

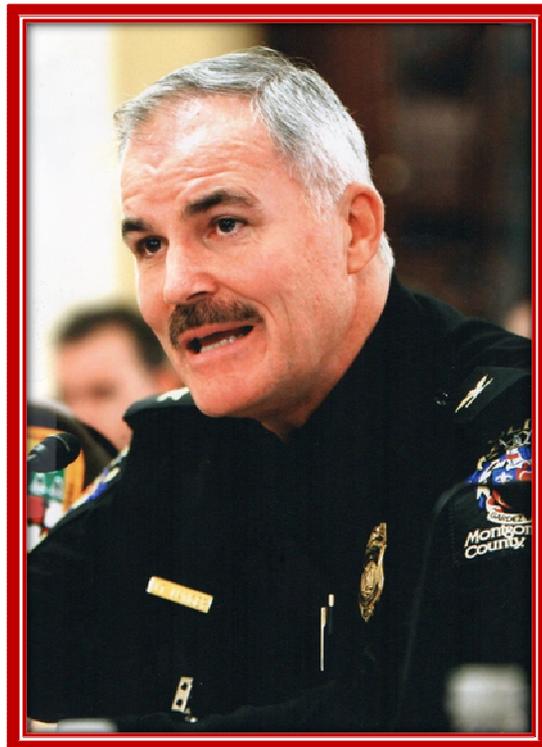
# **MONTGOMERY COUNTY POLICE DEPARTMENT**



**ANNUAL BIAS CRIME REPORT  
2014**

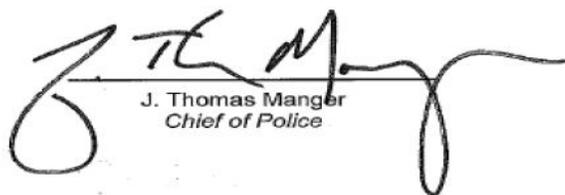
## MESSAGE FROM THE CHIEF

The Montgomery County Police Department (MCPD) is responsible for investigating thousands of crimes every year; crimes of violence, as well as property crimes. Each of these criminal acts represents more than just a statistic to us. Each carries with it a victim, and some harm to our community. That harm to our community is never more visible than when we respond to and investigate a hate crime. A swastika spray painted on a car, or a racial slur etched into the front door of a home would not be merely examples of vandalism cases. These crimes, motivated by bias, can send shockwaves throughout our community. The potential for harm to our residents' sense of safety and well-being underscores the importance of responding appropriately to these kinds of acts. Documentation, evidence collection, and a thorough investigation only begin the appropriate comprehensive response. Ensuring that the victim(s) are afforded every assistance we can provide is crucial. Public condemnation of these acts, by the police department and the community, is also required. We must send the message that these acts will not be tolerated.



I am so grateful to my teammate in this fight against bias crimes, the Executive Director of the Montgomery County Human Rights Commission, James Stowe. The Human Rights Commission is on the front lines of our battle against hate crimes and incidents. Each resident of Montgomery County can be grateful for the commission's service.

Hate and prejudice have a profound impact on our community. No one should live in fear. The Montgomery County Police Department remains committed to upholding and protecting the civil and human rights of all people.

  
J. Thomas Manger  
Chief of Police

<http://www.mymcpnews.com>

<https://twitter.com/mcpnews>

<https://www.facebook.com/mcpnews>

**Defining a Hate Crime**

A hate crime is a traditional offense like murder, arson, or vandalism with an added element of bias. For the purposes of collecting statistics, Congress has defined a hate crime as a “criminal offense against a person or property motivated in whole or in part by an offender’s bias against a race, religion, disability, ethnic origin or sexual orientation.” Hate itself is not a crime—and the FBI is mindful of protecting freedom of speech and other civil liberties. Retrieved from [www.fbi.gov](http://www.fbi.gov)

**HATE CRIME STATISTICS ACT*****As Amended, 28 U.S.C §534***

§ “[Sec. 1.] (a) This Act may be cited as the ‘Hate Crime Statistics Act’.

