



FEDERAL BUREAU OF INVESTIGATION
San Francisco Division



Hate Crimes Briefing

Rep Anna Eshoo, 18th CD

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San Francisco Division



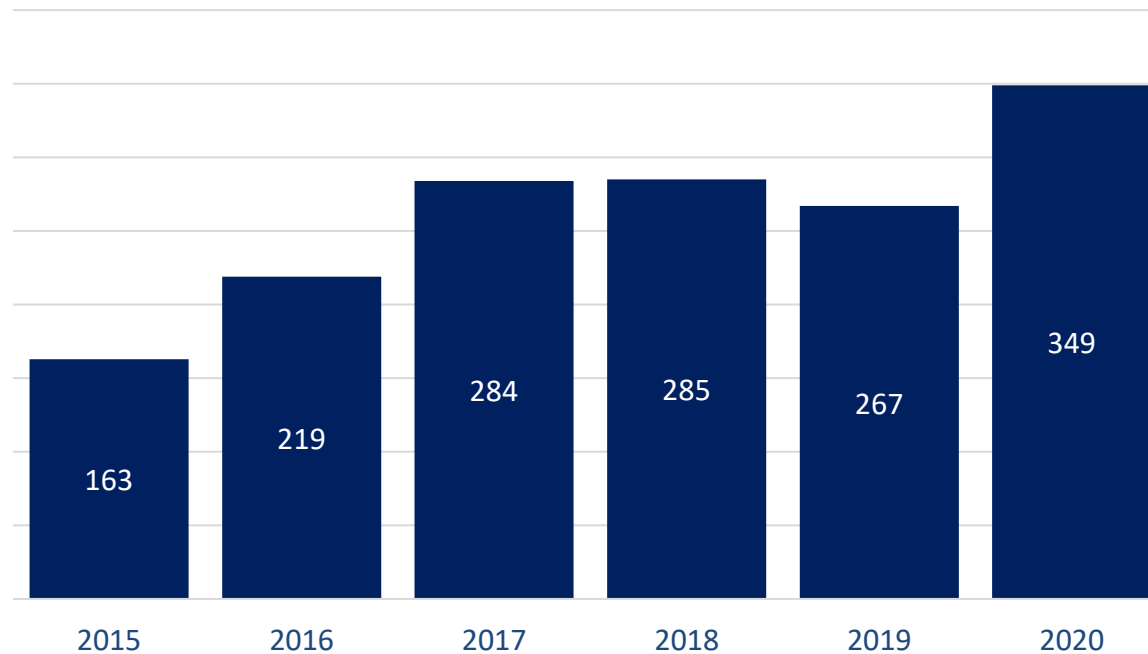
Comparing UCR Hate Crime Data within the San Francisco Area of Responsibility



Total Reported Hate Crimes 2015-2020



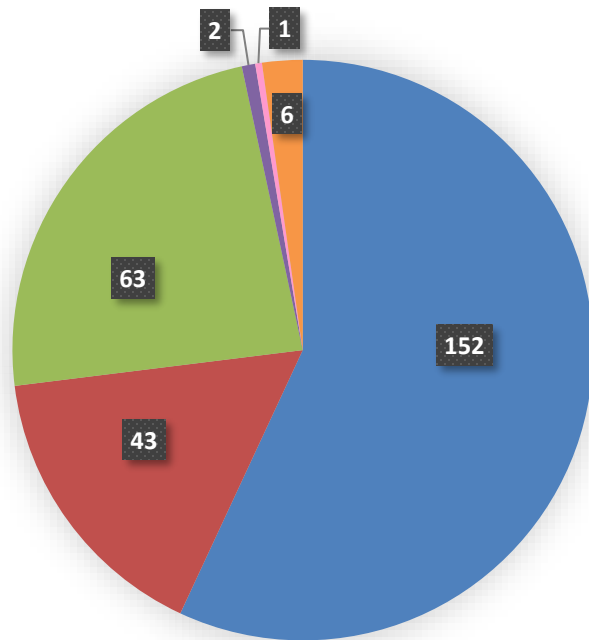
Reported Hate Crimes (2015-2020)



