

HATE CRIME REPORT MANUAL

FLORIDA DEPARTMENT OF LAW ENFORCEMENT
DIVISION OF CRIMINAL JUSTICE INFORMATION SERVICES

HATE CRIME REPORT MANUAL

**DEVELOPED BY THE
FLORIDA DEPARTMENT OF LAW ENFORCEMENT
CRIMINAL JUSTICE INFORMATION SERVICES
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PREFACE

The Florida Department of Law Enforcement (FDLE) is pleased to submit the Hate Crime Statistical Report Manual. This manual is provided as a reference for the submission of prejudice-motivated crime data effective October 1, 1991.

Prejudice-motivated crimes can have a devastating effect on our entire society and need the attention of law enforcement agencies throughout our state and nation. The more information we are able to gather and share, the better prepared we will be in our efforts to fight crime, now and in the future. We encourage your continued active participation and support in this important program.

If you have any questions about the Hate Crime Statistical Report Program, please contact the FDLE Criminal Justice Information Services, Uniform Crime Reporting Program at (850) 410-7121.

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INTRODUCTION

Prejudice-motivated criminal acts have occurred throughout the country and the state. Crimes motivated all or in part by hate not only have a tremendous impact on the individual victims, but also threaten the democratic structure of our society. Hate crimes can have a serious emotional impact on the victim and his/her community, create tensions, and lead to retaliations by others in the group or community, thereby creating the potential for escalating violence and other criminal incidents. There is a growing national awareness that specifically focused law enforcement programs and data collection methods can greatly enhance the success of efforts to decrease the number of prejudice-motivated criminal acts.

The Florida Legislature recognized the seriousness of this issue and passed two laws in 1989 which address it.

Section 877.19, Florida Statute, the Hate Crimes Reporting Act calls for the Governor, through the Florida Department of Law Enforcement, to collect and disseminate data on incidents of criminal acts that evidence prejudice based on the personal characteristics of the victim (i.e., race, religion, ethnicity). Additionally, the Legislature calls for the Attorney General to publish an annual summary of the data.

Section 775.085, Florida Statute, provides for increased penalties when a hate-motivated crime is committed. This Bill consists of two parts. The first increases the penalties of hate crimes by one-step in the classification of misdemeanors and felonies. For example, a second-degree misdemeanor would carry the penalties of a first-degree misdemeanor, and a first-degree misdemeanor would carry the penalties of a third-degree felony. The second part provides for triple the damages in civil suites filed by victims against individuals or organizations that coerce, intimidate or threaten them while committing offenses that evidence prejudice.

The United States Congress also recognized the seriousness of the issue and passed similar legislation in 1989. The Hate Crime Statistics Act requires the U.S. Attorney General to collect and publish data on crimes motivated by prejudice based on the personal characteristics of the victim (i.e., race, religion, and ethnicity).

During the 1991 legislative session, the Hate Crimes Reporting Act and 775.085, Florida Statutes, were amended to include "sexual orientation" to the list of motivation types, and in 1994, the statute was further amended to include "advanced age" and "mentally or physical disabilities".

Thorough and immediate reporting of hate crimes is essential. Law enforcement officials will be in a better position to handle hate-related crimes in the most effective manner only when the scope of the problem is known. Law enforcement agencies gather, maintain and disseminate statistics on a wide range of crimes.

We have much to gain by increasing the amount and detail of information we gather and share about crime. By collecting hate-motivated crime data, more information is available locally and statewide about these serious incidents. Enhanced information about victims, offenders, and types of incidents assist law enforcement and community service agencies in targeting crime prevention programs more effectively. Law enforcement officials can detect patterns and anticipate an increase in tensions on a statewide level by compiling data and charting the distribution of these crimes. State-level police makers can use this information to help determine educational, prevention, and enforcement needs throughout the state.

HATE CRIME

A committed or attempted criminal 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, sexual orientation, advanced age, or mental or physical disability.

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 judgement, as well as use 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.

FDLE does not intend to impact local agencies' report writing policies. Written law enforcement reports will have already been generated regarding these criminal acts. Agencies should use the easiest method possible to extract the pertinent information from officers' reports.

METHOD OF SUBMISSION

As of the fall of 1989, 43 other states have legislated some type of Hate Crime Program. Based on the experiences of some of these states, the volume of the reported incidents has not been extremely high. In an effort to maintain minimal impact on Florida's local law enforcement agencies, whether automated or non-automated, the Uniform Crime Reports (UCR) Section has limited the initial submission of hate crime data to manual paper submission only. As the program continues in the future, issues involving potential automation will be addressed.

FORMS

A single form will be used to enter all required information to the Hate Crime Data Base. A copy of this form is provided with instructions for its completion. If additional forms are needed, please make copies.

The Hate Crimes Statistical Report Form is a separate form, and in addition to, reporting to the UCR Program.

Hate Crime should be submitted monthly. If your agency does not have any activity to report for the month a Hate Crime Form should be filled out with the agency's name, ORI, reporting month and year and the "No Activity" section completed below the form title.

