

NOT IN OUR TOWN presents

Waking in Oak Creek

Guide for Community Screenings



Waking in Oak Creek is a 35-minute film that follows a community as it heals in the wake of a tragedy. The cameras follow the courageous police response and powerful community actions that took place in the aftermath of the hate crime shootings at the Sikh Temple of Wisconsin on August 5, 2012. The attack by a white supremacist resulted in the death of six Sikh worshipers and the injury of four others, including an Oak Creek police lieutenant. The film can be screened at community events and workshops to help:

- Initiate conversations to address intolerance and hate in your town;
- Build bridges between different groups in the community;
- Develop and/or enhance community partnerships with local law enforcement agencies;
- Show support for hate crime victims and targeted groups; and
- Promote safe, inclusive communities.



How to Host a Screening and Discussion

Creating dialogue among the diverse organizations, agencies, and community members in your city is an important tool in combating hate. Event organizers should allot at least 30-60 minutes for discussion after the film screening. This brief guide is designed as a tool to help address key issues in the film and facilitate meaningful dialogue. It contains sample discussion questions for event leaders and important background information about hate crimes. Later this year, an expanded discussion guide will be available for free download at: NIOT.org/COPS/wakinginoakcreek.

Organizing a Screening

For any audience, consider organizing attendees into breakout groups for part of the discussion. Especially in a large group, difficult or open-ended questions might make some people feel uncomfortable or shy about speaking out; these individuals might share more openly in a smaller group. One person from each group can be responsible for reporting to the larger audience about the experiences, perceived challenges, proposed strategies, or other issues raised in the breakout session.

In a theater setting where breakout sessions are logistically difficult, pose a discussion question and encourage attendees to hold a five-minute conversation with the person in the next seat. You could conclude the segment by asking three or four pairs to share their findings with the larger audience. Taking about 10 to 15 minutes on this exercise may serve as a useful warm up for those who are reluctant to speak in groups.

In public discussions, questions should focus on the experience of the community members as much as possible. Honest criticism can be a very important and constructive part of the discussion; however, verbal attacks should be discouraged. An experienced facilitator, particularly someone who has credibility with the community at large, can be a great benefit, especially with larger groups, or in groups where there are known tensions. It should be kept in mind that the goal is participatory conversation, and the opportunity for people to engage can be as important as anything in particular that might be said.

Creating dialogue among the diverse organizations, agencies, and community members in your city is an important tool in combating hate.

The film and accompanying guide are provided free of charge for local screenings. Not In Our Town requests that you provide data on the location of your screening and the number of attendees. We also ask that you distribute and collect copies of the evaluation survey included at the end of this guide, and return them to our office. We request this information to help us understand and better serve our audience.



Screening and workshop steps:

- Host the discussion in a neutral location where all attendees feel comfortable.
- Break audience into small groups at tables before the screening.
- After the screening present groups with a set of questions and a set time limit to discuss and answer questions.
- Have one member from each group report back their findings to the larger group, then facilitate a discussion about the different ideas that emerged.

Suggested workshop questions:

- Why is this a hate crime?
- How did the law enforcement response to this crime strengthen the community?
- What kinds of actions could you take if an incident like this occurred in your community?
- Who is vulnerable to hate crimes in your community? (what groups, cultures, races, ages, etc....)
- What are the organizations or groups in your community that can be a bridge between law enforcement and hate crime victims? What are some ways to build stronger relationships before a serious crime happens?

The Waking in Oak Creek film and guide were produced as part of the Not In Our Town: Working Together for Safe, Inclusive Communities collaboration between Not In Our Town and the U.S. Department of Justice Office of Community Oriented Policing Services (COPS Office).

Hate Crimes: Talking Points for Moderators and Event Leaders



Definition of a Hate Crime

The FBI defines hate crimes as “criminal offenses motivated, in whole or in part, by the offender’s bias against a race, religion, disability, sexual orientation, ethnicity, gender, or gender identity.” This is the definition used nationwide for the purpose of recognizing, reporting, and tracking hate crimes.

**The Importance of
Recognizing Hate
Crimes**

While all crimes by their very nature are harmful, hate crimes tend to have an especially devastating effect. When a victim is attacked because of race, ethnicity, religion, sexual orientation, disability, gender, or gender identity, the attack is not just upon the specific person, but also upon everyone who belongs to that demographic group. Hate crimes spread fear to all who recognize they could have been a target. For this reason it makes sense that hate crimes receive distinct attention from law enforcement.

