, or members of the specific group of persons, in reasonable fear of harm to person or property.

## **When is an incident not considered a hate crime?**

If the suspect is in the process of committing another crime and calls the victim a derogatory name, it does not automatically mean it is malicious harassment.

If the suspect uses insulting or derogatory words but does not place another person in reasonable fear of harm to their person or property, this is not malicious harassment.

If the incident was a crime, but it was not believed to be motivated by your status, the police will still follow up on the crime to the full extent of the law. It just won't be charged as a Malicious Harassment crime.



If the incident is not found to be a crime - either Malicious Harassment or any other type - there is often not much enforcement action police can take. Bellevue Police encourage the reporting of every incident of this type.

If it is found that there is no directly enforceable action that police can take, this does not mean what happened to you wasn't wrong. You sometimes have the option of bringing a civil cause of action against the suspect, which carries a lower burden of proof than criminal enforcement. The suspect may be liable to the victim for actual damages, punitive damages, and reasonable attorney's fees and other incurred costs. You will need to contact a private attorney to start a civil action.

## What is a hate crime?



## Why report a hate crime?

The Hate Crimes Reporting Gap is the significant disparity between hate crimes that occur and those reported to law enforcement. It is critical to report hate crimes to show support and get help for victims and send a clear message that the community will not tolerate these types of crimes. Reporting hate crimes allows communities and law enforcement to fully understand the problem's scope and put resources toward preventing and addressing the attacks based on bias and hate.



## Reporting a hate crime

If the incident is happening now, or just happened, call **9-1-1** immediately.

If the incident has already occurred, the immediate danger is over and there are no injuries, you may call **9-1-1** or the non-emergency number **(425) 577-5656**.

The police response to a report of a hate crime will be handled like any call. However:

- If you believe the incident was motivated by your status, inform the officer.
- If you can, give the officer the exact wording of what was said, regardless of how offensive it is.
- If there are witnesses to the incident, point them out to the officers at the scene.
- If the case meets the criteria for a hate crime, your case will then be forwarded to a Bellevue Police detective for follow up investigation.
  
- If you experience a hate crime in which you feel your safety is threatened, call **911** for help from the Bellevue Police. Officers will not ask about your immigration status.