Send all Hate Crime Forms to: Florida Department of Law Enforcement
Uniform Crime Reporting Program
Post Office Box 1489
Tallahassee, FL 32302-1489

OFFENSE REPORTING REQUIREMENTS

How Hate Crime Offenses are Counted

The Hate Crime Program will record the highest crime in the incident according to the offense hierarchy. After the highest-ranking offense is selected, the following methods are used for establishing the crime counts.

Homicide, Negligent Manslaughter, Forcible Rape, Forcible Sodomy, Forcible Fondling, Aggravated Assault, Aggravated Stalking, Simple Assault, Simple Stalking, and Intimidation, are, person crimes. One crime is counted for each victim reflected.

Robbery, Larceny, and Arson are property crimes. One crime is counted per incident, regardless of the number of victims reflected. Both attempted and committed Robbery, Larceny, and Arson are recorded.

Burglary is also a property crime. One burglary is counted for each premise. Both attempted and committed burglary is recorded, even though entry to the premise may not have occurred.

One Motor Vehicle Theft is counted for each stolen vehicle. Both attempted and committed motor vehicle theft is recorded.

Reporting Hierarchy

1. Murder and Non-Negligent Manslaughter
Negligent Manslaughter
2. Sex Offenses
 - Forcible Rape
 - Forcible Sodomy
 - Forcible Fondling
3. Robbery
4. Aggravated Assault
Aggravated Stalking
5. Burglary/Breaking and Entering
6. Larceny/Theft
 - Pocket Picking
 - Purse Snatching
 - Shoplifting
 - Theft from Motor Vehicle
 - Theft of Motor Vehicle Parts and Accessories
 - Theft of Bicycle
 - Theft from Building
 - Theft from Coin-Operated Machine or Device
 - All other Larceny
7. Motor Vehicle Theft
8. Kidnap/Abduction
9. Arson
10. Simple Assault
11. Simple Stalking
12. Drugs/Narcotics Offenses
13. Bribery
14. Embezzlement

OFFENSE DEFINITIONS

The UCR Program collects Hate Crime offense data by offense codes assigned to the crime definitions derived from the National Program.

If the Hate Crime is a Part I Offense (murder, forcible sex offense, robbery, aggravated assault, burglary, larceny or motor vehicle theft) or a negligent manslaughter, simple assault or arson, it should also be included in the number of offenses reported to the UCR program.

A Hate Crime offense should be reported regardless of whether the offense was attempted or completed.

One offense should be reported for each incident. When more than one distinct offense occurs in an incident, the most serious offense will be provided in the Offense Code field.

1. Homicide Offenses –

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

a. Murder and Non-negligent Manslaughter 090A

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.

Special Instructions

Attempted murder offenses should be classified as aggravated assaults (Offense Code 130A).

The natural death of a person during the commission of a crime is not classified as a homicide.

Suicides or accidental deaths are not classified as homicides. Should one be inadvertently reported, delete it when it becomes known.

b. Negligent Manslaughter 090C

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 taking the life of another will be considered accidental deaths and will not be reported to the Hate Crime Data Base.

2. Sex Offenses, Forcible

1100

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

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.

The following are included in the Forcible Sex Offense category:

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 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

1200

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 by 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 fear that force will be used.

4. Aggravated Assault

130A

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 felonious 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 and feet, etc.) are used, the victim must be seriously injured in order to classify the offense as an aggravated assault. **Serious injury usually involves injury so severe that it results in disablement or disfigurement.** (Examples of serious injury include broken bones, loss of teeth, lacerations so severe that stitches are needed, internal injuries, injuries resulting in paralysis or the deprivation of the use of a limb/body part, etc.) This is the type of offense that would ordinarily be tried in a felony court.

5. Burglary/Breaking and Entering

2200

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, store house, 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 of intent of the offender is 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(s), the attempted burglary is reported.

Breaking into a vehicle is not report as a burglary but as a larceny.

6. Larceny/Theft Offenses 2300

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, theft of 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.

Theft 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 2400

Definition: Theft of a motor vehicle.

General Rule

Any theft or attempted 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 1000

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 2000

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 arsons. If the investigation later proves that an arson has not occurred, the Offense Code can be modified, or the initial report can be deleted, whichever is appropriate.

The amount of property damage that occurs during an arson incident should be entered in the Property Entry.

10. Simple Assault 130B

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 5100

Definition: The offering, giving, receiving or soliciting of any thing 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 2700

Definition: The unlawful misappropriation by an offender to his/her own use or purpose of 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 or operations and the function assigned, misappropriates such item, it is classified in this category.

13. Fraud Offenses 2600

Definition: The intentional perversion of the truth for the purpose of inducing another person, or other entity, in reliance upon it to part with some thing 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 or 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 the fraud.

14. Counterfeiting/Forgery 2500

Definition: The altering, copying or imitation of some thing, without the 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 2100

Definition: Obtaining money, property or any other thing of value, either tangible or intangible, from another person through the use of threat or 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 130C

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, procedure or intimidating qualified voter.

Corruptly influencing voting by coercion, 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 3600

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 3700

Definition: Conduct which by the 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 person 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 2900

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 it.

19. Weapons Violations 5200

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.

Special Instructions

The type of weapon is to be entered into the Type Weapon field.

This category will include any local ordinance pertaining to weapon law violations in addition to State Statute violations.

20. Trespassing 5700

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.