Motivating Biases

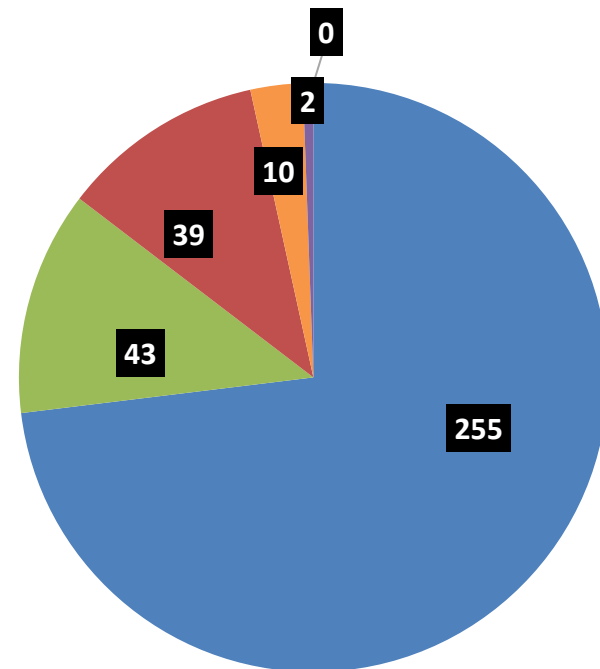


Motivating Biases
(2019)



- Race/
Ethnicity/
Ancestry
- Religion
- Sexual
orientation
- Disability
- Gender
- Gender
identity

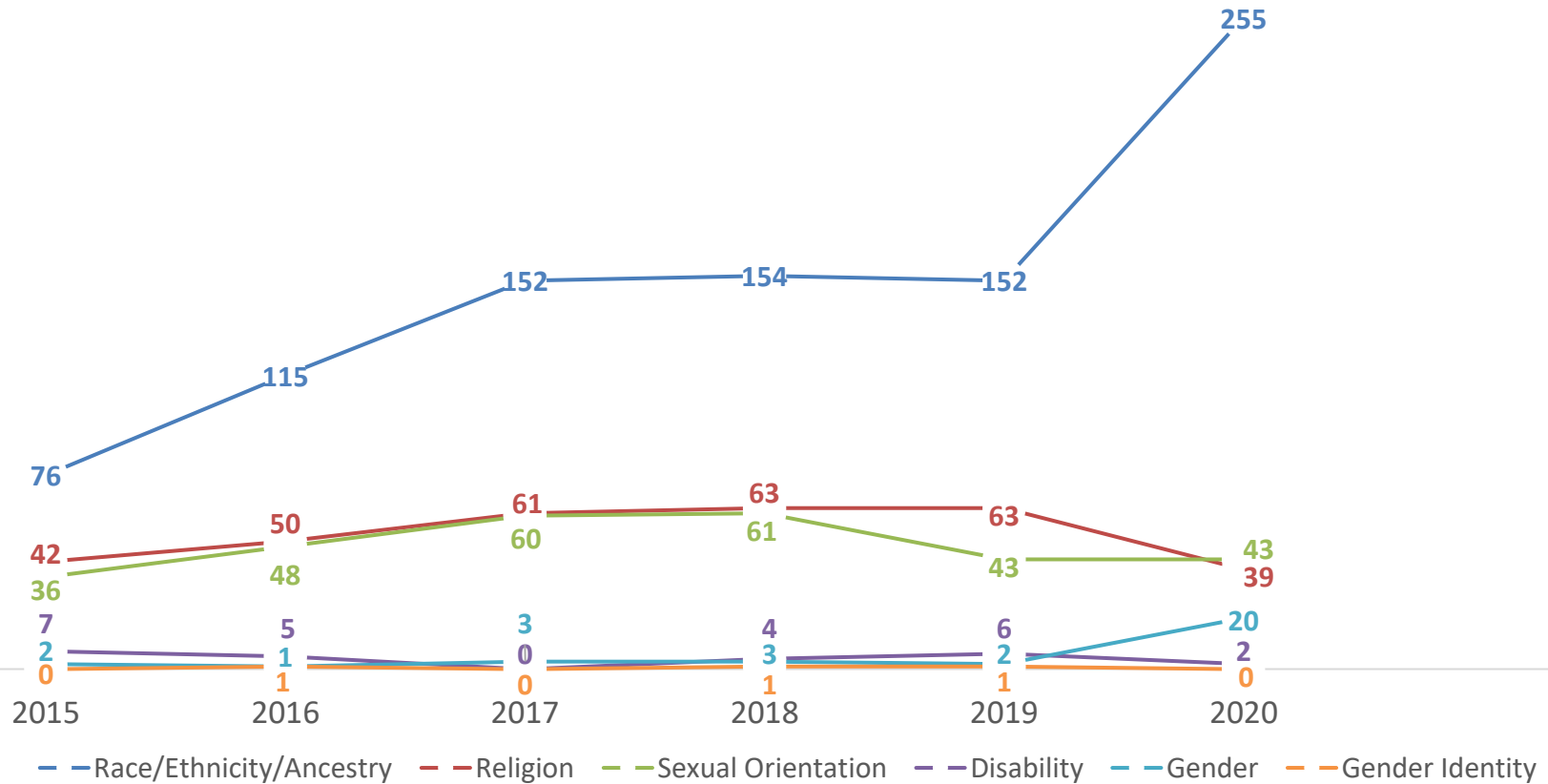
Motivating Biases
(2020)



