



HATE CRIMES AND BIAS-MOTIVATED INCIDENTS POLICY
-DRAFT, September 2009-

Grinnell College is a diverse community, in people and perspectives, representing a wide range of racial, ethnic and class backgrounds, national origins, religious and political beliefs, physical abilities and sexual orientations. Such diversity is a reflection of our core values—excellence in the liberal arts, inextricable from diverse community, and grounded in social responsibility. Our classes, activities, workplaces, programs, lectures and everyday interactions are enriched by our acceptance of one another, as we strive to learn from each other in an atmosphere of mutual respect and civil engagement.

All campus residents and community members have the right to a safe and inclusive living, learning, and working environment. Hate crimes and bias-motivated incidents not only affect individuals or groups, but can also disrupt the very ideals and climate of a diverse campus community. Individuals and/or groups are affected deeply by such acts precisely because hate crimes and bias-motivated incidents are not random; the victims are targeted for who they are. Further, these acts are typically intended to intimidate or threaten those who may share the identities or beliefs with those targeted directly. The Grinnell College community is not immune to these acts or the increased levels of fear and distrust related to or perceived after a hate/bias incident. The aftermath of fear related to a criminal act in the community can then escalate into other incidents. The *Hate Crimes/Bias-Motivated Incidents Protocol* is designed to make explicit that such behavior is not tolerated and to outline subsequent procedures and resources, when such acts take place.

As a community rooted in social responsibility, Grinnellians are each fully responsible for our behavior and fully accountable for our actions. This expression of self-governance, as campus citizens, within the context of our diverse campus community requires that we each take responsibility for our awareness of racism, sexism, ageism, xenophobia, homophobia and other forms of oppression. Bigotry should not go unchallenged. No one has the right to denigrate another human being on the basis of race, sex, sexual orientation, gender identity and expression, national origin, or other aspects of identity. The Grinnell College community will not tolerate verbal or written abuse, threats, harassment, intimidation or violence against person or property. In this context, we do not accept alcohol or substance abuse as an excuse, reason, or rationale for such behavior.

As a matter of principle, the College will not seek to limit an individual's First Amendment right to express his/her/hir views. As a community based on social responsibility we may, however, challenge protected speech that conflicts with our institutional values by speaking out against it; providing educational opportunities to question or avert it; supporting those adversely affected by such speech; and/or by other legal means. All who work, live, study, and teach in the Grinnell College community are here by choice and, as part of that choice, should be committed to these principles which are an integral part of Grinnell College's core values and mission.

OBJECTIVES OF HATE CRIMES/BIAS-MOTIVATED INCIDENTS PROTOCOL

To educate, protect, and inform all Grinnell College students, faculty, and staff of the challenges and benefits of living in a diverse, residential community and to ensure that:

- Students, faculty, and staff will feel safe and welcomed into diverse communities and spaces on campus
- Students, faculty, and staff will become more aware of and responsive to incidents of bias and hate
- Students, faculty, and staff will use the *Hate Crimes/Bias-Motivated incidents Protocol* to encourage healthy community development and responsible free speech

It is the responsibility of the Office of Diversity and Achievement, in collaboration with the President's Office, to:

- Inform and educate about bias and hate incidents in a timely, consistent, and objective manner
- Track and analyze bias and hate incidents to create more effective response methods
- Participate in a protocol that reflects the College's mission and core values

Because historically these acts have been more likely to involve students, than faculty and staff, the Division of Student Affairs serves a primary role, in partnership with the Vice-President for Diversity and Achievement, on these responsibilities.

DEFINITIONS OF HATE CRIME/BIAS-MOTIVATED INCIDENT

Hate Crime

A hate crime is a **criminal** act that is committed against a person, group, or property thereof because of race, color, religion, ancestry, national origin, disability, gender, and/or sexual orientation. Hate crimes also include any such crimes committed against the property of a public agency or private institution – including educational facilities and advocacy groups – because the property of the agency or institution is identified or associated with a person or group of an identifiable race, color, religion, ancestry, national origin, disability, gender, or sexual orientation.

Bias-Motivated Incident

A bias-motivated incident is an *expression* of hostility against an individual (or group) because of the other person's (or group's) race, color, religion, ancestry, national origin, disability, gender, gender identity or expression, and/or sexual orientation, or because the perpetrator perceives that the other person or group has one or more of these characteristics. Depending upon the circumstances, a bias-motivated incident may not be a crime, and may be considered protected speech.

Iowa State Laws on Hate Crimes/Bias-Motivated Incidents

SEC. 729A.1 OF THE IOWA CODE – VIOLATIONS OF AN INDIVIDUAL'S RIGHTS PROHIBITED

"Persons within the state of Iowa have the right to be free from any violence, or intimidation by threat of violence, committed against their persons or property because of race, color, religion, ancestry, national origin, political affiliation, sex, sexual orientation, age, or disability."

SEC. 729A.2 OF THE IOWA CODE – VIOLATION OF INDIVIDUAL RIGHTS: HATE CRIME

"Hate crime" means one of the following public offenses when committed against a person or a person's property because of the person's race, color, religion, ancestry, national origin, political affiliation, sex, sexual orientation, age, or disability, or the person's association with a person of a certain race, color, religion, ancestry, national origin, political affiliation, sex, sexual orientation, age, or disability.

HATE CRIME/BIAS-MOTIVATED INCIDENTS INDICATORS

From the National Center for Hate Crime Prevention

Often times, it may be difficult to differentiate between offensive speech/acts and hate/bias incidents. Listed below are some common indicators of a possible hate crime or bias-motivated incident.

