

INSTRUCTIONS FOR PREPARING THE HATE CRIME INCIDENT REPORT

The Hate Crime Incident Reports provide data to the Division of Criminal Justice Services on hate crimes that occur in your jurisdiction. Agencies must report a hate crime when it appears that the offender's actions were motivated, in whole or in part, by a bias towards the victim. Use the attached Hate Crime Penal Law Reference Table to identify crimes that may involve a bias motivation. Submit the completed form with your monthly UCR or IBR crime report.

IF THERE ARE NO HATE CRIME INCIDENTS TO REPORT for the month, IBR agencies should check the appropriate box on the form and fill in month, year, and agency name before submitting by email, fax or postal mail. UCR agencies should check the appropriate box on page 5 of the Return A form.

This form is designed for electronic or manual data entry. To complete the form, enter the data into the spreadsheet or print the form and manually enter the information. When completed, return the form **by email to infonysucr@dcjs.ny.gov, by fax at (518) 485-8039, or by mail to NYS DCJS, Crime Reporting Unit, Alfred E. Smith Office Building - 6th Floor, 80 South Swan Street, Albany, NY 12210.** If you have any questions, please call the Crime Reporting Unit at **1-800-262-3257**.

- Incident Date:** Enter the date the incident occurred.
- Case Number:** Enter the agency case number assigned to the incident
- Hate Crime Incident Classification** Refer to the Hate Crime Penal Law Reference Table (attached) to determine the charges relevant to the incident. Enter the appropriate Penal Law charge(s).
- Bias Motivation** Use the codes located at the bottom of the form and enter the bias motivation being reported.

Incident Information

- Location of Hate Crime** For each incident, enter a location code that best describes where the bias crime occurred.
- Type of Victim** For each incident, identify the type of victim that was targeted. "Structured Group or Organization" (code 73) should be used to identify bias crimes against a group of people defined by their collective similarity where no one individual was targeted.
- Victim(s) Demographics** If victim(s) is an "Individual(s)" (code 72), enter all known demographics for each victim on a separate line. If victim is a "Structured Group or Organization" (code 73), do not enter any victim demographics.
- Offender(s) Demographics** Enter all known demographics for each offender on a separate line. Leave blank if offender is unknown.

HATE CRIME PENAL LAW REFERENCE TABLE

Hate Crime involves a bias motivation to commit or attempt to commit any of the following offenses .

105.00	Conspiracy 6th
105.05 All subs	Conspiracy 5th
105.10 Sub 1, 2	Conspiracy 4th
105.13	Conspiracy 3rd
105.15	Conspiracy 2nd
105.17	Conspiracy 1st

Note: The conspiracy must involve the intent to commit one of the hate crimes listed below.

120.00 All subs	Assault 3rd	135.60 All subs	Coercion 2nd
120.05 All subs	Assault 2nd	135.65 All subs	Coercion 1st
120.10 All subs	Assault 1st	140.10 All subs	Criminal Trespass 3rd
120.12	Agg Assault Person <11	140.15	Criminal Trespass 2nd
120.13	Menacing 1st	140.17 All subs	Criminal Trespass 1st
120.14 All subs	Menacing 2nd	140.20	Burglary 3rd
120.15	Menacing 3rd	140.25 All subs	Burglary 2nd
120.20	Reckless Endanger 2nd	140.30 All subs	Burglary 1st
120.25	Reckless Endanger 1st	145.00 All subs	Criminal Mischief 4th
120.45 All subs	Stalking 4th	145.05 All subs	Criminal Mischief 3rd
120.50 All subs	Stalking 3rd	145.10	Criminal Mischief 2nd
120.55 All subs	Stalking 2nd	145.12	Criminal Mischief 1st
120.60 All subs	Stalking 1st	150.05	Arson 4th
121.12	Strangulation 2nd	150.10	Arson 3rd
121.13	Strangulation 1st	150.15	Arson 2nd
125.15 Sub 1	Manslaughter 2nd	150.20	Arson 1st
125.20 Sub 1,2,4	Manslaughter 1st	155.25	Petit Larceny
125.25 All subs	Murder 2nd	155.30 All subs	Grand Larceny 4th
130.35 Sub 1	Rape 1st	155.35	Grand Larceny 3rd
130.50 Sub 1	Criminal Sexual Act 1st	155.40 All subs	Grand Larceny 2nd
130.65 Sub 1	Sexual Abuse 1st	155.42	Grand Larceny 1st
130.67 Sub 1A	Agg Sexual Abuse 2nd	160.05	Robbery 3rd
130.70 Sub 1A	Agg Sexual Abuse 1st	160.10 All subs	Robbery 2nd
135.05	Unlawful Imprisonment 2nd	160.15 All subs	Robbery 1st
135.10	Unlawful Imprisonment 1st	240.25	Harassment 1st
135.20	Kidnapping 2nd	240.30 Sub 1,2,3,4	Agg Harassment 2nd
135.25 All subs	Kidnapping 1st	240.31 All subs	Agg Harassment 1st