- Race/Ethnicity
/Ancestry
- Sexual
Orientation
- Religion
- Gender
Identity
- Disability
- Gender



Changes in Motivating Biases, 2015-2020



Reported Hate Crimes by County, 2019-2020



County	2019 Total	Change from 2018
San Francisco	65	↓
Santa Clara	51	↓
Alameda	44	↓
Contra Costa	34	↑
San Mateo	16	↑
Marin	13	↑
Sonoma	11	↑
Humboldt	10	↑
Santa Cruz	10	↓
Monterey	6	↑
Lake	3	No Change
Mendocino	2	↓
Napa	2	No Change
Del Norte	0	No Change
San Benito	0	No Change

County	2020 Total	Change from 2019
San Francisco	55	↓
Santa Clara	121	↑
Alameda	49	↑
Contra Costa	24	↓
San Mateo	18	↑
Marin	22	↑
Sonoma	26	↑
Humboldt	2	↓
Santa Cruz	13	↑
Monterey	9	↑
Lake	3	No Change
Mendocino	1	↓
Napa	0	↑
Del Norte	1	↑
San Benito	1	↑

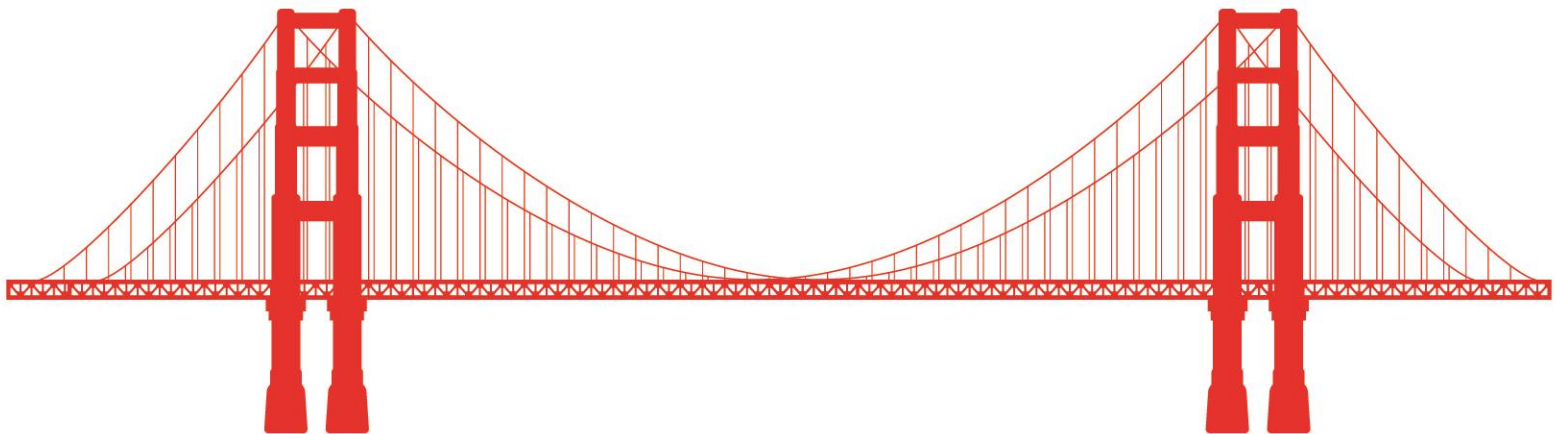




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San Francisco Division



SF Hate Crimes Strategy



SF FBI Hate Crimes Strategy



The FBI San Francisco Division's strategy to combat hate crimes includes federal investigative activity, law enforcement partner coordination, community outreach, and public awareness:

- 1. Increase FBI Investigative Activity**
- 2. Improve Law Enforcement Coordination**
- 3. Increase Community Outreach**
- 4. Launch Public Awareness Campaign**



SF FBI Hate Crimes Strategy (Continued)



1. Increase FBI Investigative Activity

- Surging resources
- More Special Agents trained to work hate crimes
- Conduct outreach to community groups to spread awareness, build trust, and encourage additional reporting of hate crimes to the FBI.

2. Improve Law Enforcement Coordination

- Offer assistance and training to local, state, and tribal law enforcement on federal hate crimes.
- Encourage law enforcement partners to refer possible federal hate crime cases to the FBI.
 - In many instances, federal investigations may run parallel to and in coordination with local law enforcement investigations of violations of California state hate crime laws.
- The FBI works closely with state, local, and tribal authorities on investigations, even when federal charges are not brought.
 - FBI resources, forensic expertise, and experience in identification and proof of hate-based motivations often provide an invaluable complement to local law enforcement hate crime cases.
 - Many cases are also prosecuted under other state statutes such as murder, arson, or more recent local ethnic intimidation laws.



SF FBI Hate Crimes Strategy (Continued)



3. Increase Community Outreach

- Rapidly increasing outreach efforts to minority associations, religious organizations, and community groups to promote cooperation and reduce civil rights abuses.