“(b) (1) Under the authority of section 534 of title 28, United States Code, the Attorney General shall acquire data, for each calendar year, about crimes that manifest evidence of prejudice based on race, gender and gender identity, religion, disability, sexual orientation, or ethnicity, including where appropriate the crimes of murder, non-negligent manslaughter; forcible rape; aggravated assault, simple assault, intimidation; arson; and destruction, damage or vandalism of property.

“(2) The Attorney General shall establish guidelines for the collection of such data including the necessary evidence and criteria that must be present for a finding of manifest prejudice and procedures for carrying out the purposes of this section.

“(3) Nothing in this section creates a cause of action or a right to bring an action, including an action based on discrimination due to sexual orientation. As used in this section, the term ‘sexual orientation’ means consensual homosexuality or heterosexuality. This subsection does not limit any existing cause of action or right to bring an action, including any action under the Administrative Procedure Act or the All Writs Act. [5 U.S.C.S. §§ 551 et seq. or 28 U.S.C.S. § 1651].

“(4) Data acquired under this section shall be used only for research or statistical purposes and may not contain any information that may reveal the identity of an individual victim of a crime.

“(5) The Attorney General shall publish an annual summary of the data acquired under this section, including data about crimes committed by, and crimes directed against, juveniles.

“(c) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section through fiscal year 2002.

“Sec. 2. (a) Congress finds that—

“(1) the American family life is the foundation of American Society,

“(2) Federal policy should encourage the well-being, financial security, and health of the American family,

“(3) schools should not de-emphasize the critical value of American family life.

“(b) Nothing in this Act shall be construed, nor shall any funds appropriated to carry out the purpose of the Act be used, to promote or encourage homosexuality.”

**Matthew Shepard & James Byrd, Jr.,  
Hate Crimes Prevention Act of 2009  
(18 U.S.C. § 249)**

This statute gives the FBI authority to investigate violent hate crimes, including violence directed at gay, lesbian, bisexual, and the transgender community.

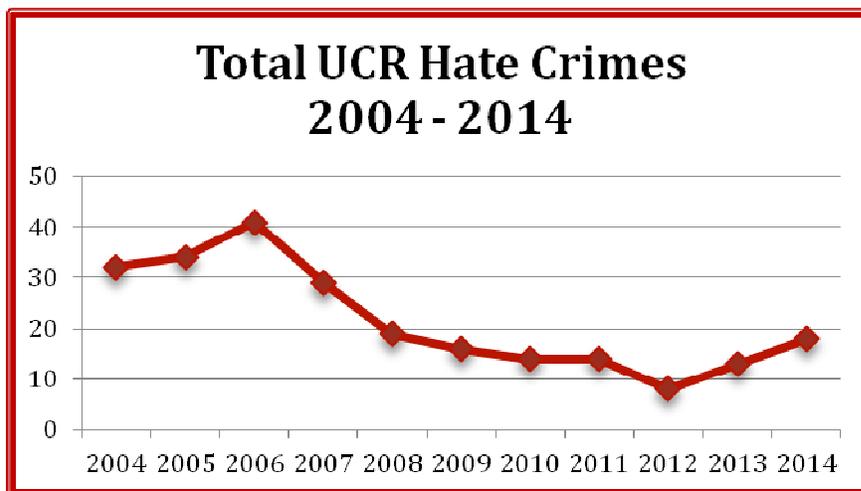
## BIAS/HATE CRIMES

Many bias crimes go unreported. As a result of this underreporting, findings on the exact number of bias crimes and trends are difficult to establish. Interpretations of bias/hate crimes vary among individuals, law enforcement agencies, and community groups.

In Maryland, a bias/hate crime is “an act that appears to be completely or partly motivated by race, religion, ethnic background, sexual orientation, or disability. To be considered a hate incident, the act is not required to be a crime under any federal, state, or local statute.”<sup>1</sup> Because motivation is subjective, it is sometimes difficult to establish with certainty whether a crime resulted directly from an offender’s bias. More importantly, the presence of bias alone does not necessarily mean a crime can be considered a bias crime. This means some acts will meet the more narrow definition of a **bias/hate crime** while others will be classified as a **bias/hate incident**. Residents in Montgomery County are encouraged to report all incidents (including non-criminal events) that may single out someone because of that person’s perceived race, religion, gender, sexual orientation, or physical handicap.

