



Hate Crimes in Florida

January 1, 2003 – December 31, 2003

Office of Attorney General Charlie Crist

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Dear Floridians:

Thank you for your concern regarding hate crimes in Florida. As this report shows, the number of hate crime incidents has decreased in our state this year. Still, there remains much to be concerned about regarding this most repugnant type of crime. Without doubt, public awareness continues to play a crucial role in combating hate crimes in our state.

As with most statistical reports, this Hate Crimes in Florida 2003 report contains news both good and bad. The good news includes the fact that the number of hate crimes reported in Florida last year was 10.1 percent less than the year before. Crimes motivated by the victim's race decreased by more than 16 percent and crimes motivated by the victim's religious beliefs dropped by more than 17 percent. At the other side of the equation is the bad news, including the fact that crimes motivated by the victim's ethnicity increased more than 13 percent. Even more troubling is the fact that this report shows a continuation of an unwelcome trend in the area of crimes motivated by the victim's sexual orientation, where hate crimes have increased relentlessly over the past five years.

The effort to eliminate hate-based crime cannot be confined to a single area. It will take community involvement, law enforcement activity and individual commitment. I am pleased that public agencies in Florida are doing their part, responding aggressively to hate crimes and using every resource at their disposal to prevent or prosecute these crimes. Various training manuals and programs have been developed for prosecutors, law enforcement personnel, arson investigators, community leaders and public school staff to respond to and prevent hate crimes. Florida is a leader in training law enforcement personnel in the detection, investigation and processing of hate crimes. The Attorney General's Office has provided training to some 3,500 law enforcement officers, investigators and detectives, police supervisors, command staff, and community advocates since 1994. This office has also created a Hate Crimes Training Program, which was implemented in 2003 focusing on elementary and high school students, university curriculums, and parent-teacher organizations.

I hope the information contained in this report will be useful in increasing your knowledge and understanding of hate crimes and in developing community strategies for prevention. I encourage you to continue your work in identifying and bringing to justice those individuals responsible for these heinous crimes.

Sincerely,

A handwritten signature in black ink that reads "Charlie Crist".

Charlie Crist

NOTICE

The responsiveness of law enforcement and the success of community initiatives to identify hate crime incidents should not and cannot be measured solely through statistics. Attempts to rank or categorize any agency, county or region based on the number of reported hate crime incidents would be inappropriate and misleading. Such a ranking or comparison would unfairly penalize those agencies that have vigorous reporting policies by making it appear their jurisdictions are more prone to incidents of hate crimes when, in fact, they are simply doing a better job of reporting incidents.

Introduction

In 1989, the Florida Legislature enacted several statutes designed to address the issue of hate crimes. Section 775.085, Florida Statutes, was created to increase penalties for convictions of crimes where there was evidence of certain prejudice. In addition, the Hate Crimes Reporting Act, section 877.19, Florida Statutes, requires law enforcement agencies to report hate crimes to the Florida Department of Law Enforcement (FDLE). Under the Act, the Attorney General's Office is required to publish an annual summary of data collected by FDLE. Through its Hate Crime Program, Florida collects the most serious hate-related offense within each incident. Each crime may have multiple victims, and these multiple victims are reflected in Florida's hate crime offense totals. For example, if two individuals are victims of a single hate crime, Florida will count two offenses for that particular incident. However, the National Hate Crime Program does not reflect multiple victims in its offense count; therefore, the reader should note that Florida's hate crime offense totals may differ from figures included in reports of the national program.

This 2003 Hate Crimes in Florida Report covers the period from January 1, 2003, through December 31, 2003. The information was collected from local law enforcement agencies by FDLE's Division of Criminal Information Systems, Special Services Bureau. The data was tabulated by FDLE and provided to the Attorney General's Office for summary and distribution.

Included with this report are excerpts from FDLE's Hate Crime Report Manual, as well as a copy of the relevant hate crime statutes and a listing of additional sources of information regarding hate crimes. (See Appendices.) The information is provided as a reference to help explain what constitutes various criminal offenses and when those offenses are deemed to be motivated by hate.

Executive Summary

This 2003 Hate Crimes in Florida Report, submitted in accordance with the 1989 Hate Crimes Reporting Act, contains data reported by individual local law enforcement agencies throughout Florida. These agencies reported the occurrence of hate crime incidents in 2003 under the Uniform Crime Reporting (UCR) information system. Currently, 427 agencies participate in the UCR system, and this report is based solely on the information provided to FDLE by the reporting agencies.

Of the 427 participating agencies, 86 reported hate crimes in 2003. This was a slight reduction from the 90 agencies that reported hate crimes the previous year and represents one-fifth of the total number of agencies that participate in the UCR reporting system.

Local law enforcement agencies reported a total of 275 hate crimes in 2003, down from the 306 total a year earlier – a 10.1 percent reduction. Several factors, including variations in reporting methods, may have contributed to the change in the reported number of hate crime incidents.