 - Transparency and trust are fundamental to increase the reporting of hate crime incidents to law enforcement.

4. Launch Public Awareness Campaign

- Expanding public education and outreach to encourage more reporting of bias and hate
- Social media awareness campaign and running advertisements to promote awareness and reporting of hate incidents on various platforms
- Public can report information on tips.fbi.gov in any language.



Federal Hate Crimes Statutes



FBI is tasked with defending civil rights in the U.S. under federal law and may conduct or participate in hate crime investigations when credible allegations exist of a federal statute violation. FBI enforces the following principal federal statutes when it comes to hate crimes:

- 18 USC § 245 – Interference with Federally Protected Activities
 - prohibits interference with certain rights, for example use of public facility
- 18 USC § 247 – Interference with Exercise of Religion
 - Prohibits damage to religious property; prohibits obstruction of another's exercise of religion
- 18 USC § 249 – Matthew Shepard and James Byrd Jr. Hate Crime(s) Prevention Act
 - prohibits acts resulting in bodily harm
- 42 USC § 3631 – Interference with Housing Rights (Fair Housing Act)
 - prohibits interference with housing rights



Hate Crime vs Hate Incident



Hate crime is a criminal offense against a person or property motivated in whole or in part by an offender's bias against a race, religion, disability, sexual orientation, ethnicity, gender, or gender identity.

- While the news coverage often focuses on spectacular acts of violence, such as mass shootings or acts of violence by organized groups, hate crimes more often involve lone offenders involved in property crimes, intimidation, and assault.

Hate crime elements include:

- Use of force or the threat of force, or conspiracy to use or threaten force or willfully cause bodily injury.
- Targeting of the victim because of actual or perceived gender, sexual orientation, race, color, religion, national origin and disability.
- Additional motive to injure, intimidate, or interfere with some specific federally protected activity or right (specifically for 18 USC 245).

There is a distinction between hate crimes and hate incidents. Incidents in which people use racist language or otherwise target people because of their identity do not constitute criminal violations because of First Amendment constraints on the prohibition of speech that does not rise to the level of a threat or assault. So therefore, these acts are classified as hate incidents.