**Hate Crimes are
Message Crimes**

The message of a hate crime is that “people like you” are not welcome here and are not safe here. Even acts of vandalism or crimes against a person which involve only threats or minimal violence, can send powerful shockwaves of fear through the targeted community.

**Communities Cannot
Thrive When Some
Members of the
Community are
Afraid**

Fear caused by hate crimes degrades the quality of life for people in the targeted group and drives decisions about where to live, work, and how much to participate in the community. It is also important to appreciate the potential for hate crimes to increase community tensions. Vulnerable groups that look to law enforcement officials to protect them and provide a sense of security can become distrustful and even hostile to law enforcement when they do not feel safe.

**Recognizing Hate
Crimes in your
Community**

Bias motivation is a central element in every criminal statute written to address hate crimes. As a result, law enforcement officers are looking for “sufficient objective facts to lead a reasonable and prudent person to conclude that the offender’s actions were motivated, in whole or in part, by bias.”

A law enforcement officer should be looking for and noting “bias indicators,” facts that suggest the possibility of a bias motive. It may be the strength of one or more particular indicators, or the particular combination of indicators, which ultimately leads to the determination that an event is likely a hate crime.

Bias indicators include:



- Whether the perpetrator and the victim were members of different racial or ethnic groups (This alone would probably never be enough to support a conclusion that an event was a hate crime; however, under the right circumstances, and coupled with other indicators, such as a complete and surprising absence of any other apparent or likely motive for a crime, this factor may become weighty.)
- Historical animosity between the two groups
- Comments, statements, or gestures made by the perpetrator before, during, or after the crime
- Particular drawings, markings, symbols, or graffiti associated with the crime; these various forms of expression can be direct evidence of a bias motive on the part of the perpetrator.



Particular objects can also be bias indicators. Few would mistake the significance of a cross burned in a yard (bias indicator 1), and when it occurs in the yard of an African American family (bias indicator 2). These indicators “lead a reasonable and prudent person to conclude that the offender’s actions were motivated, in whole or in part, by bias.” But other objects, less universally associated with hate, might also be the key to recognizing the bias motive in a particular crime.

One must be careful not to draw conclusions about bias motive too quickly or too simply. The analysis should always be done on a case-by-case basis. Statements made by a perpetrator before, during, or after the incident are sometimes the clearest evidence of the existence of a bias motive. But bias motive can sometimes be discerned from the evidence even in the absence of such statements or other clear symbolic evidence.

The Importance of Hate Crime Reporting

Hate crimes in the United States are seriously underreported and underdocumented, hindering accurate assessment of the problem. A recent Department of Justice report found that nearly two thirds of hate crimes go unreported to law enforcement. This is because of the unfortunate belief by many victims that law enforcement will be unable or unwilling to address the problem. Such a breakdown in trust completely undermines the ability of law enforcement agents to perform their jobs.

It is imperative that law enforcement, prosecutors, and victim advocates do everything they can to build bridges of trust in the community to facilitate victim reporting and cooperation. First, it is essential that leadership make it clear that accurate reporting is a priority for the agency. Training is an effective means for accomplishing comprehensive hate crime recognition. Reaching out to victims and to witnesses, and encouraging them to report, is very important. In addition, intra-agency review of reports can enhance the accuracy of reporting.

One of the most important features of hate crimes is the heightened vulnerability of the victims, both the individual victim and the class of victims who belong to the same demographic group. Victims of hate crimes are often members of diverse groups already coping with a degree of discrimination and separation, to which a hate crime can add further fear and insecurity. FBI statistics indicate that hate crimes are most often motivated by race, with religion and sexual orientation being the second and third most common motivations. Sometimes the targeted groups are in the center of social controversy and conflict, sometimes with political and/or religious implications. This is certainly the case for some victims featured in the documentary. These people are naturally going to have a more difficult time reaching out to law enforcement and they may be distrustful and have low expectations of prosecutors.



Law enforcement, victim advocates, and prosecutors should make special efforts to reach out to hate crime victims. Their vulnerability is related to the unique trauma they suffer, beyond any physical, mental, or economic injury; it is related to the shockwaves of fear that tend to permeate the targeted community in the aftermath. Recognizing oneself as a member of a targeted group with particular viciousness breeds a heightened sense of vulnerability.