Race was the motivating factor behind virtually half the reported hate crimes (49.1 percent), while the victim's race or ethnicity/national origin accounted for two-thirds (67.6 percent) of the reported hate crimes. However, the percentage of hate crimes based on race was actually the second lowest since hate crime reporting began and only the second time it was below 50 percent (the other being 2001, when hate crimes incidents were dramatically affected by the 9/11 terror attacks).

Reports for 2003 also detail a clear growth in hate crime incidents motivated by the victim's sexual orientation. The 55 offenses in this category represent the third highest total since reporting began in 1991, and the 20.0 percent share of overall hate crimes is the highest proportion for this category ever recorded in Florida. In the last four years, Florida law enforcement agencies reported more hate crimes motivated by sexual orientation (194) than the combined total for the first eight years of hate crimes reporting (193).

Among all motivation categories in 2003, race-motivated hate crimes represented 49.1 percent of reported hate crimes, followed by sexual orientation 20.0 percent, ethnicity 18.6 percent, and religion 12.4 percent. No hate crimes were reported under the category of advanced age or mental/physical disability for 2003.

Hate crimes are classified by two types of offenses: crimes against persons and crimes against property. Reported hate crimes in 2003 indicated a slight shift away from crimes against individuals and toward crimes against property. Crimes against persons accounted for 68 percent of all incidents reported in 2003, while crimes against property accounted for the remaining 32 percent. The previous year, this breakdown was 72 percent against persons and 28 percent against property.

Caution should be applied in interpreting this data and in drawing conclusions solely from information contained in this report, as variations may exist among law enforcement agencies in how they gather and report hate crime data. It is important to note that this report does not include unreported crimes or crimes that may be hate related but are not classified as such by the local reporting agencies.

Since 1994, this office has conducted hate crimes training seminars for state and local law enforcement agencies throughout Florida. Through the 2003 reporting year, more than 3,500 law enforcement personnel from more than 272 jurisdictions received this training.

Annual Report Hate Crimes in Florida January 1 – December 31, 2003

What is a Hate Crime?

A hate crime is among the most insidious acts taken by one person against another, founded in prejudice and intolerance. A hate crime is an act committed or attempted by one person or group against another, or their property, that in any way constitutes an expression of hatred toward the victim based on his or her personal characteristics. It is a crime in which the perpetrator intentionally selects the victim based on one of the following characteristics: race, color, religion, ethnicity, ancestry, national origin, sexual orientation, advanced age or mental/physical disability. Under section 775.085, Florida Statutes, criminal penalties are reclassified for such hate-based acts. As the Florida Department of Law Enforcement notes in its *Hate Crime Report Manual*, the motivation behind the act is the key element in determining whether an incident is hate related.

Types of Offenses

Reported hate crime offenses in 2003 ranged in seriousness from vandalism and larceny to aggravated assault and forcible sex crimes. (See Table 1)

**Table 1. Offense Totals by Motivation Type
January 1 – December 31, 2003**

Offenses	Race	Religion	Ethnicity/ Nat'l Origin	Age	Sexual Orientation	Disability	Totals
Forcible Sex Offenses					1		1
Aggravated Assault	50	2	11		10		73
Burglary	1	3	1		1		6
Larceny/Theft	1						1
Arson					1		1
Simple Assault	32	1	11		17		61
Intimidation	26	4	7		14		51
Destruction/ Damage/ Vandalism of Property	25	24	21		11		81
TOTALS	135	34	51	0	55	0	275

Crimes Against Persons vs. Crimes Against Property

Hate crimes can be classified as crimes against persons or crimes against property. In 2003, agencies reported 186 hate crimes committed against persons, or 67.6 percent of the total reported hate crimes but 15.5 percent fewer than the previous year’s total. These offenses against persons included forcible sexual offenses, simple and aggravated assault, and intimidation. The remaining 32.4 percent of reported hate crimes were committed against property, including vandalism, burglary and arson, a total of 89 that is up 3.5 percent from 2002

A comparison of the portion of hate crimes that are committed against persons vs. those committed against property can be seen in Table 2.

Table 2. Crimes Against Persons vs. Crimes Against Property (1993–2003)

Year	Total Crimes Against Persons	Percent Of Total	Total Crimes Against Property	Percent Of Total
1993	238	76%	74	24%
1994	206	73%	77	27%
1995	119	65%	65	35%
1996	148	70%	64	30%
1997	119	74%	41	26%
1998	125	62%	78	38%
1999	212	69%	95	31%
2000	174	65%	95	35%
2001	207	62%	128	38%
2002	220	72%	86	28%
2003	186	68%	89	32%

Out of the total number of hate crimes committed in 2003 in Florida, 134 were in the form of assaults (aggravated or simple assault.) This means that almost half (48.7 percent) of all the reported hate-motivated crimes committed in Florida in 2003 involved some type of assault against a person.