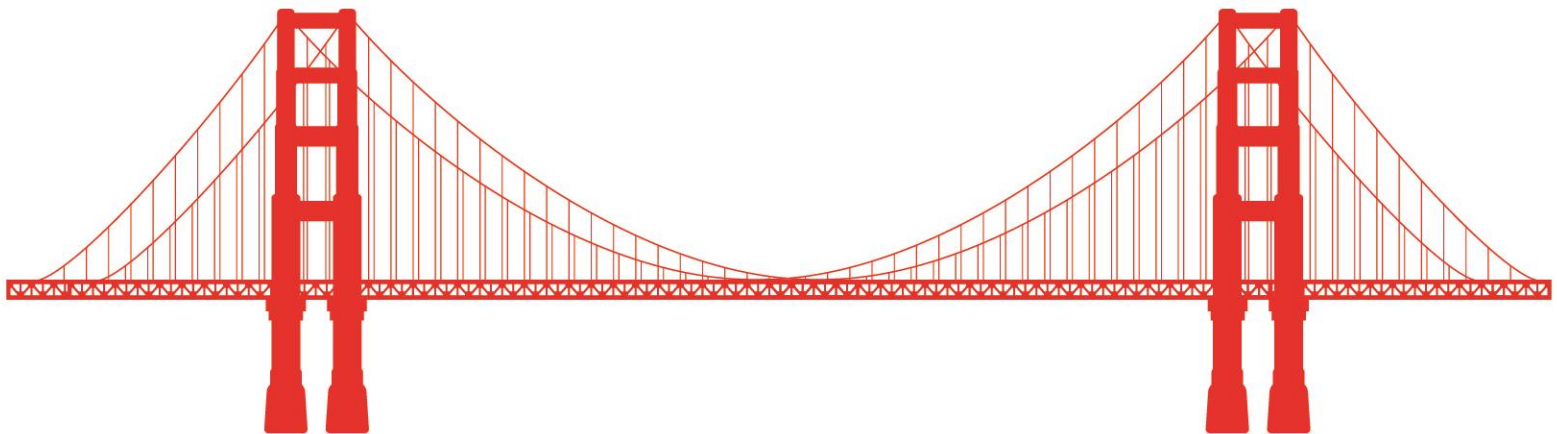




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San Francisco Division



Private Sector Engagement & Community Outreach



Private Sector Engagement



FBI San Francisco Private Sector Engagement (PSE) works to strengthen collaborative relationships with private sector companies, academia, and community partners within the San Francisco area of responsibility.

- Foster and maintain relationships
- Facilitate introductions and information sharing
- Identify resources
- Help personnel or a program better understand liaison partners

Partner Engagement Programs:

Domestic Security Alliance Council (DSAC)

InfraGard

Academia Program

Community Outreach



Private Sector Engagement



Communicating With and Informing Partners

- Intelligence and Information Reporting
 - Identify trends, threats, or other intelligence impacting private sector companies, academic institutions, or other liaison partners
 - Primarily shared with DSAC and InfraGard partners
- Webinars, Seminars, and Conferences
 - National awareness month/day events
 - DSAC or InfraGard events
- Briefings or Speaking Engagements
 - Threat briefings
 - Community events



Community Outreach



The better we know our communities, the better we can protect them. Community outreach specialists across the country create and strengthen relationships locally and nationally with minority groups, religious and civic organizations, schools, non-profits, and other entities.

- Promote crime prevention programs and education
- Engage in dialogue and build trust
- Serve as a resource
- SF Outreach webpage: <https://www.fbi.gov/contact-us/field-offices/sanfrancisco/community-outreach>

Community Outreach Programs:

Citizens Academy

Teen Academy

Community Awareness Presentations



Community Outreach



Education and engagement

- Citizens Academy
 - Application: <https://forms.fbi.gov/fbi-citizens-academy-nomination-form-san-francisco/view>
 - 8-week class for community leaders to learn about the FBI
 - Builds trust and encourages open dialogue and discussion
 - Continued engagement and partnership through Citizens Academy Alumni Association.
- Teen Academy
 - Application: <https://www.fbi.gov/file-repository/fbi-san-francisco-2021-teen-academy-application-082021.pdf/view>
 - 1 day class for teens to learn about the FBI
 - Encourages leadership and information sharing with peers and community
- Community Awareness Presentations
 - Request form: <https://forms.fbi.gov/san-francisco-fbi-speaker-presenter-request-form>
 - Information sharing and education
 - Audiences include schools, religious organizations, community groups, etc.