In 1990, Congress passed the *Hate Crime Statistics Act* and as a result, the FBI Uniform Crime Reporting (UCR) Program created a hate crime data collection system to comply with this mandate. The Montgomery County Police Department voluntarily reports **criminal** bias statistics through the UCR program. The Police Department strives to reduce crime throughout the county. Montgomery County is diverse, and has experienced a small percentage of bias crimes as a sum of total crime last year. In 2014, Montgomery County reported a total of 51,231 total Part I and Part II offenses. The Department recorded a total of 33 reports with a bias component; only 18 of those 33 reports were criminal and subsequently submitted to the State of Maryland for the UCR Program. *(Please note: The FBI has not yet published its 2014 annual report, so this is an unofficial number.)*

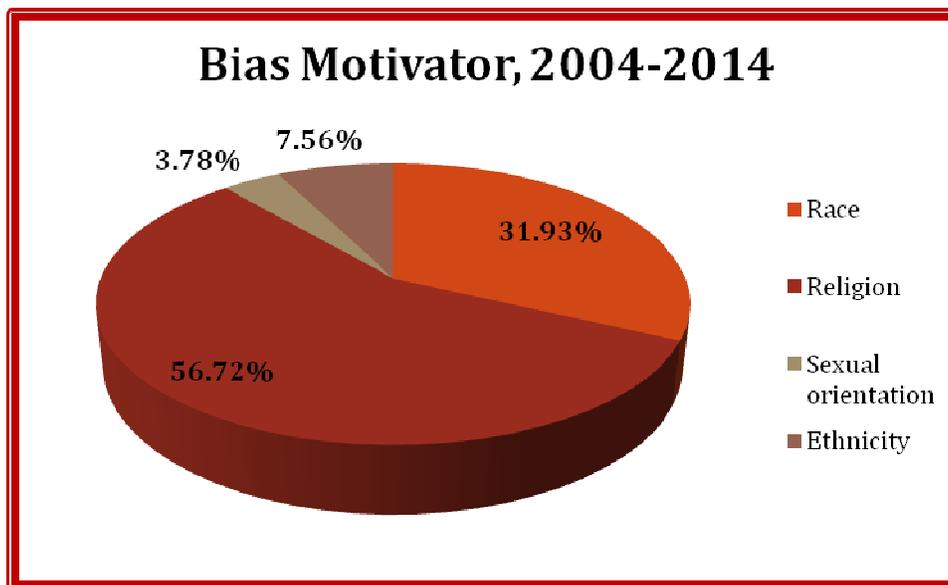
Since 2004, the number of UCR bias crimes has declined more than 56% after spiking in 2006.



<sup>1</sup> *Maryland's response to Hate Crimes*, pamphlet prepared by Maryland Commission on Human Relations, Maryland Hate Crimes Task Force, United States Attorney's Office, D/MD, Fall 2002