Table 3. Crimes Against Persons (1991–2003)

Report Year	Total Offenses	Number Of Assaults	Percent Of Total	Total Personal Crimes	Percent Of Total
1991	309	165	53.4%	217	70.2%
1992	395	222	56.2%	297	75.2%
1993	313	175	55.9%	238	76.0%
1994	283	153	54.1%	206	72.8%
1995	183	91	49.7%	119	65.0%
1996	212	105	49.5%	148	69.8%
1997	160	84	52.0%	119	74.0%
1998	203	88	43.3%	125	69.0%
1999	307	104	34.1%	212	69.0%
2000	269	131	48.7%	175	65.0%
2001	335	124	37.0%	207	61.8%
2002	306	156	51.0%	220	72.0%
2003	275	134	48.7%	186	67.6%

Motivation

With the exception of the immediate aftermath of the 9/11 terrorist attacks, race historically has been the single most prevalent motivator in hate crimes since reporting began more than a decade ago. The year 2003 was no exception, with race/color accounting for almost half (49.1 percent) of all reported hate-motivated crimes in Florida. Other motivational categories in 2003 were sexual orientation, 20.0 percent; ethnicity, 18.6 percent; and religion, 12.4 percent.

Despite race/color’s status as the leading motivator for hate crimes, the 2003 percentage marked the second lowest rate since reporting began and the first time (other than in the year of the 9/11 attacks) the share of race-motivated hate crimes has been below 50 percent. The percentage of hate crimes motivated by the victim’s religion is the lowest since 1997, but the percentage attributed to ethnicity is the second highest ever, below only the year of the 9/11 attacks.

The figures for 2003 also reflect a clear and continuing upward trend in hate crimes motivated by the victim’s sexual orientation. The 55 offenses in this category is the third highest total ever, and the 20 percent share of overall hate crimes is the highest proportion for this category ever recorded in Florida. Since hate crime reporting began in 1991,

Florida law enforcement agencies have reported a total of 435 offenses motivated by sexual orientation out of 3,550 total hate crimes. This is an overall share of 12.3 percent, but the most recent share reflects a steady increase from the 2.8 percent recorded as recently as 1996. In the last four years, Florida law enforcement agencies reported more hate crimes motivated by sexual orientation (194) than the combined total for the first eight years of hate crimes reporting (193).

Table 4 (below) provides a year-by-year breakdown of reported hate crimes by motivation.

Table 4. Hate Crimes Comparison by Motivation (1991–2003)

Year	RACE/COLOR		RELIGION		ETHNICITY		SEXUAL ORIENTATION	
	Number of Offenses	Percent of Total	Number of Offenses	Percent of Total	Number of Offenses	Percent of Total	Number of Offenses	Percent of Total
1991	221	71.5%	46	14.9%	32	10.4%	10	* 3.2%
1992	245	62.0%	48	12.2%	44	11.1%	58	14.7%
1993	227	72.5%	31	9.9%	29	9.3%	26	8.3%
1994	198	70.0%	29	10.2%	28	9.9%	28	9.9%
1995	128	69.9%	23	12.6%	17	9.3%	15	8.2%
1996	156	73.6%	26	12.3%	24	11.3%	6	2.8%
1997	113	70.6%	18	11.3%	7	4.4%	22	13.8%
1998	127	62.6%	27	13.3%	21	10.3%	28	13.8%
1999	180	58.6%	48	15.6%	31	10.1%	48	15.6%
2000	155	57.8%	44	16.4%	28	10.4%	41	15.2%
2001	129	39.0%	68	21.0%	95	27.0%	42	13.0%
2002	161	52.6%	41	13.4%	44	14.4%	56	18.3%
2003	135	49.1%	34	12.4%	51	18.6%	55	20.0%

* Collection of data on sexual orientation began on October 1, 1991

Hate Crime Offenses by County and Agency

In this report, basic information regarding the reported occurrences of hate crimes is provided in two separate tables: Offenses by County and Agency (Table 5) and, for each reporting county and agency, Hate Crimes by Offense and Motivation Type (Table 6).

Hate crimes were reported in 31 Florida counties in 2003, compared to 34 the previous year. Counties that reported hate crimes in 2003 after reporting none the previous year are Baker, Clay, Okaloosa, Sarasota, and Union. Counties that reported hate crimes in 2002 but did not report any in 2003 are Bradford, Citrus, Gulf, Highlands, Indian River, Leon, Marion, and Nassau.

Hillsborough County reported the highest number of hate crimes in 2003 (45) after reporting 32 in 2002, followed by Broward (31), Pinellas (30), Volusia (19) and Orange (17).

Again, it is important to bear in mind that this report does not determine whether year-to-year changes reflect an absence of hate crimes in certain counties or the lack of reporting such crimes by victims to law enforcement agencies. Reporting agencies include county sheriffs' offices, municipal police departments, two university police departments and an airport police department.

