

Hate Crimes and Homelessness:

What to do if it happens to you

- Protect Yourself
- Know the Law
- Report the Crime

This wallet card was produced by:



Seattle Human Rights Commission
Seattle Office for Civil Rights
Seattle Police Department

THREATS ARE ILLEGAL

Under Washington State law, malicious harassment is a hate crime. In the City of Seattle, malicious harassment that targets homeless people is illegal. Seattle's malicious harassment ordinance can add extra penalties in crimes motivated by the perception that the victim is homeless.

Words or gestures that cause you to worry about your physical safety or damage to your property are illegal even if no physical violence or property damage occurs. Instances can include:

- Threats/intimidation
- Simple or aggravated assault
- Theft/larceny
- Motor vehicle theft
- Vandalism
- Arson
- Rape
- Burglary
- Robbery
- Murder

WHAT YOU CAN DO

- 1) Protect yourself – defuse the situation if at all possible. Do not respond to taunts.
- 2) Call 911 immediately and state that you are reporting malicious harassment. In a non-emergency, call 206-625-5011.
- 3) Note the physical descriptions of the perpetrators in as much detail as possible.
- 4) Write down everything that was said and done, the time and location.
- 5) File a police report. (See other side).
- 6) Get involved – be a witness if someone else is a victim.
- 7) If you know the perpetrators, contact your district court for information about obtaining a no-contact/anti-harassment order.

OTHER RESOURCES

King Co. Bar Association Lawyer Referral Hotline: **206-267-7010**
24-Hour Crisis Line: **888-427-4747** (TTY 206-461-8368)
Seattle Public Health Department: **206-296-4600** (TTY 711)

HOW TO FILE A POLICE REPORT

- 1) Tell the responding officer that the crime you are reporting is malicious harassment as defined by SMC 12A.06.115 as shown on this card.
- 2) Stress that the crime was motivated by hate based on the perception that you are homeless. You do not have to reveal that you are homeless to report the crime and you should not be asked to. It is the perpetrator's perception that matters. Whether or not the perception is correct is irrelevant under the law.
- 3) Describe *in detail* the hate or prejudice that was expressed and what caused you to fear harm. **Examples:**
 - "They approached in a menacing manner, called me homeless in an angry voice, and then threatened to kill me."
 - "They drove by as we walked down the sidewalk, shouted obscenities out the window and hurled a beer bottle at us."
- 4) If you have any physical pain at all, insist that it be recorded on the police report. By law, this is required of the officer even if you decline medical attention at the scene.
- 5) Get the incident number from the responding officer.
- 6) Ask how to get a copy of the police report.
- 7) Get the officer's name and badge number.

SEATTLE POLICE DEPARTMENT POLICY

It is the policy of your Police Department to investigate by all means possible all reports of malicious harassment. This department will commit the necessary resources to investigate these crimes. Malicious harassment has no place in our community.

LEGAL DEFINITION

SMC 12A.06.115 states:

Malicious Harassment is a Class C Felony

A person is guilty of malicious harassment if he or she maliciously and intentionally commits one of the following acts because of his or her perception of ... homelessness ... :

- a) Causes physical injury to the victim or another person;
- b) Causes physical damage to, or destruction of, the property of the victim or another person; or
- c) Threatens a specific person or group of persons and places that person, or members of the specified group of persons, in reasonable fear of harm to person or property."