FLORIDA DEPARTMENT OF LAW ENFORCEMENT

FLORIDA HATE CRIME STATISTICAL REPORT FORM

☐ No Activity Reported for the Month of _____

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HATE CRIME STATISTICAL REPORT FORM

The Florida Department of Law Enforcement's (FDLE) Hate Crime Statistical Report Form consists of five (5) coding segments that can be used for reporting an incident. It should be noted that all of the coding segments are not required for submitting an offense. The five (5) coding segments are the: Key Segment, Incident Entry, Victim Entry, Property Entry, and Offender Entry. Each of the segments and required key data items will be discussed in detail below.

KEY SEGMENT

The Key Segment consist of the Agency ORI, the Agency's Name, the Agency's Case Number, and page number. The Key Segment serves as the unique identifier through which all other records are credited to the correct incident. The Key Segment is required on all original and supplemental reports and is not capable of being modified once it has been received and input into the Hate Crime Data Base. If any information in the Key Segment is in error, the entire record must be deleted and all coding segments for the incident re-submitted. Instructions on how to delete or modify a complete record will be discussed in the Incident Entry.

Agency ORI (Agency Identifier)— This should be the unique number which has been assigned to your department. An improper Agency ORI will result in all entries either being invalidated or being placed in another agency's file. Refer to Appendix A for these numbers.

Agency Name—Your agency's name should be recorded in the space provided. Exclude acronyms, abbreviations, etc.

Case Number—Enter your agency's assigned case number to designate the unique numbering of offense reports by the submitting agency. This number does not have to be the same as your agency's offense case number, but it must be a unique identifier for the purposes of this program. The Case Number may contain as many as twelve (12) alpha/numeric characters but should not include hyphens, spaces or any other special characters.

Page Number—Enter the page number of the form being submitted on the first line (i.e., _____ of). Enter the total number of pages (forms) being submitted with the report on the second line (i.e., of _____).

INCIDENT ENTRY

The Incident Entry initializes the incident and is required for all original submissions of data. The following required information must be submitted for the Incident Entry to be considered valid: the Add/Modify/Delete (AMD) Code, Date Reported, Time Reported, Incident Status, Motivation, Offense Code, Attempted/Committed, Number of Offenses, Indicators, Activities, Symbols, Location Type, and Type of Weapon. In addition, an optional Geographic Indicator may be supplied.

Add/Modify/Delete (AMD) Code

Any time a record is to be submitted for the first time, the add (1) code will be used. A separate record will be established for each Key Segment, Incident Entry, Victim Entry, Property Entry, and Offender Entry reported by an agency.

Once any record has been submitted, whether in its entirety or partially (i.e., property stolen without recovery), any changes to data already submitted or additional data to be submitted, will require the use of the modify (2) Code. Corrections and additional data can be entered for a single entry at the same time.

When a record has been submitted in error or becomes unfounded submit a copy of the original report with the delete (3) code indicated for the entire record.

Previous years' data cannot be entered. Only offenses that occur or are reported in the current reporting year can be submitted.

A record submitted for property stolen in a previous year, but recovered in the current year, is considered an updated entry. The Key Segment used to make the original report should be submitted with the recovered property data.

Date Reported

This will be the date the offense was reported to the agency or that the offense became known. The data will be a eight digit numeric field in month, day, year order in the following manner.

The month is displayed by using numbers 01 through 12;

The day is displayed by using numbers 01 through 31, and;

All four digits of the appropriate year will be used.

Time Reported

This field will reflect the time the agency received the report or that the offense became known. This will be a four (4) character numeric field using military time. The conversion chart below will assist you in identifying the appropriate time.

<u>A.M.</u>	<u>MILITARY</u>	<u>P.M.</u>	<u>MILITARY</u>
Midnight	2400 Noon	1200-1259	
Midnight to 1:00	0001-0059	1:00	1300-1359
1:00	0100-0159	2:00	1400-1459
2:00	0200-0259	3:00	1500-1559
3:00	0300-0359	4:00	1600-1659
4:00	0400-0459	5:00	1700-1759
5:00	0500-0559	6:00	1800-1859
6:00	0600-0659	7:00	1900-1959
7:00	0700-0759	8:00	2000-2059
8:00	0800-0859	9:00	2100-2159
9:00	0900-0959	10:00	2200-2259
10:00	1000-1059	11:00	2300-2359
11:00	1100-1159		

Incident Status

At the time of reporting an incident, the Incident Status should be used in determining and supporting whether there is enough information to indicate, in fact, that a hate-motivated crime has occurred.

If it appears to be a criminal act of hate, it should be reported as such. Verification can be made later in the investigation. The following criteria will be used in determining the status of the reported incident(s).

1. Verified: In determining whether or not an incident reported as a hate- motivated act is actually verified as such, the results of the investigation must lead to the conclusion that the incident was motivated by prejudice.
2. Unverified: The unverified classification is for those incidents where there is evidence of hate motivation, but it is conflicting, incomplete, inconclusive, or otherwise insufficient to classify as verified or unfounded.
3. Unfounded: A reported incident of a hate crime will be classified as unfounded if the evidence definitely indicates that it is not hate-motivated or if the incident never occurred (i.e., false report). Do not delete these incidents.