**Table 5. Offense Totals by County and Agency
January 1, 2003– December 31, 2003**

COUNTY	REPORTING AGENCY	TOTALS
ALACHUA	Alachua County Sheriff's Office	6
	Gainesville Police Department	6
	University of Florida Police Department	1
	TOTAL	13
BAKER	Baker County Sheriff's Office	1
	TOTAL	1
BAY	Bay County Sheriff's Office	2
	Panama City Police Department	10
	TOTAL	12
BREVARD	Brevard County Sheriff's Office	3
	Melbourne Police Department	2
	TOTAL	5

COUNTY	REPORTING AGENCY	TOTALS
BROWARD	Deerfield Beach Police Department	2
	Fort Lauderdale Police Department	2
	Hallandale Police Department	2
	Hollywood Police Department	1
	Plantation Police Department	2
	Pompano Beach Police Department	6
	Pembroke Pines Police Department	2
	Wilton Manors Police Department	1
	Cooper City Police Department	1
	Coconut Creek Police Department	1
	Davie Police Department	2
	Lauderdale By the Sea Police Department	1
	Lauderdale Lakes Police Department	1
	Sunrise Police Department	2
	Coral Springs Police Department	1
	Tamarac Police Department	3
	Town of Southwest Ranches Police Department	1
		TOTAL
CLAY	Clay County Sheriff's Office	2
	Green Cove Springs Police Department	2
	TOTAL	4
COLLIER	Collier County Sheriff's Office	5
	TOTAL	5
DUVAL	Duval County Sheriff's Office	6
	Jacksonville Police Department	
	TOTAL	6
ESCAMBIA	Escambia County Sheriff's Office	5
	Pensacola Police Department	1
	TOTAL	6
FLAGLER	Flagler County Sheriff's Office	2
	TOTAL	2
HERNANDO	Hernando County Sheriff's Office	9
	TOTAL	9
HILLSBOROUGH	Hillsborough County Sheriff's Office	21
	Plant City Police Department	6
	Tampa Police Department	14
	Temple Terrace Police Department	3
	Tampa International Airport Police Department	1
	TOTAL	45

COUNTY	REPORTING AGENCY	TOTALS
LAKE	Lake County Sheriff's Office	1
	TOTAL	1
LEE	Lee County Sheriff's Office	5
	TOTAL	5
LEVY	Levy County Sheriff's Office	2
	TOTAL	2
MIAMI-DADE	Metro-Dade Police Department	6
	Coral Gables Police Department	1
	Miami Beach Police Department	4
	Miami Springs Police Department	1
	North Miami Beach Police Department	2
	North Miami Police Department	1
	TOTAL	15
MONROE	Monroe County Sheriff's Office	1
	TOTAL	1
OKALOOSA	Okaloosa County Sheriff's Office	2
	TOTAL	2
ORANGE	Orange County Sheriff's Office	5
	Apopka Police Department	4
	Ocoee Police Department	3
	Orlando Police Department	1
	Winter Park Police Department	1
	University of Central Florida Police Department	3
	TOTAL	17
OSCEOLA	Osceola County Sheriff's Office	2
	St. Cloud Police Department	2
	TOTAL	4
PALM BEACH	Palm Beach County Sheriff's Office	2
	Boca Raton Police Department	2
	Boynton Beach Police Department	2
	Delray Beach Police Department	4
	Jupiter Police Department	1
	Palm Beach Gardens Police Department	1
	Palm Springs Police Department	1
	Royal Palm Beach Police Department	1
	TOTAL	14

COUNTY	REPORTING AGENCY	TOTALS
PASCO	Pasco County Sheriff's Office	3
	Port Richey Police Department	1
	TOTAL	4
PINELLAS	Pinellas County Sheriff's Office	4
	St. Petersburg Police Department	23
	Tarpon Springs Police Department	2
	Treasure Island Police Department	1
	TOTAL	30
POLK	Polk County Sheriff's Office	4
	Lakeland Police Department	1
	Lake Wales Police Department	1
	TOTAL	6
ST. JOHNS	St. Johns County Sheriff's Office	1
	TOTAL	1
ST. LUCIE	St. Lucie County Sheriff's Office	3
	Port St. Lucie Police Department	2
	TOTAL	5
SANTA ROSA	Santa Rosa County Sheriff's Office	1
	TOTAL	1
SARASOTA	Sarasota Police Department	3
	TOTAL	3
SEMINOLE	Oviedo Police Department	1
	Winter Springs Police Department	4
	TOTAL	5
UNION	Union County Sheriff's Office	1
	TOTAL	1
VOLUSIA	Volusia County Sheriff's Office	9
	Daytona Beach Police Department	4
	Deland Police Department	5
	Holly Hill Police Department	1
	TOTAL	19
GRAND TOTAL		275

Hate Crimes by Offense and Motivation Type

Table 6 provides a listing of all agencies that reported hate crimes for 2003, with a breakdown of the offenses and the motivation type for each offense. The figures in Table 6 provide the most complete picture of reported hate crimes in individual communities, as well as entire counties, based on the information provided to the Attorney General's Office.

Again, it is important to note that any attempt to rank or categorize an agency, county, or region based solely on this information may be misleading, as it may unfairly penalize those jurisdictions that have more vigorous policies of identifying and reporting such incidents. These jurisdictions may not actually experience a greater number of hate crime incidents, but may do a more thorough job of reporting them. In addition, as with other crime data, this report does not include unreported crimes or crimes that may be hate-related but are not classified as such by local law enforcement or that are not reported by victims.