HATE CRIME THREAT GUIDE

U.S. Department of Justice
Federal Bureau of Investigation
Civil Rights Unit



Hate crime threats come in many forms, and as such, each response will be unique. In each response, law enforcement should be notified, and every attempt to preserve evidence should be made. The below general tips can be helpful to follow when confronted with a hate crime threat.

A True Threat is a serious communication of an intent to commit an act of unlawful violence against a particular individual or group of individuals.

A true threat is not protected by the First Amendment and can be a prosecutable offense as a hate crime.

Physical Threat

A physical threat is an in-person true threat which is deemed to place the recipient or others in imminent danger. A totality of the circumstances standard suggests that there is no single deciding factor in a physical threat assessment. One must consider all the facts and context, and conclude from the whole picture whether there is a possible imminent threat. When confronted with an imminent physical threat of harm, you have three options:

- ⇒ Run.
 - Have an escape route and plan in mind.
 - Leave your belongings behind.
 - Help others escape, if possible.
 - Do not attempt to move the wounded.
- ⇒ Hide.
 - Hide in an area out of the threat's view.
 - Lock door or block entry to your hiding place.
 - Silence your cell phone (including vibrate mode) and remain silent.
- ⇒ Fight.
 - Fight as a last resort and only when your life is in imminent danger.
 - Attempt to incapacitate the threat.
 - Act with as much physical aggression as possible.
 - Improvise weapons or throw items at the threat.
 - Commit to your actions... your life depends on it.
- ⇒ Once the imminent threat has subsided, call 911.

Verbal Threat

A verbal threat is an in-person true threat that is deemed to not place the recipient in immediate danger.

- ⇒ If the perpetrator leaves, note which direction they went.
- ⇒ Immediately notify law enforcement by calling 911.
- ⇒ Write down the threat exactly as it was communicated.
- ⇒ Note the description of the person who made the threat:

- | | |
|-----------------------------|------------------------------|
| • Name (if known) | • Race |
| • Gender | • Type/Color of clothing |
| • Body size (height/weight) | • Hair & eye color |
| • Distinguishing features | • Voice (loud, deep, accent, |

Phoned Threat

A phoned true threat is one received telephonically. The recipient of the threat should attempt to obtain as much information on the caller and the threat as possible, unless the threat is deemed to put the recipient or others in harm.

- ⇒ Remain calm & do not hang up. Attempt to solicit information to determine if the threat is specific, realistic, and poses an immediate danger to the safety of others.
- ⇒ If possible, signal other staff members to listen & immediately notify law enforcement by calling 911.
- ⇒ If the phone has a display, copy the number and/or letters on the window display.
- ⇒ Write down the exact wording of the threat.
- ⇒ Keep the caller on for as long as possible and attempt to gather as much information as possible
- ⇒ Record, if possible.
- ⇒ Be available for interviews with law enforcement upon response.

Electronic Threat

An electronic threat is a true threat received over the internet, such as through e-mail or social media. It is important to recognize that forensic examination can often reveal valuable information that is initially unseen. It is important that the communication is treated as evidence.

- ⇒ DO NOT delete the electronic threat. Forensic examination may uncover additional details.
- ⇒ Leave the message open on the computer.
- ⇒ Immediately notify law enforcement by calling 911.
- ⇒ Print, photograph, or copy the message and subject line, note the date and time.
- ⇒ If knowledgeable, take efforts to preserve all electronic evidence.

Written or Visual Threat

A written or visual true threat is one that is received in a written or graphic manner, such as handwritten notes or graffiti.