If a report is completed and is classified as verified, unverified or unfounded it can remain that way and be entered into the Hate Crime Data Base. If corrections need to be made to any part of the report, including this classification, it can be modified and re-submitted. If a subsequent arrest is made, a form needs to be submitted with the additional (modified) arrest data.

Motivation

Motivation is the incentive, inducement, desire, emotion or similar impulse resulting in some type of action.

For Hate Crime reporting purposes, motivation is the personal characteristics or features of the victim as perceived by the offender that prompted the act(s). Please mark the motivation that applies to this particular incident. Only one motivation may be indicated for a reported incident. Select the most prominent or evident motive.

1. Race/Color – Any group or class of individuals with common characteristics distinguished by form of hair, color of skin and eyes, stature, bodily proportions, etc., that are genetically transmitted to classify it as a distinct human type.

It should be noted that Hispanic is not a race but an ethnicity type and should be classified as such in the appropriate field.

2. Religion – A personal awareness or conviction of the existence of a supreme being, supernatural powers, or influence controlling one's own humanity or all nature's destiny.
3. Ethnicity/National Origin – Any group or class of individuals within a culture or social system that can be distinguished on the basis of variable traits, including nationality, religion, linguistics, ancestry, traditions, attire, etc.
4. Sexual Orientation – Any individual or group of individuals who are sexually attracted toward, and responsive to, members of their own sex, members of the opposite sex or both sexes.
5. Advanced Age – Any individual older than sixty-five (65) years of age.
6. Mental/Physical Disability – Any individual that suffers from a condition of physical or mental incapacitation due to the developmental disability, organic brain damage, or mental illness, and has one or more physical or mental limitations that restrict the victims ability to perform the normal activities of daily living.

Offense Code

The offense code is required for each incident reported. Only one (1) offense should be reported for each incident. If more than one (1) offense occurs within an incident, the most serious crime (highest in the UCR hierarchy) will be reported as the offense on the form.

Place the appropriate offense code for the offense being reported. This is a four (4) character field. See Offense Reporting Requirements Section.

Attempted/Committed

If the crime was attempted but not completed, then an A will be placed in this field. If the crime was committed, a C code will be placed in this field.

Number of Offenses

The number of separate or distinct offenses that occurred or were attempted during this incident will be recorded in this field. This field is not relational to the Offense Entry in that only one (the most serious) offense is reported in the Offense Entry. This is a two (2) character numeric field with valid entries being 01-99 to record the number of offenses. All figures less than ten (10) will have a leading zero (0) in the left blank.

Indicators

The following indicators should be used in determining whether an incident/crime was motivated, all or in part, by prejudice toward the victim because of his/her personal characteristics. The indicators, which should be applied singularly or in combination, are not all-inclusive but provide a general guideline for consistent identification of such crimes.

Please mark all indicators that apply to this particular incident.

1. Words – The offender directed spoken or written words at the victim which are or may be offensive (indicates a threat or disrespect) to the individual or his/her identifiable group.
2. Symbols – Symbols were used which are or may be offensive to the individual or his/her identifiable group.

A symbol is something that stands for or suggests something else by reason of relationship, association, convention or accidental resemblance. It could be an object, drawing or sound having cultural significance and the capacity to excite or elicit an external response.

Symbols could include such things as swastika, the colors/signs or a gang, ritualistic symbols, etc.

3. Gestures – The offender used gestures in such a manner as to indicate a threat or disrespect to the individual or his/her identifiable group.

A gesture is the use of motions of the limbs or body as a means of expression. It is something done as a symbol or for its effect on the victim.

4. Series of Incidents – There have been multiple (past) incidents involving the victim and/or other members of the victim's identifiable group. There is or was an ongoing neighborhood problem. The method of operations (m.o.) is similar to prior documented incidents.
5. Specific Holiday/Date – The incident appeared to coincide with a specific holiday or date of significance such as Martin Luther King Day or Rosh Hashanah.
6. Recent Public Focus – There has been prior recent publicity of the individual, an identifiable group or events which would possibly make the victim a target. For example, the victim has been associated with recent activities relating to his/her race, religion, or ethnic background (i.e., NAACP, Greek Festival, and demonstrations by or against the Skinheads).
7. Change in Neighborhood – The victim is the only minority group member in the neighborhood or recently moved into the area.
8. Other – Any indicators other than those noted above. Please explain in the space provided. For example, other includes Documented Intentions.

The documented intentions of the offender(s) were prejudice-motivated and were not other reasons such as childish pranks, unrelated vandalism, etc. For example, the offender followed through on previous threats. The offender has a true understanding of the impact of the incident on the victim or other group members.

Activities

Indicate any activities that the offender(s) may have committed during or pursuant to the incident/crime(s). More than one activity may be checked. If this item does not apply to the incident, place N/A in the Other field.

1. Break Window – Self Explanatory.
2. Destroy Landscape – Self Explanatory.
3. Burn Cross – Self Explanatory.
4. Damage Symbol – Self Explanatory.
5. Phone Threat – The offender made threatening telephone calls to the victim.
6. Mail Threat – The offender sent hate mail or threatening documents to the victim via the postal and/or other delivery system. This would include mail that is placed under the victim's door by the offender or someone acting on his/her behalf.