**Table 6. Hate Crimes by Offense and Motivation Type
January 1 – December 31, 2003**

County	Agency	Offenses	Race/ Color	Religion	Ethnicity/ Nat'l Origin	Sexual Orientation	Advanced Age	Total	
ALACHUA	Alachua County Sheriff's Office	Aggravated Assault	3					3	
		Intimidation	1		1			2	
		Destruction/Damage/ Vandalism of Property	1					1	
	Gainesville Police Department	Aggravated Assault	2						2
		Simple Assault	1						1
		Destruction/Damage/ Vandalism of Property	1		1	1			3
University of Florida Police Department	Destruction/Damage/ Vandalism of Property		1					1	
County Total			9	2	2			13	
BAKER	Baker County Sheriffs Office	Simple Assault	1					1	
	County Total		1					1	
BAY	Bay County Sheriffs Office	Intimidation	2					2	
	Panama City Police Department	Aggravated Assault				3		3	
		Intimidation				5		5	
		Destruction/Damage/ Vandalism of Property		2				2	
	County Total		2	2		8		12	

County	Agency	Offenses	Race/ Color	Religion	Ethnicity/ Nat'l Origin	Sexual Orientation	Advanced Age	Total	
BREVARD	Brevard County Sheriff's Office	Aggravated Assault Larceny/Theft Offenses	2 1					2 1	
	Melbourne Police Department	Simple Assault Destruction/Damage/ Vandalism of Property	1			1		1 1	
	County Total		4			1		5	
	Deerfield Beach Police Department	Destruction/Damage/ Vandalism of Property	1	1				2	
BROWARD	Ft. Lauderdale Police Department	Simple Assault Destruction/Damage/ Vandalism of Property	1	1				1 1	
	Hallandale Police Department	Aggravated Assault Destruction/Damage/ Vandalism of Property		1	1			1 1	
	Hollywood Police Department	Intimidation		1				1	
	Plantation Police Department	Destruction/Damage/ Vandalism of Property	1	1				2	
	Pompano Beach Police Department	Simple Assault Intimidation	2 1			1			2 2
		Burglary/Breaking & Entering Destruction/Damage/ Vandalism of Property	1 1	1					1 1

County	Agency	Offenses	Race/ Color	Religion	Ethnicity/ Nat'l Origin	Sexual Orientation	Advanced Age	Total	
BROWARD (continued)	Pembroke Pines Police Department	Aggravated Assault Destruction/Damage/ Vandalism of Property		1	1			1 1	
	Wilton Manors Police Department	Destruction/Damage/ Vandalism of Property				1		1	
	Cooper City Police Department	Simple Assault				1		1	
	Coconut Creek Police Department	Intimidation	1					1	
	Davie Police Department	Simple Assault Intimidation			1	1		1 1	
	Lauderdale By the Sea Police Department	Intimidation	1					1	
	Lauderdale Lakes Police Department	Intimidation	1					1	
	Sunrise Police Department	Destruction/Damage/ Vandalism of Property	1	1				2	
	Coral Springs Police Department	Destruction/Damage/ Vandalism of Property		1				1	
	Tamarac Police Department	Intimidation Destruction/Damage/ Vandalism of Property	1 1	1				2 1	
	Town of South West Ranches Police Department	Intimidation	1					1	
	County Total			14	10	4	3		31

County	Agency	Offenses	Race/ Color	Religion	Ethnicity/ Nat'l Origin	Sexual Orientation	Advanced Age	Total
CLAY	Clay County Sheriff's Office	Intimidation	2					2
	Green Cove Springs Police Department	Simple Assault	2					2
	County Total		4					4
COLLIER	Collier County Sheriff's Office	Aggravated Assault	1					1
		Simple Assault	2		1			3
		Destruction/Damage/Vandalism of Property		1				1
County Total		3	1	1			5	
DUVAL	Jacksonville Police Department	Intimidation				2		2
		Destruction/Damage/Vandalism of Property	2		1	1		4
		County Total	2		1	3		6
ESCAMBIA	Escambia County Sheriff's Office	Aggravated Assault	2					2
		Simple Assault	1					1
		Destruction/Damage/Vandalism of Property	1	1				2
		Aggravated Assault	1					1
County Total		5	1				6	
FLAGLER	Flagler County Sheriff's Office	Simple Assault	2					2
		County Total	2					2

County	Agency	Offenses	Race/ Color	Religion	Ethnicity/ Nat'l Origin	Sexual Orientation	Advanced Age	Total
HERNANDO	Hernando County Sheriff's Office	Aggravated Assault	4					4
		Simple Assault Intimidation	2			1 2		3 2
	County Total		6			3		9
	Hillsborough County Sheriff's Office	Aggravated Assault Intimidation	4			1	1	
Burglary/Breaking & Entering		3		1		2		6
Destruction/Damage/ Vandalism of Property		1		1		1		3
		2			3		1	6
Aggravated Assault Simple Assault		2			3			5
		1						1
HILLSBOROUGH	Tampa Police Department	Aggravated Assault Simple Assault Intimidation	4		2 2	1 1		2 8 1
		Destruction/Damage/ Vandalism of Property	2					3
	Temple Terrace Police Department	Destruction/Damage/ Vandalism of Property		1	2			3
	Tampa International Airport Police Department	Aggravated Assault			1			1
	County Total		19	5	14	7		45
	Lake County Sheriff's Office	Aggravated Assault	1					1
	County Total		1					1