Successful Community Engagement

In a recent article in *Police Chief Magazine**, Chief Edwards summarized the Oak Creek Police Department's guiding principles for engaging the community:

- Prioritize education and training for officers.
- Be proactive about reaching out to and establishing positive working relationships with different cultural groups in the community.
- Maintain a strong, visible leadership role in the aftermath of a hate crime or any public safety crisis.
- Be transparent and share as much information about an incident as the department can without jeopardizing an investigation.
- Maintain a strong relationship with the media; "No comment" does not get you anywhere.
- Be approachable—agree to meet with anyone in the community.
- Establish a standard of meaningful community engagement that encourages residents to bring in new ideas.
- Thoroughly investigate and accurately report every incident that might be a hate crime.
- Recognize that the police department is a community itself, and prioritize officer wellness.

* John Edwards and Libby McInerney, "Oak Creek: Leading a Community in the Aftermath of a Tragedy," *The Police Chief* 80 (October 2013): 98-106.



Effective Law Enforcement Response

Another characteristic of many hate crimes, which can make victims especially vulnerable, is an extra degree of violence and cruelty not as common in, for instance, economic crimes. Even though it does not take extreme violence for a bias motivated crime to cause fear within a vulnerable community, research has shown that attacks motivated by bias tend to be more violent than attacks that arise out of other circumstances. For all of these reasons the special vulnerability of hate crime victims is a feature to which law enforcement must be especially attentive.

It is important to note that understanding and good community relations do not involve “taking sides” on political controversies which may surround some groups. The focus for law enforcement should be on protecting members of the community, regardless of who they are, and the task is to pursue a positive working relationship that will make it possible to do this effectively.

All hate crimes are deserving of focused attention and good law enforcement work. The ultimate objectives are preventing crime and enhancing public safety. It is important to bear in mind that these objectives can be furthered even if it proves impossible to catch and prosecute every offender. Vigorous response to hate crimes by law enforcement:

- Will be noticed and appreciated in the community.
- Sends a message to the perpetrator and would-be perpetrators that hate crimes will not be tolerated.
- Enhances security for the public and helps prevent future hate crimes.

Some jurisdictions have specialized hate crime investigation and prosecution units, but most do not. Where specialized resources are lacking, it may take extra diligence on the part of officers and investigators, and expertise from outside of the agency may need to be consulted.

The Importance of Prosecuting Hate Crimes as Hate Crimes

When hate crimes occur, it is important that they are recognized for what they are. This is why crimes motivated by bias should always be reported as hate crimes and why prosecution for hate crimes should be pursued wherever possible. When law enforcement and public officials recognize such an act for what it is, and name it and treat it for what it is, they acknowledge and validate the experience of the victim, and affirm the status of the victim as a full member of the community.

From a legal point of view the essential feature of a hate crime is the bias element. When this element is written into a criminal statute, it can make the crime more complicated to prove, and for this reason some prosecutors are reluctant to charge hate crimes. However a conviction under such statutes typically comes with harsher penalties. Convictions under these statutes have the added benefit of giving the

jury the opportunity to name the crime for what it is. For this reason, prosecutors should bring hate crime charges where the evidence and the available statutes make this possible.

Effective Law Enforcement- Community Partnerships

Law enforcement-community relations are especially important when it comes to hate crimes. Since victims of hate crimes are often the more vulnerable members of society, they are sometimes reluctant to come forward to law enforcement and report that they have been the victim of a crime. However, because law enforcement officials need community cooperation to effectively carry out their responsibilities, encouraging and achieving this cooperation is an important part of their work. Good community relations:

- Increase the likelihood that hate crimes will be reported by victims to law enforcement;
- Increase cooperation by witnesses; and
- Increase the support for law enforcement as they perform their jobs.

Law enforcement agencies should be working to establish good community relations well before they need to rely on them in a particular criminal investigation. It is important to consistently maintain and strengthen law enforcement-community relations.

Because hate crimes grow out of a social climate which breeds and/or abides intolerance, the real key to preventing hate crime lies not only with law enforcement but with the larger community. Members of the community, including educators, faith leaders, civic leaders, labor groups, media, and citizens of every age, are in a position to contribute much more to the prevention of hate crimes than mere cooperation with law enforcement. Communities which actively work to include all groups in community issues and activities and work to build social bridges to otherwise isolated groups are less vulnerable to those who would sow fear and division through committing hate crimes. Law enforcement can play an important role in calling forth this positive involvement from the community.



Not In Our Town (NIOT) is a national campaign that guides, supports, and inspires individuals and communities to work together to stop hate and build safe, inclusive environments for all. www.NIOT.org.

For more information or assistance with a screening in your area, please contact mgkloss@niot.org or 510-268-9675