7. Verbal Threat – The offender made a spoken threat against the victim in-person or through another person. For example, the offender directs his friends to tell the victim that the offender is going to burn his home, or the offender advises the victim's wife to tell the victim that he is going to assault him.
8. Animal/Parts – An entire animal or parts of an animal are placed in such manner that indicates a threat or disrespect of a particular group's culture, belief, etc. For example, the killing of a Hindu's (Indian) cow indicates a disrespect for his culture/religion.
9. Brand/Tattoo – Temporarily or permanently marking or scarring an individual.
10. Blood – Placing human, animal or simulated blood in such a manner that indicates a threat or disrespect.
Bloodletting is the release or shedding of blood. For example, bloodletting is believed to be involved in certain satanic rituals or the releasing of a Jehovah's Witness blood is considered a disrespect of his/her religion.
11. Spit – To eject saliva from the mouth as an expression of aversion or contempt.
12. Defecate/Urinate – To discharge feces or urine.
The act if motivated by disrespect of a groups' personal characteristics, culture or beliefs is considered hate-related. This includes placing defecation on a religious structure, a targeted individual or the individual's porch, etc.
13. Graffiti – An inscription, message, slogan or drawing made on some surface (i.e., wall, floor, etc.) which indicates a threat or disrespect.
14. Wear Hood/Special Clothing – Wearing of clothing that is designed to threaten or intimidate the victim.
15. Other – Other activities other than those noted above. Please specify the activities in the space provided.

Symbols

A symbol is something that stands for or suggests something else by reason of relationship, association, convention or accidental resemblance. It could be an object, drawing or sound having cultural significance and the capacity to excite or elicit an external response.

More than one symbol may be indicated for a reported incident. If this item does not apply, place N/A in the Other field.

1. Colors/Gang Sign – Identifying signs or colored clothing, marks, badges, etc., distinguishing one as a member of a particular group or representative of a particular person or thing.
2. Swastika – A symbol or ornament in the form of a Greek cross with the ends of the arms extended at right angles all in the same rotary direction. A swastika is usually used as a symbol of anti-Semitism or of Nazism.

3. Ritualistic – Symbols related to any religious belief systems other than the commonly known and practiced religions. Ritualism refers to any customarily repeated act or series of acts. The need to repeat these acts can be spiritual as well as cultural. Examples would include symbols associated with Satanism, Santeria, Paganism, and the Occult.
4. Other Religious – A symbol relating to the belief in or the worship of a supreme being or supernatural powers. This category includes other religious symbols that are not included in Ritualistic.
5. Political/Slogan – Slogans or symbols relating to government or a political system. A slogan is a word or phrase used to express a position, stand, or a goal to be achieved. This may include slogans associated with political systems, such as Communism, Fascism or Socialism.
6. Other – Other symbols other than those noted above. Please specify in the space provided.

Location Type

Choose the appropriate location code from the code section of the Incident Entry and place in this field.

Location is a position, site or designated structure occupied or available for occupancy or marked by some distinguishing feature.

01. Residence – Single Occupancy – A structure designed for the residential use of one person or family, such as a house or town house.
02. Apartment/Condo – Multi-unit structure used for residential purposes.
03. Residence – Other – A structure that provides living accommodations for multi-family units such as dorms, fraternity houses or nursing homes.
04. Hotel/Motel – Structures that provide temporary living accommodations for transient populations.
05. Convenience Store – This includes the grocery/miscellaneous type business that is commonly referred to as a convenience store. That is, one that is usually open after regular business hours for the convenience of the public. These include 7-11 Stores, Lil' General, Minute Market, Majik Market, etc., or may be a privately owned store with a similar operating policy. These may sell gasoline as a secondary function.
06. Gas Station – This applies to those retail businesses selling gasoline and oil and to those that may sell tires, batteries, lubricants, etc., where the customer can drive in for service.
07. Liquor Sales – This category includes liquor and package stores or where alcoholic beverages are sold at retail level as the primary business. Exclude wholesale warehouses, transporting vehicles and stores that sell beer or wine as a sideline to another business.
08. Bar/Nightclub – This category includes bars, lounges, taverns and nightclubs where alcoholic beverages are sold by the drink.

