

# Bias Crimes

## Op PARRABELL

"Hate crimes policing is political  
policing at it's best."  
Sgt Patrick RODRIGO – NYPD Hate Crimes Task Force



# BACKGROUND:

## *Policing*

- › 20 years in the NSWPF
- › 11 years General Duties – Penrith, Hawkesbury, Quakers Hill & Blacktown
- › 3.5 years Covert Operations
- › 4.5 years Hate Crime Coordinator/Bias Crimes Coordinator

## *Bias Crimes*

- › Studying for 15 years
- › [Hate & Bias Crimes Training Program](#) – Federal Law Training Centre (United States) in conjunction with the Southern Poverty Law Centre & Auburn University Montgomery
- › [Advanced Hate Crimes Course](#) – Federal Law Enforcement Training Centre (United States) in conjunction with the Southern Poverty Law Centre & Centre for Prejudice and Extremism, California State University San Bernardino
- › [Forensic & Applied Victimology Course](#) – Forensic Analytic/Charles Sturt University
- › [Skinhead Intelligence Network](#) – Australian Representative

## *Threat Assessment*

- › [Advanced Threat Assessment & Management Academy](#) – Gavin de Becker & Associates

# History

- › In 2013 the Bias Crimes Unit conducted a bias crimes assessment of the North Head beat to assist the Unsolved Homicide Team investigation of the Scott JOHNSON death
- › Through consultation with Homicide Squad, Corporate Sponsor, Sexuality & Gender Diversity & Corporate Sponsor, Bias Motivated Crimes approval was granted for the BCU to conduct bias crime assessments of the 80 alleged gay homicides in the 70' s, 80' s and 90' s
- › Due to limited resources, 2 staff at beginning then dropping to 1, Op PARRABELL was placed on indefinite hold.

# North Head Assessment

- › Geographic profiling and assessment
- › Beat dynamics
- › Offender profiling
- › Offender typology assessment
- › Reported incidents
- › OHG activity
- › Site Surveys
- › Incident comparison (Marks Park v North Head)
- › Review of 35 coronial briefs



**“Everything we  
hear is an  
opinion, not a  
fact.  
Everything we  
see is a  
perspective,  
not the truth.”**

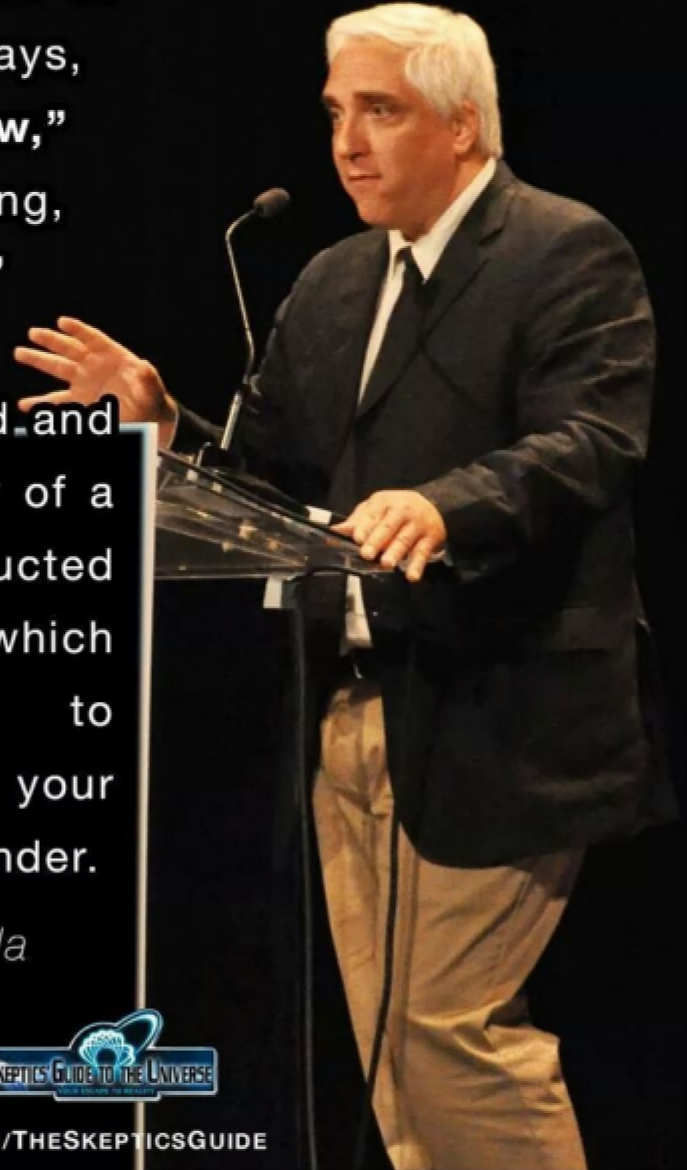
Marcus Aurelius

*Joseph Zgheib*  
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When someone looks at  
me and earnestly says,  
**“I know what I saw,”**  
I am fond of replying,  
**“No you don’t.”**

You have a distorted and  
constructed memory of a  
distorted and constructed  
perception, both of which  
are subservient to  
whatever narrative your  
brain is operating under.

