

## **FARGO/MOORHEAD HATE CRIME PREVENTION AND RESPONSE PLAN**

The purpose of this plan is to establish a procedure for appropriate and timely local responses to hate crimes and incidents in the FM area. The goal is to show strong support for victims of hate, and their communities, and zero tolerance for such incidents. In addition, the plan strives to raise awareness of hate related issues in the community.

Most importantly, people should not feel alone when a hate incident occurs -- hate is a community problem, not an individual problem. The Fargo Moorhead community stands together against acts of hate. Although all hate incidents are unique, and individual judgment should be used in each case, this plan endeavors to provide a course of action that should prove useful when a hate crime or hate incident occurs in the area.

The Fargo Human Relations Commission and the Moorhead Human Rights Commission do not investigate hate crimes and incidents. Rather, both commissions provide support to victims and communities, along with leadership in preventing hate crime through educational and collaborative efforts to stand against prejudice and bigotry.

1. When a hate crime or incident is reported to the Fargo Human Relations Commission or the Moorhead Human Rights Commission, the victim and/or community should be encouraged to contact the police immediately.<sup>1</sup> An offer should also be made by a representative of the Fargo Human Relations Commission or Moorhead Human Rights Commission to accompany the victim or group to the police department. In addition, victims should be encouraged to document specific details, including what was said, by whom, when and where and if any threats were made.
2. Together, the police, human rights/relations commissions and city staff will determine the appropriate level of community response, including any necessary public statements.
3. If local law enforcement finds that a hate crime or incident has occurred, it will report the incident to the appropriate state and federal agencies and local human rights/relations commission.
4. If appropriate, the human rights/relations commissions will also call upon partners in the Hate Crime Prevention and Response Network (listed in this document) to determine a further response. The Hate Crime Prevention and Response Network will identify follow-up measures for victim and community support. Examples of follow-up include:
  - a. Meet with neighborhood groups and residents in target communities to ally concern and respond to the incident specifically
  - b. Encourage the larger community to step forward and show solidarity
  - c. Assure the victim and community that the crime or incident is being taken seriously
  - d. Expand, where appropriate, existing hate prevention programs, such as anti-hate seminars and response workshops

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<sup>1</sup> If you are a victim or witness to a hate crime, call 911 immediately. If it is a non-emergency, call 701-235-4493 (Fargo Police Department) or 218-299-5111 (Moorhead Police Department).

5. The Fargo Human Relations Commission and Moorhead Human Rights Commission should review the hate crime prevention and response process annually and provide recommendations to the Fargo City Commission, Moorhead City Council and police departments.
6. The Fargo Human Relations Commission and Moorhead Human Rights Commission should also periodically sponsor hate crime prevention and response workshops to promote understanding and provide continuing education to the Hate Crime Prevention and Response Network.<sup>2</sup>

**Hate Crime Prevention and Response Network:**

In order to provide a timely and meaningful response to victims and communities of hate crimes and incidents, the Fargo Human Relations Commission and Moorhead Human Rights Commission will partner with citizens and organizations in the Hate Crime Prevention and Response Network. Key partners include:

<i>Law Enforcement</i>	<i>Schools and Universities</i>	<i>Supportive Services</i>
Fargo Police Department	Minnesota State University Moorhead	Moorhead Human Rights Commission
Moorhead Police Department	Concordia College	Fargo Human Relations Commission
Cass County Sheriff's Office	North Dakota State University	Cultural Diversity Resources
Clay County Sheriff's Office	Fargo Public School District	Fargo Moorhead Pride Collective
ND States Attorney's Office	Moorhead Public School District	Rape and Abuse Crisis Center
Minnesota County Attorney's Office	Fargo Catholic Schools Network	Fargo and Moorhead Mayors Offices
	Oak Grove Lutheran School	Freedom Resources for Independent Livin
	Minnesota State Community and Technical College	Area places of worship -- Churches, Synagogue and Islamic Center
		North Dakota Human Rights Coalition
		People Escaping Poverty Project (PEPP)
		Community Residents
		Cultural, and Neighborhood Organizations
		Local Media

<sup>2</sup> **Hate Crime Defined:** The states of Minnesota and North Dakota do not have the same laws relating to hate crimes.

Therefore, the definitions are different:

**Minnesota:** A hate crime, as defined by Minnesota Statute Section 609.223 1, Subd. 4, is a criminal act committed against a person, institution, or property, of which the primary motivation is the victim's affiliation with a protected class. This includes such criminal acts as arson, assault, vandalism, threats, harassment, and physical acts of violence.

Minnesota state law established the following protected classes: *race, color, religion, gender, sexual orientation, age, disability, and national origin*. In Minnesota, convictions resulting from hate crimes carry enhanced penalties.

**North Dakota:** North Dakota does not have a hate crime statute at this time. However, a hate crime is defined in the North Dakota Century Code Section 12.1-14-04, as intentional injury or intimidation of another because of a person's *sex, race, color, religion, or national origin*. North Dakota Century Code, Section 12.1-14-15 criminalizes acts committed by force, threat of force or by economic coercion that injures or intimidates another because the person exercises civil rights. In addition, City of Fargo ordinance 4081, Article 15-02, discourages all forms of discrimination on the basis of *race, color, religion, sex, national origin, age, the presence of any mental or physical disability, status with regard to marriage or public assistance, sexual orientation, or lawful activity off an employer's premise during nonworking hours*. In North Dakota, convictions resulting from hate crimes do not carry enhanced penalties.

**United States:** For purposes of data collection, the FBI defines a hate crime as a criminal offense committed against a person or property which is motivated, in whole or in part, by the offender's bias against the victim's race, religion, disability, ethnic origin, national origin, or sexual-orientation.