09. Supermarket – This refers to large self-service grocery stores that are commonly termed supermarkets by the public such as Publix, Winn Dixie, A&P, Grand Union, etc.
10. Department/Discount Store – This category includes department and discount stores where a variety of merchandise is sold.
11. Specialty Store – This category will include any store which sells only specialty items such as jewelry stores, furriers, sports stores, appliance stores, stereo stores, etc.
12. Drug Store/Hospital – This category includes retail businesses that used the terminology “Drug Store” or “Pharmacy” in their business name and/or actually fill physicians’ prescriptions. Hospitals or institutions where persons are confined for care or treatment or any location from which drugs are legally dispensed such as doctors’ offices, etc., if the target is drug related.
13. Bank/Financial Institution – This category includes banks, savings and loans, loan agencies and agencies representing and providing the same services in commercial establishments or grocery stores. Also twenty-four (24) hour tellers would fit in this category.
14. Commercial/Office Building – This category will include any building in which private or commercial enterprises (non-governmental) business, professional or clerical duties are conducted.
15. Industrial/Manufacturing – A factory or business engaged in industrial production or service by manufacturing goods or other products.
16. Storage – A structure or building in which items may be stored, such as barns, warehouses, large containers, utility sheds, mini-warehouses, etc.
17. Government/Public Building – A building, either leased or owned by the local, state or federal government, in which business, professional or clerical activities are conducted. Examples include post office, city hall, courthouse, etc.
18. School/University – A structure established as an institution of learning or higher education. (Excludes dorms or housing units and fraternity/sorority houses which will be coded under other residence.)
19. Jail/Prison – A building for confinement of persons held in lawful custody.
20. Religious Building – Any structure owned by a religious organization and used for the purposes of worship, fellowship or any other non-secular activity.
21. Airport – A structure used for the purposes of loading and unloading of passengers and/or property for air transportation.
22. Bus/Rail Terminal – A structure used for the purposes of loading and unloading of passengers and/or property for bus or train transportation.
23. Construction Site – Any cleared location for building purposes or structure that is being built or renovated and not inhabited.
24. Other Structure – Any structure not meeting the above definitions, such as out buildings, monuments, mausoleums, etc.

25. Parking Lot/Garage – This category will include any structure or area designated for the parking of vehicles. This would not include metered spaces along the street (these would be placed under the highway/roadway category).
26. Highway/Roadway – The intent of this category is to identify crimes that occur outside in areas that would be visible to patrol units. This would include street, alleys or sidewalks.
27. Park/Woodland/Field – Any cleared landscaped area set aside for recreation, civic purpose, farming, etc., or any undeveloped land with a cover of trees and shrubs.
28. Lake/Waterway – This category will include any body of water and land within the immediate vicinity of water.
29. Motor Vehicle – Include in this category those motor vehicles that are self propelled, run on the surface, not on rails of water, for the prime purpose to transport persons or cargo.
30. Other Mobile – Any other mobile property used for transporting items or persons including aircraft, watercraft, trailers, industrial equipment, construction equipment, farming equipment, trains and other rail transport, etc.
99. Other – Include any location that was not covered by the other definitions such as the city dump, a cemetery, etc.

Geographic Indicator

This is an optional field with twelve (12) allowable characters in which the location of the incident can be better defined. This field can be used to indicate beats, zones, districts or other specified areas within an agency's jurisdiction.

Type of Weapon

Choose the appropriate weapon code from the code section of the Incident Entry and place in this field. If more than one weapon is used, the weapon capable of producing the most danger, injury or damage should be recorded. Use the most exact description provided (i.e., use handgun if applicable rather than firearm).

- | | |
|------------------------------|-------------------------|
| 00. N/A | 08. Poison |
| 01. Handgun | 09. Explosive |
| 02. Rifle | 10. Fire/Incendiary |
| 03. Shotgun | 11. Threat/Intimidation |
| 04. Firearm | 12. Simulated Weapon |
| 05. Knife/Cutting Instrument | 13. Drugs |
| 06. Blunt Object | 88. Unknown |
| 07. Hands, Fist, Feet, Etc. | 99. Other |

VICTIM ENTRY

Victim – An individual or group that is acted on, usually adversely. One that is subjected to oppression, hardship or mistreatment; or is injured or sacrificed under any of various conditions.

The Victim Entry is required for each original incident reported, and three (3) victims can be reported on each form. If more victims are to be reported under one incident, another Hate Crime Report form may be used by completing the Key Segment data and then completing the Victim Entry.

All data elements are required to be completed. If the victim type is a person, the race, sex, age, residence type, victim knew offender fields cannot reflect the code for not applicable. If the victim type is a business, religious facility, organization or other, the race, sex, age, residence type, victim knew offender and sexual orientation fields will reflect the appropriate codes for not applicable, unless motivation is race/color, then race should be accurately recorded.

Only the victims associated with the reported offense should be recorded in the Victim Entry.

AMD

Choose the appropriate code to define the processing of the information being submitted. To ensure the appropriate victim entry is being modified or deleted, the victim number will be required along with the information to be corrected. A deletion will be made by placing a 3 code in the AMD and providing the victim number. No further field(s) will be required and the entire entry will be deleted.

Victim Number

The Victim Number is a sequential number assigned upon entering the victim into the system and will be required for modifying or deleting a victim in subsequent transactions. This is a two-character numeric field, and all figures less than 10 will have a leading zero in the left block.

Victim Type

Choose the appropriate Victim Type from the code section of the Victim Entry and place in this field. If a victim could be placed under more than one type, use the first code in order of numbering.

1. Person – A single human being. One who is recognized by law as the subject of (or having) rights and duties.
4. Business – A commercial, mercantile or industrial activity engaged in as a means of livelihood. Usually involves economic dealing.

6. Religious Facility – A religious organization for the purposes of worship, fellowship or any other non-secular activity.
7. Organization – An association of individuals or organized group working together or periodically meeting because of common interests, beliefs, traditions, institutions or collective activities.
Government is included under this category.
9. Other – Include any Victim Type that is not covered by the other definitions. Please note that while all Hate Crimes may be considered crimes against society, “Other” should not be used unless no other category applied.

Race

Choose the appropriate race code from the code section in the Victim Entry and place in this field.