County	Agency	Offenses	Race/ Color	Religion	Ethnicity/ Nat'l Origin	Sexual Orientation	Advanced Age	Total
LEE	Lee County Sheriff's Office	Destruction/Damage/ Vandalism of Property	1	1	3			5
	County Total		1	1	3			5
	Levy County Sheriff's Office	Intimidation	2					2
LEWY	County Total		2					2
	Metro-Dade Police Department	Aggravated Assault Simple Assault Destruction/Damage/ Vandalism of Property	1	1 1	1	1 1		1 2 3
	Coral Gables Police Department	Destruction/Damage/ Vandalism of Property	1					1
MIAMI-DADE	Miami Beach Police Department	Aggravated Assault Simple Assault Intimidation Destruction/Damage/ Vandalism of Property				1 1 1		1 1 1 1
	Miami Springs Police Department	Destruction/Damage/ Vandalism of Property		1				1
	North Miami Beach Police Department	Intimidation Destruction/Damage/ Vandalism of Property			1	1		1 1
	North Miami Police Department	Simple Assault				1		1
	County Total		2	3	3	7		15

County	Agency	Offenses	Race/ Color	Religion	Ethnicity/ Nat'l Origin	Sexual Orientation	Advanced Age	Total
MONROE	Monroe County Sheriff's Office	Destruction/Damage/ Vandalism of Property		1				1
	County Total			1				1
	Okaloosa County Sheriff's Office	Destruction/Damage/ Vandalism of Property	1	1				2
OKALOOSA	County Total		1	1				2
ORANGE	Orange County Sheriff's Office	Aggravated Assault Simple Assault Intimidation Destruction/Damage/ Vandalism of Property	1 1 1 2			1		1 1 1 2
	Apopka Police Department	Aggravated Assault	3		1			4
	Ocoee Police Department	Aggravated Assault Intimidation	1		1 1			2 1
	Orlando Police Department	Destruction/Damage/ Vandalism of Property	1					1
	Winter Park Police Department	Destruction/Damage/ Vandalism of Property				1		1
	University of Central Florida Police Department	Simple Assault Destruction/Damage/ Vandalism of Property		1		2		2 1
	County Total		9	1	3	4		17

County	Agency	Offenses	Race/ Color	Religion	Ethnicity/ Nat'l Origin	Sexual Orientation	Advanced Age	Total
OSCEOLA	Osceola County Sheriff's Office	Simple Assault			2			2
	St. Cloud Police Department	Simple Assault				2		2
	County Total				2	2		4
PALM BEACH	Palm Beach County Sheriff's Office	Destruction/Damage/ Vandalism of Property			1	1		2
	Boca Raton Police Department	Destruction/Damage/ Vandalism of Property		2				2
	Boynton Beach Police Department	Aggravated Assault Destruction/Damage/ Vandalism of Property	1		1			1 1
	Delray Beach Police Department	Simple Assault Intimidation	1		3			3 1
	Jupiter Police Department	Intimidation	1					1
	Palm Beach Gardens Police Department	Intimidation	1					1
	Palm Springs Police Department	Burglary/Breaking & Entering			1			1
	Royal Palm Beach Police Department	Destruction/Damage/ Vandalism of Property	1					1
	County Total		5	2	6	1		14

County	Agency	Offenses	Race/ Color	Religion	Ethnicity/ Nat'l Origin	Sexual Orientation	Advanced Age	Total	
PASCO	Pasco County Sheriff's Office	Aggravated Assault	1					1	
		Destruction/Damage/ Vandalism of Property	1		1			2	
	Port Richey Police Department	Aggravated Assault	1					1	
	County Total		3		1			4	
PINELLAS	Pinellas County Sheriff's Office	Aggravated Assault	3		1			1	
		Intimidation						3	
	St. Petersburg Police Department	Forcible Rape	7				1	1	
		Aggravated Assault	2				1	8	
		Simple Assault				1	4	7	
		Intimidation			1			2	
	Tarpon Springs Police Department	Destruction/Damage/ Vandalism of Property				3	2		5
		Aggravated Assault					2		2
Treasure Island Police Department	Aggravated Assault				1		1		
County Total		12	1	6	11		30		

County	Agency	Offenses	Race/ Color	Religion	Ethnicity/ Nat'l Origin	Sexual Orientation	Advanced Age	Total
POLK	Polk County Sheriff's Office	Simple Assault Intimidation Arson	1		2	1		1 2 1
	Lakeland Police Department	Destruction/Damage/ Vandalism of Property	1					1
	Lake Wales Police Department	Aggravated Assault	1					1
	County Total		3		2	1		6
ST. JOHNS	St. Johns County Sheriff's Office	Aggravated Assault	1					1
	County Total		1					1
ST. LUCIE	Port St. Lucie Sheriff's Office	Simple Assault Destruction/Damage/ Vandalism of Property	1	1	1			2 1
	Port St. Lucie Police Department	Destruction/Damage/ Vandalism of Property	1	1				2
	County Total		2	2	1			5
SANTA ROSA	Santa Rosa County Sheriff's Office	Simple Assault				1		1
	County Total					1		1
SARASOTA	Sarasota Police Department	Simple Assault Intimidation	2		1			1 2
	County Total		2		1			3