Racial, Ethnic, Gender and/or Cultural Differences

- The race, religion, ethnicity/national origin, disability status, gender, or sexual orientation of the victim differs from that of the offender.
- The victim is a member of a group that is overwhelmingly outnumbered by members of another group in the area where the incident occurred.
- The victim was engaged in activities promoting his or her group.
- The incident coincided with a holiday or date of particular significance to the victim's group.
- The victim, although not a member of the targeted group, is a member of an advocacy group that supports the victim group, or the victim was in the company of a member of the targeted group.
- Historically, animosity exists between the victim's group and the offender's group.

Comments, Written Statements, or Gestures

- Bias-related comments, written statements, or gestures were made by the offender.

Drawings, Markings, Symbols or Graffiti

- Bias-related drawings, markings, symbols, or graffiti were left at the scene of the incident.

Organized Hate Groups

- Objects or items that represent the work of organized hate groups (e.g., white hoods, burning crosses, and hate graffiti) were left at the scene of the incident.
- There are indications that a hate group was involved; for example, an organized hate group claimed responsibility for the crime or was active in the neighborhood.

Previous Bias Crimes or Incidents

- Victim was visiting a location where previous bias crimes had been committed against members of the victim's group.
- Several incidents occurred in the same area, and the victims were members of the same group.
- Victim had received previous harassing mail or phone calls or had experienced verbal abuse based on his or her affiliation with a targeted group.
- Recent bias incidents or crimes may have sparked a retaliatory hate crime.

Victim/Witness Perception

- Victims and/or witnesses perceive that the incident was motivated by bias.

PROCEDURES FOR REPORTING HATE CRIMES/BIAS-MOTIVATED INCIDENTS

There are a number of ways in which to report a possible hate crime or bias-motivated incident. If the incident occurs on the Grinnell College campus, you should:

- 1.) Contact Campus Safety & Security at ext. 4600 (641.269.4600) to report the incident. If applicable, do not erase/remove the text (or image) of the message as Campus Safety & Security will dispatch someone to the scene and file an incident report and document the hate/bias incident with digital photography and or by other appropriate means. If the incident was verbal, please try to write down verbatim what was said. The appropriate professional staff member, depending on who is targeted, will also be notified of the incident by Campus Safety & Security and will respond to the scene.
- 2.) If, at any time, you feel as if you – or any other community member – are in immediate physical danger, you should immediately contact either Campus Safety & Security at ext. 4600 (641.269.4600) or the Grinnell Police Department by dialing 911.

During the follow-up process, the professional staff member will assess the situation, in direct communication with the victim(s) and the Vice-President for Diversity and Achievement, and proceed to contact additional resources as needed, including but not limited to:

- President's Office
- Vice-President for Student Affairs
- Dean of Students
- Dean of the College
- Health Center and Walk-In Counseling
- Residence Life and Orientation Department
- Office of Intercultural Affairs
- Office of International Student Affairs
- Center for Religion, Spirituality, and Social Justice
- College and Alumni Relations
- Human Resources Office
- Conference Operations and Events
- Information Technology

In the immediate aftermath following a hate/bias incident, a professional staff member and the Vice-President for Diversity and Achievement, will follow-up with the victim(s) to discuss the incident, review next possible investigative steps, determine the privacy/confidentiality level desired by the victim(s), and select appropriate community-wide responses. Community-wide responses might include, but are not limited to: rallies, mediation, facilitated dialogues, discussions in and out of the classroom, special counseling sessions, on-campus forums or "teach-ins", and/or external speakers or trainers with relevant areas of expertise. The responses and resources will be tailored and mobilized by the Vice-President for Diversity and Achievement as delineated in discussion with the victim(s).

After consultation with the victim and the investigation team, the Grinnell College campus community will be informed of the hate crime or bias-motivated incident (*see Community Hate/Bias Incident Notification Procedures section*) and will include subsequent community-wide sites for agency and support.

In addition, victims of, or those greatly affected by, hate crimes and bias-motivated incidents may seek additional support and guidance from the following campus resources:

- Visit the Health Center Walk-In (PCMHC) Staff or make an appointment at the Poweshiek County Mental Health Center to speak with a counselor;
- Contact the Dean of Religious Life & Chaplain to speak with a spiritual advisor;
- Contact the Division of Student Affairs to find ways to engage with other students, faculty, and staff for support and activism.

COMMUNITY HATE/BIAS INCIDENT NOTIFICATION PROCEDURES

Because hate crimes and bias-motivated incidents are an affront to the entire Grinnell College community and are antithetical to our core values, the entire College community will be informed of a hate/bias incident should one occur.

A Hate/Bias Incident Notice should be sent as soon as agreed upon by the investigation team after the incident has been reported to campus officials.

A Hate/Bias Incident Notice will be issued if:

- The incident occurred on campus.
- The incident occurred in the neighborhood surrounding campus.
- The incident involved a Grinnell College community member as the target.

A Hate/Bias Incident Notice will include:

- A brief description of the incident with non-identifying language in order to protect the identity of the victim(s).
- Information or description of the perpetrator(s) still at large.
- Information about a campus contact where community members can report additional information related to the incident.

Methods of circulation of a Hate Incident Notice may include, but are not limited to:

- Safety alerts from Campus Safety & Security posted on all official campus bulletin boards.
- Notices in *Scarlet & Black*, campus mail, or in electronic messages sent via P-Web and/or Lyris listservs (i.e., all-campus email “blasts”).
- In response to a severe incident, such as a physical assault or death threat, an immediate all-campus notice should be sent to the community through campus email and Pioneer/E2 emergency notification alerts.
- In response to a severe incident, a campus forum will be called and convened by the Vice-President for Diversity and Achievement, whose content and format will be determined in collaboration with the victim(s) and the needs of the larger campus community.