**NEW YORK STATE
DIVISION OF CRIMINAL JUSTICE SERVICES
HATE CRIME INCIDENT REPORT**

Report is to be submitted each month. UCR agencies reporting no hate crimes for a particular month must check the "Nothing To Report" box on page 5 of the Return A. IBR participating agencies must submit this form and check the "Nothing to Report" box when no hate crimes have been reported. Forms should be sent to: **State of New York Division of Criminal Justice Services, Crime Reporting Unit, Alfred E. Smith Office Building - 6th Floor, 80 South Swan Street, Albany, NY 12210, fax 518-485-8039, or email infonysucr@dcjs.ny.gov**

Nothing to Report (NTR)

Agency Name _____ Agency ID# _____ Month and Year of Report _____

Prepared By _____ Title _____ Phone Number _____ Email Address _____

A Incident Date mm/dd/yy	B Agency Case Number	C Hate Crime Incident Classification <small>See: Law Section Reference Table (Include Penal Law Subsection)</small>	D Bias Motivation	E. Incident Information																	
				Location of Hate Crime	Type of Victim	Victim(s) Demographics				Offender(s) Demographics											
						Age	Gender	Race	Ethnicity	Age	Gender	Race	Ethnicity								

C. Hate Crime/Incident Classification (See Hate Crime Penal Law Reference Table)

D. Bias Motivation

GENDER

- (01) Anti-male
- (02) Anti-female
- (03) Anti-Gender Non-Conforming
- (53) Anti-Transgender

AGE

- (04) 60 years old or more

RACE/COLOR

- (11) Anti-White
- (12) Anti-Black
- (13) Anti-American Indian/Alaskan Native
- (14) Anti-Asian
- (15) Anti-multi-racial groups
- (55) Anti-Native Hawaiian/Pacific Islander

RELIGION/RELIGIOUS PRACTICE

- (21) Anti-Jewish
- (22) Anti-Catholic
- (23) Anti-Protestant
- (24) Anti-Islamic (Muslim)
- (25) Anti-multi-religious groups
- (26) Anti-Atheism/Agnosticism
- (27) Anti-religious practice, generally
- (29) Anti-other religion
- (58) Anti-Buddhist
- (59) Anti-Eastern Orthodox (Greek, Russian, etc.)
- (60) Anti-Hindu
- (61) Anti-Jehovah's Witness
- (62) Anti-Mormon
- (63) Anti-Other Christian
- (64) Anti-Sikh

ETHNICITY/NATIONAL ORIGIN/ANCESTRY

- (31) Anti-Hispanic
- (32) Anti-Arab
- (34) Anti-other ethnicity/national origin/ancestry
- (56) Anti-Not Hispanic

SEXUAL ORIENTATION

- (41) Anti-male homosexual (Gay)
- (42) Anti-female homosexual (Lesbian)
- (43) Anti-LGBT (mixed group)
- (44) Anti-heterosexual
- (45) Anti-bisexual

DISABILITY

- (51) Anti-physical disability
- (52) Anti-mental disability

E. Incident Information

Location of Hate Crime

- (61) Place of worship (Churches, Synagogues, etc.)
- (62) Other property owned/operated by target group (e.g., religious, ethnic, etc. institutions or organizations)
- (63) Public Property (school, street, gov't building, hospital, jail/prison, etc.)
- (64) Business
- (65) Residence
- (66) Other Location

Type of Victim

- (72) Individual(s)
- (73) Structured Group or Organization (i.e., demonstrators, religious, ethnic or advocacy, etc.)

Ethnicity Code

- H - Hispanic
- N - Non-Hispanic

Race Code

- W - White
- B - Black
- A - Asian/Pacific Islander (Chinese, Indian, Japanese, Indian, Korean, Vietnamese, Philippine, Samoan, etc.)
- I - American Indian/Alaskan Native
- O - Other
- U - Unknown