County	Agency	Offenses	Race/ Color	Religion	Ethnicity/ Nat'l Origin	Sexual Orientation	Advanced Age	Total
SEMINOLE	Oviedo Police Department	Destruction/Damage/ Vandalism of Property				1		1
	Winter Springs Police Department	Simple Assault Destruction/Damage/ Vandalism of Property	3		1			3 1
	County Total		3		1	1		5
	Union County Sheriff's Office	Aggravated Assault	1					1
UNION	County Total		1					1
	Volusia County Sheriff's Office	Aggravated Assault Simple Assault Destruction/Damage/ Vandalism of Property	5 2			1 1		5 3 1
VOLUSIA	Daytona Beach Police Department	Aggravated Assault	4					4
	Deland Police Department	Aggravated Assault	1					1
		Simple Assault	1					1
		Intimidation	1		1			1
		Burglary/Breaking & Entering	1					1
	Holly Hill Police Department	Destruction/Damage/ Vandalism of Property	1					1
County Total		16	1				19	
GRAND TOTAL		135	34	51	2	55	275	

Appendices

Appendix 1 — Hate Crimes Reporting

The Florida Department of Law Enforcement's Hate Crime Report Manual defines "hate crime" as, "A committed or attempted 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 or sexual orientation, mental or physical disability or advanced age."

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 judgment, as well as the use of probable cause standards, to assist them in determining whether a specific incident constitutes a hate-motivated crime. Statements of victims and witnesses, as well as physical evidence, may be used to make this determination.

The thorough and immediate reporting of hate crimes is essential. Law enforcement officials will be in a better position to process hate-related crimes more effectively only when a realistic assessment of the problem is known. There is much to gain by increasing the amount and detail of information gathered and shared about hate crime. Law enforcement officials will be able to detect patterns and anticipate increases in tensions by compiling data and charting the geographic distribution of these crimes. Enhanced information about victims, offenders, and types of incidents will assist law enforcement and community service agencies in targeting hate crime prevention programs. Policy makers will have the basic information necessary for making decisions as to the allocation of resources for education, hate crime prevention and enforcement, and prosecutorial efforts related to hate-motivated crimes.

The Hate Crime Report Manual provides the following definition of offenses which are most frequently associated with hate crime incidents:

1. Homicide Offenses

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

A. Murder and Non-Negligent Manslaughter

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.

B. Negligent Manslaughter

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

2. Sex Offenses, Forcible

Definition: Any sexual act directed against another person, 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. Forcible sex offenses include forcible rape, forcible sodomy, and forcible fondling/indecent liberties/child molesting.

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.

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 any sexual intercourse with another person, forcibly and/or against the person's will, or 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

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 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 fears that force will be used.

4. Aggravated Assault

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 felonies 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, feet, etc.) are used, the victim must be seriously injured by these personal weapons. Usually this involves a broken bone or injury so severe that the victim should be admitted to a hospital beyond mere emergency room treatment.

5. Burglary/Breaking and Entering

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, storehouse, 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 or intent of the offender are 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 some premises, the attempted burglary is reported.

Breaking into a vehicle is not reported as burglary, but as a larceny.

6. Larceny/Theft Offenses

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 (including motor vehicle parts/accessories), theft of bicycles, and all other types of larcenies.

General Rule: Embezzlement; 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 by check; larceny after trust; and larceny by bailee, are all classified as either fraud or embezzlement.

Thefts from rented property or from property that 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

Definition: Theft of a motor vehicle.

General Rule: Any 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. Kidnaping/Abduction

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 kidnaping offense should be recorded regardless of the length of time the victim was detained/held. Kidnaping 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

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 hate-motivated incidents should be classified as arson. If the investigation later proves that arson has not occurred, the Offense Code can be modified.

10. Simple Assault

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

Definition: The offering, giving, receiving, or soliciting of anything of value (i.e., a bribe, gratuity, or kickback) to sway the judgment 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 if the entity cannot be defined, the crime will be classified as a crime against society.

For example, a bank official is bribed not to qualify a Hispanic family for a home loan for a particular neighborhood.

12. Embezzlement

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

13. Fraud Offenses

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

14. Counterfeiting/Forgery

Definition: The altering, copying, or imitation of something without 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

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

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, procedures, or intimidating a qualified voter.
- Corruptly influencing voting by bribery, 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 category may conclude obscenity offenses.

A. Sex Offenses

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

Definition: Conduct which, by 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 persons 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

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 care, custody or control of the property.

19. Weapons Violations

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.

20. Trespassing

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.