## BIAS MOTIVATION

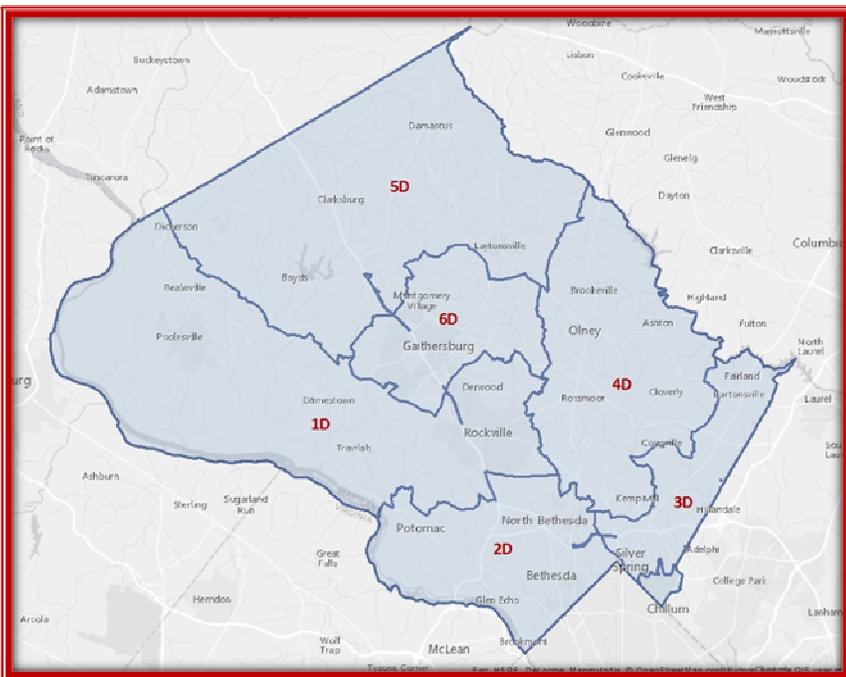
In 2013, the UCR program expanded its data collection categories for race and ethnicity, and began accepting data on crimes motivated by gender and gender identity bias, in response to the *Hate Crimes Prevention Act of 2009*. An analysis of the historical data reveals two primary types of motivational bias used in Montgomery County since 2004: 56.72% of the UCR crimes since 2004 were motivated by religion and 31.93% were motivated by race. Ethnicity was a bias motivator 7.56% of the time, and sexual orientation was a bias motivator in 3.78% of the incidents reported.



Additional analysis of data since 2013<sup>2</sup> reveals that the majority of UCR bias crimes were primarily crimes against property, such as theft and vandalism. In the last two years, there have only been seven crimes against persons (two second degree assaults, two simple assaults, and three aggravated assaults). In all three of the aggravated assaults, the offender's bias motivation was sexual orientation. Race and ethnicity were the motivation for the second degree and simple assaults.



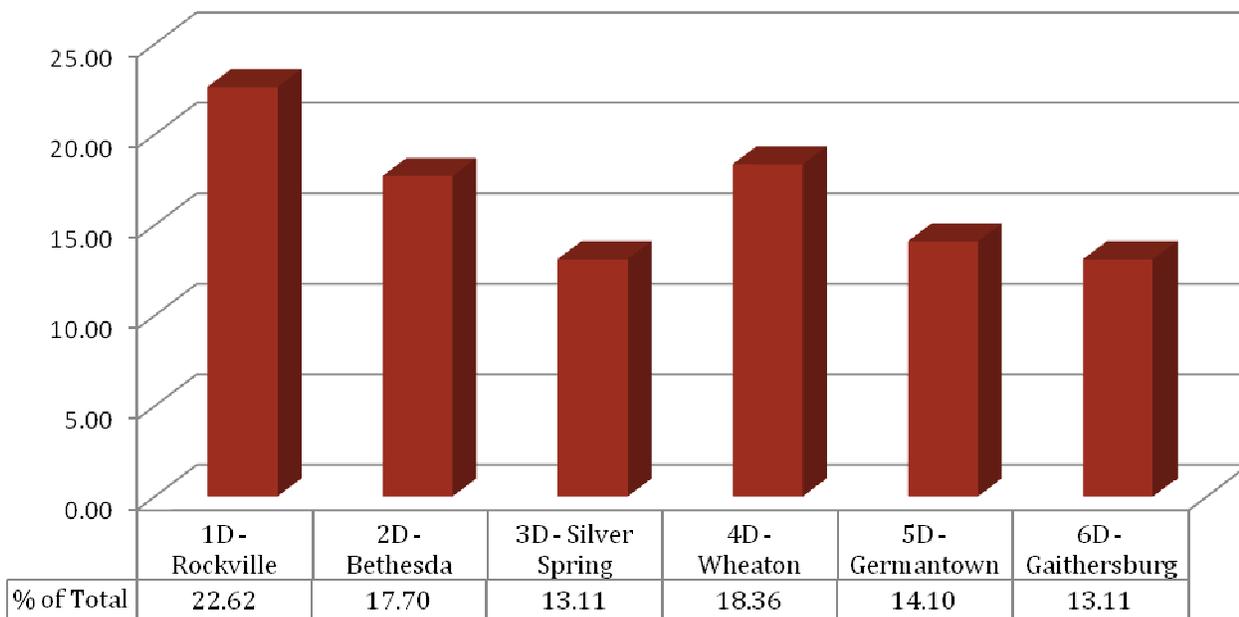
<sup>2</sup> Please note: the Police Department recently upgraded from a paper records management system to an electronic system in 2013. More specific analysis on bias incident types prior to 2013 is not available.