- N- Not Applicable – N/A (Victim is not a person)
- W- White
- B- Black
- I- American Indian
- O- Oriental/Asian

Sex

Choose the appropriate sex code from the code section in the Victim Entry and place in this field.

- N- Not Applicable
- M- Male
- F- Female

Age

Place the age of the victim in this field. If under one year of age, place one (01) in this field. If older than 99, use 99. If the victim is not a person, NA can be used. This is a two-character alpha/numeric field, and all figures less than 10 will have a leading zero in the left block. If the victim’s age is unknown estimate as closely as possible.

Residence Type

Choose the appropriate residence type code from the code section of the Victim Entry and place in this field.

- 0- N/A – Not Applicable. This code will be used anytime the victim type reflects the victim as other than an individual or when the residence type is unknown.
- 1- City – If the permanent address of the individual reflects the same city in which the crime occurred, this number will be placed in the box provided.
- 2- County – If the permanent address of the individual reflects a city different than the location in which the crime occurred, but is within the same county, this number will be placed in the box provided or both crime and residence are in an unincorporated area.
- 3- Florida – If the permanent address of the individual reflects a city that is different than that of the crime and is out of the county but within the State of Florida, this number will be placed in the box provided.
- 4- Out-of-State – If the permanent address of the individual reflects an out-of-state or foreign country address, this number will be placed in the box provided.

Extent of Injury

Choose the appropriate extent of injury code from the code section of the Victim Entry and place in this field. This field only applies to physical injuries.

- 0- None – If the victim is not a person, or if the crime committed did not result in any injury to the individual, this will be the appropriate code to use.
- 1- Minor – If the crime committed involved physical contact and caused minor bruises or contusions such as a black eye, bloody nose, etc., this code should be used.
- 2- Serious – If the crime committed resulted in serious or possible serious injury to the individual, this code should be used.
- 3- Fatal – If the individual dies as a result of the crime committed prior to or during the time the report is being generated, this will be the code to be used.

Victim Knew Offender

- 0- Not Applicable – This code is used when the victim is not a person.
- 1- Yes – This code is used then the victim knows the offender in some capacity or has seen the offender prior to the offense.
- 2- No – This code is used when the victim saw the offender but has never seen the offender prior to the incident.
- 8- Unknown – This code is used when no identity or information concerning the offender can be determined.

Religion

This field should be used when the motivation is religion. Choose the appropriate religion code from the code section of the Victim Entry and place in this field.

- N- Not Applicable – This code is used when the motivation is not religion.
- C- Catholic
- P- Protestant
- J- Jewish
- I- Islam
- H- Hindu
- O- Other

Sexual Orientation

- 0- Not Applicable – This code is used when the victim is not a person or the offense was not motivated by sexual orientation.
- 1- Homosexual – This is used when the motivation is sexual orientation and the victim prefers members of his/her own sex for sexual activity.
- 2- Heterosexual – This is used when the motivation is sexual orientation and the victim prefers members of the opposite sex for sexual activity.
- 3- Bi-Sexual – This is used when the motivation is sexual orientation and the victim engages in sexual activity with members of either sex.

National Origin

If ethnicity/national origin is the motivation, this field should be completed. If national origin is not the motivation, N/A should be placed in this field.

Please indicate the national origin of the victim in the space provided in the Victim Entry. For example a person is assaulted because he or she is French, place France in the space provided. The first space relates to the first victim listed in the Victim Section, etc.

An appendix listing countries and territories is supplied as a reference.

PROPERTY ENTRY

The Property Entry allows for two (2) separate property entries to be made. For Hate Crime Reporting purposes, vehicles are considered property and should be included under the Property Entry. The required data to initiate a property record includes the AMD code, status code, and value entry.

It should be noted that only one entry can be made per status type. This means that if 4 items are reported stolen (i.e., vehicle, clothing, tools, etc.), the total value should be added together and one entry should be made for the property stolen. All possibilities can be included because property stolen and recovered can be recorded on one line, and property damaged on the other.

It should be noted that the recovery information only relates to stolen property. If an item has been reported stolen and is recovered on a later date, the status code of recovered should be used. The Value Recovered field will be provided when the status code reflects that an item is recovered. It will not be necessary to repeat the value stolen or damaged if already reported to the Hate Crime Data Base, unless the figure is to be modified.

Valuation of Property

The following guidelines were established in an effort to assist in reporting the value of property stolen or recovered.

1. Use fair market value for articles which are subject to depreciation because of wear and tear, age or other factors which cause the value to decrease with use.
2. Use cost to the merchant (wholesale cost) of goods stolen from retail establishments, warehouses, etc. In other words, use the dollar value representing the actual cash loss to the victim without any markup or profit added.
3. Use victim's evaluation of items such as jewelry, watches and other similar goods which decrease in value only slightly or not at all with use or age.
4. Use replacement cost or actual cash cost to the victim for new or almost new clothes, auto accessories, bicycles, etc.
5. When the victim obviously exaggerates the value of stolen property for insurance or other purposes, common sense and good judgement will dictate a fair market value to be placed on the stolen item by the police. In most instances the victim's evaluation can be accepted.