- ⇒ Handle the document/item as little as possible. DO NOT DISCARD THE ITEM, REGARDLESS OF HOW OFFENSIVE. This item is evidence and may pose additional clues for law enforcement.
- ⇒ Immediately notify law enforcement by calling 911.
- ⇒ Rewrite the threat exactly as is on another sheet of paper and note the following:
 - Date/time/location document was found.
 - Any situations or conditions surrounding the discovery/delivery.
 - Full names of anyone who saw the threat.
- ⇒ Secure the original threat; DO NOT alter the item in any way.
- ⇒ If small/removable, place in a bag or envelope. Try not to touch the item directly with your hands.
- ⇒ If large/stationary, secure the location and insure the threat is not damaged or altered.

Once safe, the threat recipient should contact the local FBI office and ask to submit a hate crime complaint to the Civil Rights squad.

Not all complaints to local law enforcement are passed along to the FBI.



HATE CRIME THREAT GUIDE

U.S. Department of Justice
Federal Bureau of Investigation
Civil Rights Unit



What to expect if you are the victim of a hate crime:

- ⇒ If the FBI concludes that a federal hate crime may have been committed, one or more FBI Special Agents will conduct an investigation. As part of the investigation, the Special Agents will gather evidence, which may include an interview with you and other victims.
- ⇒ You may also be asked to recap your experience before a federal grand jury.
- ⇒ A thorough investigation will be completed. The investigation may take a long time to finish, and you will not be updated or "briefed" on day-to-day case developments. Every effort will be made to tell you about major events in an investigation, such as an arrest or indictment. The FBI is committed to providing such information to you before it is released to the public, when possible. However, the FBI must always be careful not to reveal sensitive information that could hurt the investigation or increase danger to law enforcement.
- ⇒ In addition to an FBI Special Agent, each case with an identified victim will have an FBI Victim Specialist assigned. A Victim Specialist is a highly trained professional who can assist you with support, information and resources. A Victim Specialist will contact you to explain your rights and services available, and will serve as the point of contact between you and the FBI.

FBI Field Office Telephone Numbers:

Albany	(518) 465-7551	Indianapolis	(317) 595-4000	Oklahoma City	(405) 290-7770
Albuquerque	(505) 889-1300	Jackson	(601) 948-5000	Omaha	(402) 493-8688
Anchorage	(907) 276-4441	Jacksonville	(904) 248-7000	Philadelphia	(215) 418-4000
Atlanta	(770) 216-3000	Kansas City	(816) 512-8200	Phoenix	(623) 466-1999
Baltimore	(410) 265-8080	Knoxville	(865) 544-0751	Pittsburgh	(412) 432-4000
Birmingham	(205) 326-6166	Las Vegas	(702) 385-1281	Portland	(503) 224-4181
Boston	(857) 386-2000	Little Rock	(501) 221-9100	Richmond	(804) 261-1044
Buffalo	(716) 856-7800	Los Angeles	(310) 477-6565	Sacramento	(916) 746-7000
Charlotte	(704) 672-6100	Louisville	(502) 263-6000	Salt Lake City	(801) 579-1400
Chicago	(312) 421-6700	Memphis	(901) 747-4300	San Antonio	(210) 225-6741
Cincinnati	(513) 421-4310	Miami	(754) 703-2000	San Diego	(619) 594-1800
Cleveland	(216) 522-1400	Milwaukee	(414) 276-4684	San Francisco	(415) 553-7400
Columbia	(803) 551-4200	Minneapolis	(763) 569-8000	San Juan	(787) 754-6000
Dallas	(972) 559-5000	Mobile	(251) 438-3674	Seattle	(206) 622-0460
Denver	(303) 629-7171	New Haven	(203) 777-6311	Springfield	(217) 522-9675
Detroit	(313) 965-2323	New Orleans	(504) 816-3000	St. Louis	(314) 589-2500
El Paso	(915) 832-5000	New York City	(212) 384-1000	Tampa	(813) 253-1000
Honolulu	(808) 566-4300	Newark	(973) 792-3000	Washington DC	(202) 278-2000
Houston	(713) 693-5000	Norfolk	(757) 455-0100		

Field office telephone numbers as of 02/2018. The most current field office telephone numbers can be found at <https://www.fbi.gov>.

Community Outreach



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Questions?