### BIAS BY DISTRICT

Montgomery County’s population - currently estimated to be nearly 1.02 million<sup>3</sup> - is increasing, and demographics have shifted throughout the county over the last decade. Since 2005<sup>4</sup>, 22.62% of the reported bias incidents have occurred in the 1<sup>st</sup> District, followed by the 4<sup>th</sup> and 2<sup>nd</sup> Districts with 18.36% and 17.70% of the reported incidents, respectively.

Hate Crime % by District, 2005 - 2014



<sup>3</sup> Source: U.S. Census Bureau. Retrieved from <http://quickfacts.census.gov/qfd/states/24/24031.html>

<sup>4</sup> Bias crime statistics are not available by district in 2004.



[Friendship Picnic, 9/14/14](#)

## SUMMARY

Bias crimes are more likely to create or exacerbate tension or conflict in a community, so it is important for the police department to work closely within the community to confront hatred and overcome the fear and mistrust that may exist. Communication and interaction is often a key factor in preventing tension or restoring peace. As part of the 2014 in-service training, the police officers received instruction in the concept of bias-based policing, a term used to describe any stop, detention, search or arrest based solely on a person's race, national origin, citizenship, religion, ethnicity, age, gender, or sexual orientation. Bias-based policing is not only illegal and unethical; it destroys public trust in the police department. Every interaction with the public is an opportunity to build relationships and trust with the community.

The department's Public Information Office plays an important role in preventing an increase in tension throughout the community by informing the public attitudes about the crime, the suspects, and the law enforcement response. Responsible reporting significantly increases the likelihood that peace, stability, and understanding will be restored and fear, suspicion, and anger will be alleviated.



[Montgomery County Committee on Hate/Violence, 3/29/14](#)

Montgomery County continues to promote trust and inclusiveness through its Office of Human Rights. And the Montgomery County Police Department continues to engage political, business, civic, religious, and other community organizations to create a positive climate and encourage constructive dialogue.

If you believe a hate/bias crime has occurred, we urge you to take the following steps:

1. Report the incident to [MCPD](#) at 301-279-8000 or [Montgomery County Office of Human Rights](#) at 240-777-8450 even if you do not have any information on the suspects or there is no physical injury or property damage.
2. Do not destroy any evidence related to the crime; keep any letters or voicemails.
3. Do not clean up any vandalism. Let the police arrive to investigate and collect evidence and/or photograph the scene.
4. Get help: the police department's victim assistance coordinators at each district station can direct you to other resources and put you in contact with human rights organizations.
  - 1<sup>st</sup> District, Rockville 240-773-6070
  - 2<sup>nd</sup> District, Bethesda 240-773-6700
  - 3<sup>rd</sup> District, Silver Spring 240-773-6800
  - 4<sup>th</sup> District, Wheaton 240-773-5500
  - 5<sup>th</sup> District, Germantown 240-773-6200
  - 6<sup>th</sup> District, Montgomery Village 240-773-5700

### Summary of Reported Bias Events in 2014

01/08/2014: The complainant reported finding a two wooden sticks taped together and a racist note in front of the Resurrection Baptist Church. *Case closed, no arrest.*

01/30/2014: An elementary school was vandalized with a gray swastika. *Case closed, no arrest.*

02/02/2014: The victim reported racial/ethnic harassment from a juvenile neighbor, being assaulted by snowballs, and having property damaged. *Case closed, juvenile arrest.*

02/17/2014: The complainant reported that a house under construction was vandalized with a swastika and devil star. *Case closed, no arrest.*

03/13/2014: Subject with history of mental illness made several threatening/annoying phone calls to an Adventist Academy, repeating religious scripture and referencing the "KKK". *Case closed administratively, victim did not seek prosecution.*

03/17/2014: The victim reported that he received a threatening tweet via social media. The profile of the unknown sender pictured Palestinian flags. *Case closed, no arrest.*

[The following series of three vandalisms involving swastikas and anti-Jewish language occurred within proximity to each other in the same period of time. Detectives closed these cases with the arrest of two juveniles.](#)

- 04/19/2014: A sign at a synagogue was vandalized with a swastika.
- 04/21/2014: Two school buses were vandalized with a swastika, Star of David, and racial language.