6. Non-negotiable instruments such as endorsed checks should be valued according to the material value (usually one dollar). Negotiable instruments such as bearer bonds are valued at current market prices.
7. The value of coin collections often exceeds the face value of the coins. If the coin is rare or non-circulated, use the market value of the coin. If the coin is still in legal circulation, use the face value of the coin.

AMD

Choose the appropriate code to define the processing of the information being submitted. To ensure that the appropriate property entry is being modified or deleted, the property status type will require repeating along with the information to be corrected. A deletion will be made by placing a 3 code in the AMD and providing the property status type. No further field(s) will be required and the entire entry will be deleted.

Status Code

Choose the appropriate Status Code from the code section in the Property section and place in this field. It should be noted that the property recovery information will only be valid with the stolen/recovered or for property previously reported stolen.

1. Stolen – Any property taken from an individual without his/her consent.
2. Recovered – Property that has been reported stolen that has come into the custody or care of a law enforcement agency.
3. Stolen and Recovered – Property that has been stolen and recovered during the same time period.
9. Damaged/Destroyed – Any devaluation of property caused by a willful act in an attempt to destroy or deface. The damage can be internal or external. To ruin the structure, composition or condition of property which renders it useless to the owner.

Value Stolen/Damaged (Whole Dollars)

Place the value or amount of the item(s) or property stolen or damaged in this field. Use whole dollar figures only, rounding off to the nearest dollar. This field will be right justified.

Value Recovered

Place the value of the property at the time of recovery in this field. Use the whole dollar figures only, rounding off to the nearest dollar. This field will be right justified.

OFFENDER ENTRY

Offender – One who commits or is suspected of committing a criminal act (violates a law or rule).

The Offender Entry should be reported for each original incident reported. Three (3) offenders can be reported on each form. If more offenders are to be reported under one incident, another Hate Crime Report form may be used by completing the Key Segment data and then completing the Offender Entry. If the offender information is unknown, then all the applicable codes for unknown will be utilized.

All offenders associated with the incident should be reported in the Offender Entry.

AMD

Choose the appropriate code to define the processing of the information being submitted. To ensure the appropriate Offender Entry is being modified or deleted, the Offender number will be required along with the information to be corrected. A deletion will be made by placing a 3 code in the AMD and providing the Offender number. No further field(s) will be required and the entire entry will be deleted.

Offender Number

The Offender Number is a sequential number assigned upon entering the offender into the system and will be required for modifying or deleting an offender in subsequent transactions. This is a two-character numeric field, all figures less than 10 will have a leading zero in the left block.

Race

W-	White
B-	Black
I-	American Indian
O-	Oriental/Asian
U-	Unknown

Sex

M-	Male
F-	Female
U-	Unknown

Age

Place the age of the Offender in this field. If older than 99, use 99. This is a two-character alphanumeric field, and all figures less than 10 will have a leading zero in the left block.

In general, the reasonable age for this field is six (06) years of age or older. If an Offender Entry is submitted with an age less than six, the agency will be contacted to verify the correctness of the entry. If the offender's age is unknown, enter UK in the space provided.

Residence Type

Choose the appropriate residence type code from the code section of the Offender Entry and place in this field.

1. City – If the permanent address of the individual reflects the same city in which the crime occurred, this number will be placed in the box provided.
2. County – If the permanent address of the individual reflects a city different than the location in which the crime occurred, but is within the same county, this number will be placed in the box provided or both crime and residence are in an unincorporated area.
3. Florida – If the permanent address of the individual reflects a city that is different than that of the crime and is out of the county but within the State of Florida, this number will be placed in the box provided.
4. Out-of-State – If the permanent address of the individual reflects an out-of-state or foreign country address, this number will be placed in the box provided.
8. Unknown – This code is used when no identity or information concerning the offender or his/her residence type can be determined.

Drug/Alcohol Use Indication

1. Yes – If the offender appeared to the victim, witnesses or reporting officer to be under the influence of drugs and/or alcohol.
2. No – If the offender was obviously not under the influence of drugs and/or alcohol.
8. Unknown – If no determination can be made at the time.

Offender Acted As

The Offender Acted field will be used to denote if the offender acted alone or as a member of an organization/group. Choose the appropriate Acted As code from the code section of the Offender Entry and place in this field.

1. Individual – The offender acted alone and was not prompted by an individual or group.
2. Group member – The offender acted as a member of an organization or group or was prompted by member(s) of an organization or group. If the offender acted as a group member, please specify the group in the space provided.
8. Unknown – No information is available regarding the offender's actions.

Arrest Affected

Choose the appropriate Arrest Code from the code section and place in this field.

- 1- Yes
- 2- No

For Hate Crime Reporting purposes, an arrest is affected when a person is taken into custody or issued a notice to appear in court.

Arrest Number

If an arrest is affected, the Arrest Number of the individual arrested should be provided in this field. If an Arrest Number is not provided use the case report number. Twelve (12) spaces have been allowed in this field to accommodate the Arrest Number, and when an Arrest Number is used it should be left justified.

OBTS Number

When an arrest is made and an OBTS number is assigned, the ten (10) character OBTS number will be provided in this field. Ten spaces have been allowed in this field and it should be left justified; all spaces will be filled. The OBTS number will only apply if the suspect has been fingerprinted.