Appendix 2 - Florida Hate Crime Statutes 2004

775.085 Evidencing prejudice while committing offense; reclassification-

(1a) The penalty for any felony or misdemeanor shall be reclassified as provided in this subsection if the commission of such felony or misdemeanor evidences prejudice based on the race, color, ancestry, ethnicity, religion, sexual orientation, national origin, mental or physical disability, or advanced age of the victim:

(1) A misdemeanor of the second degree shall be punishable as if it were a misdemeanor of the first degree.

(2) A misdemeanor of the first degree shall be punishable as if it were a felony of the third degree.

(3) A felony of the third degree shall be punishable as if it were a felony of the second degree.

(4) A felony of the second degree shall be punishable as if it were a felony of the first degree.

(5) A felony of the first degree shall be punishable as if it were a life felony.

1. "Mental or physical disability" means that the victim suffers from a condition of physical or mental incapacitation due to a developmental disability, organic brain damage, or mental illness, and has one or more physical limitations that restrict the victim's ability to perform the normal activities of daily living.

2. "Advanced age" means that the victim is older than 65 years of age.

(2) A person of organization which establishes by clear and convincing evidence that it has been coerced, intimidated, or threatened in violation of this section shall have a civil cause of action for treble damages, an injunction, or any other appropriate relief in law or in equity. Upon prevailing in such civil action, the plaintiff may recover reasonable attorney's fees and costs.

(3) It is an essential element of this section that the record reflect that the defendant perceived, knew, or had reasonable grounds to know or perceive that the victim was within the class delineated herein.

History. - s. 1, ch. 89-133; s. 1, ch. 91-83.

877.19 Hate Crimes Reporting Act. -

(1) SHORT TITLE.-This section may be cited as the "Hate Crimes Reporting Act."

(2) ACQUISITION AND PUBLICATION OF DATA.-

The governor, through the Florida Department of Law Enforcement, shall collect and disseminate data on incidents of criminal acts that evidence prejudice based on race, religion, ethnicity, color ancestry, sexual orientation, or national origin. All law enforcement agencies shall report monthly to the Florida Department of Law Enforcement concerning such offenses in such form and in such manner as prescribed by rules adopted by the department. Such information shall be compiled by the department and disseminated upon request to any local law enforcement agency, unit of local government, or state agency.

(3) LIMITATION ON USE AND CONTENT OF DATA.

Such information is confidential and exempt from s. 119.07(1). Data required pursuant to this section shall be used only for research or statistical purposes and shall not include any information that may reveal the identity of an individual victim of a crime. The exemption from s. 119.07(1) provided in this subsection is subject to the Open Government Sunset Review Act in accordance with s. 119.14

(4) ANNUAL SUMMARY. - The Attorney General shall publish an annual summary of the data required pursuant to this section.

History. - s. 1, ch. 89-132; s. 2, ch. 91-83; s. 1, ch. 94-125.

Appendix 3 — Florida Attorney General's Office of Civil Rights

The Florida Attorney General's Office of Civil Rights has developed a hate crimes training program specifically designed to train law enforcement officers, detective/investigators, supervisory personnel and command staff in detection, investigation, processing and reporting of hate crimes. The training is available upon request without charge to any law enforcement agency.

For more information, contact:

Florida Attorney General's Office
Office of Civil Rights
110 Southeast Sixth Street, Tenth Floor
Fort Lauderdale, FL 33301
(954) 712-4607

Appendix 4 — Sources of Additional Information on Hate Crimes

Anti-Defamation League
Florida Regional Office
Two South Biscayne Boulevard
Suite 2650
Miami, Florida 33131
(305) 373-6306

Education Development Center, Inc.
55 Chapel Street
Newton, Massachusetts 02158-1060
(617) 969-7100

Federal Bureau of Investigation
Uniform Crime Reporting Program
935 Pennsylvania Avenue N.W., #11
Washington, D.C. 20537-9700
(202) 324-3000

Japanese-American Citizens League
1001 Connecticut Avenue, N.W.
Washington, D.C. 20036
(202) 223-1240

NAACP, Southeast Region
970 Martin Luther King, Jr. Dr., S.W.
Suite 203
Atlanta, Georgia 30314
(404) 688-8868

National Gay and Lesbian Task
Force and Policy Institute
2320-17th Street, N.W.
Washington, D.C. 20009-2702
(202) 332-6483

National Organization of Black Law
Enforcement Executives (NOBLE)
4609 Pinecrest Office Park Drive
Suite F
Alexandria, Virginia 22312
(703) 658-1529

Organization of Chinese
Americans, Inc.
1001 Connecticut Avenue, N.W.
Suite 707
Washington, D.C. 20036
(202) 223-5500

Prejudice Institute
2743 Maryland Avenue
Baltimore, Maryland 21218-4329
(410) 366-9654

The Southern Poverty Law Center
400 Washington Avenue
Montgomery, Alabama 36104
(334) 264-0286

Spanish American League Against
Discrimination
900 S.W. First Street, Suite 201
Miami, Florida 33130
(305) 326-8585

U.S. Department of Justice
Community Relations Services
51 First Avenue, S.W.
Room 24
Miami, Florida 33130
(305) 536-5206