- 04/27/2014: A member of the Jewish community reported that his vehicle's tires were slashed and a swastika was marked on the rear windshield.

04/27/2014: The complainant filed a report for three subjects caught shoplifting and had used a racial slur prior to leaving the store. *Case closed, complainant refused to cooperate with investigation.*

04/28/2015: The non-Jewish victim reported that his vehicle had been vandalized by an unknown subject who had scratched a swastika into the trunk. *Case closed, no arrest.*

05/06/2014: A subject was arrested for disorderly conduct and using threatening, anti-Hispanic language towards restaurant employees. *Case closed, arrest.*

05/14/2014: A manager reported that an unknown subject was placing various items (e.g., banana peels, crumbled papers, etc.) into the mailbox of the Islamic Society of the Washington Area. *Case status is open, pending additional information.*

08/02/2014: The victim reported that her vehicle had been vandalized by an unknown subject who had scratched the Star of David into the passenger side door. *Case closed, no arrest.*

08/07/2014: The victim reported that a driver and passenger in another vehicle made anti-Semitic comments towards her. *Case closed, no arrest.*

[08/09/2014: A restaurant owner reported receiving threatening, anti-Jewish phone calls directed towards the Jewish flag outside his restaurant. Case closed, arrest.](#)

08/11/2014: A synagogue manager reported that the congregation received two suspicious mailings containing political comments about Israel. *Case closed, no arrest.*

08/16/2014: The victim reported that she was assaulted by her boyfriend because she is bisexual. *Case closed by arrest.*

08/24/2014: Racial vandalism was reported in numerous locations within a community, including several vehicles, playground equipment, and mailbox. *Case closed, no arrest.*

08/29/2014: The victim reported that graffiti motivated by bias towards sexual orientation had been found on the front door. *Investigation is pending.*

09/01/2014: A high ranking staff member of the Israeli Embassy reported finding several bones on the front porch of the residence, and believed that it may have occurred due to religion or position. *Case closed, unfounded.*

09/05/2014: A high school was vandalized with a swastika. *Case closed, complainant refused to cooperate with investigation.*

09/10/2014: The victim reported seeing a rope noose tied and hanging from a tree along the sidewalk. *Case closed administratively, lack of criminal element.*

09/15/2015: Victim was assaulted (spit on) by a subject shouting racial slurs. *Case closed, arrest.*

09/29/2014: Threatening/intimidating, anti-religious phone calls were reported by staff of a congregation. *Case closed by arrest.*

10/24/2014: An apartment was vandalized with a swastika and intimidating language. No witnesses or physical evidence. *Case remains open.*

11/07/2014: High school security personnel reported a student who had built a swastika out of Solo cups placed in a chain link fence. Student handled by MCPS. *Case closed.*

11/22/2014: The victim reported anti-religious graffiti placed on the front door of the residence. *Case remains open.*

11/25/2014: Several white victims received a racially charged eviction notice. *Case closed administratively, no arrest.*

[12/27/2014: Multiple reports \(eight victims\) of racial/ethnic vandalism were reported in the 2<sup>nd</sup> District. Case closed, no further leads.](#)

12/29/2014: An elementary school reported race-related vandalism. *Case remains open.*

**Definitions:**

- Case closed, no arrest: Lack of evidence, unable to determine a suspect; these are some of the reasons no arrest can be made, therefore the investigation could not continue. If new information becomes available, the investigation can be reopened.
- Case closed, juvenile arrest: A suspect under the age of 18 was developed and arrested.
- Case closed administratively, victim did not seek prosecution: The victim requested that no prosecution occur. The department respects the victim's decision and closes the case.
- Case closed, complainant refused to cooperate with investigation: MCPD attempts to investigate the incident. The victim chooses not to provide enough information for the investigation to continue.
- Investigation is pending/Case remains open: MCPD has been investigating the incident.