- *Dr. Steven Novella*



# Bias Crime

A **criminal offence** committed against persons, associates of persons, property or society that is **motivated** in **whole** or in **part**, by an **offender's bias** against an individual's or group's **actual** or **perceived**; **race, religion, ethnic/national origin, sex/gender, gender identity, age, disability status, sexual orientation or homeless status.**

## Bias Incident

An **incident** committed against person's, associates of persons, property or society that is **motivated** in **whole** or in **part**, by an **offender's** **bias** against an individual's or group's **actual** or **perceived**; race, religion, ethnic/national origin, sex/gender, gender identity, age, disability status, sexual orientation or homeless status but **does not constitute a criminal offence.**

NSW Police Force Definition



# Bias Crimes Identification Guidelines

- 1) Would the incident have occurred if the offender and victim were from the same group?
- 2) Would the incident have escalated or become violent if the persons involved were not from different groups?
- 3) Is the victim interchangeable?

## Bias Crime Indicators

- › There are 10 Bias Crimes Indicators that assist in identifying a bias motivation
- › These indicators are only a guide and do not mean that there is a legal certainty that an incident was bias motivated
- › The indicators are designed to act as a cue for deeper questioning and investigation
- › *NB: It is possible that none of the indicators are present but the incident is still bias motivated*

# Bias Crimes Indicators

## 1) Differences

- › Immutable characteristic differences between victim and POI' s e.g., racial, ethnic/national origin, sexual orientation, etc.
- › Victim is a member of a group which is outnumbered by members of another group in the area where the incident occurred
- › Victim was engaged in activities promoting his/her group
- › Incident coincided with a holiday or date of particular significance to the victim or POI' s group

**Slide 11 Notes**

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Remember to look at within group tension

## 1) Differences cont.

- › Victim, although not a member of the targeted group is a member of an advocacy group that supports the victim, or the victim was in company of a member of the targeted group
- › Historical animosity exists between the victim's group and the POI's group

## 2) Comments, written statements, gestures

- › Bias related comments, written statements or gestures were made by the POI
- › Comments and gestures can occur before, during and after the incident
- › Victims may not be aware of the significance of gestures made

### 3) Drawings, markings, symbols, tattoos and graffiti

- › Bias related drawings, markings, symbols or graffiti were left at the scene or were seen on the POI
- › Before discounting symbols, ensure that you understand the meaning of the symbol

**Slide 14 Notes**

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Symbols may be in other languages/scripts and formations



## 4) Organised Hate Groups (OHG)

- › Objects or items that represent the work of an OHG were left at the scene, e.g. business cards, flyers, burning cross
- › An OHG claimed responsibility
- › There are indications that an OHG was involved or active in the area
- › MO is similar to known MO of an OHG

## 5) Previous existence of bias crime 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 has received previous harassing mail, email, social media posts or phone calls or has been the victim of verbal abuse based on his/her affiliation with a targeted group
- › Recent bias incidents or crimes may have sparked retaliatory bias crime

## 6) Victim/witness perception

- › Victims and/or witnesses perceive that the incident was motivated by bias
- › Be mindful that victim and witnesses perception may be influenced by my media/political distortions or that witness may be sympathetic to the victim group or POI group

## 7) Motive of offender

- › POI was previously involved in similar incident or is a member/associates with members of an OHG
- › The victim was in company of or married to a member of the targeted group
- › The victim was perceived to be breaking from traditional conventions or working non traditional employment
- › The POI has a history of previous crimes with similar MO and involving other victims of the same group

## 8) Location of the incident

- › The victim was in or near an area or place commonly associated with or frequented by members of a particular group e.g. beat
- › The location of an incident has specific significance to the victim or POI group e.g. cemetery, religious building, historical landmark, etc.

## 9) Lack of motive

- › No clear economic or other motive for the incident exists

## 10) Level of violence

- › The level of violence and injuries sustained by the victim/s is greater than would be expected for a crime of that type
- › Weapons of opportunity are used in the incident
- › The number of POI' s is greater than the number of victims and all POI' s take an active role in the assault

# Transparency

- › Transparency is key
- › Keep the victim and community informed
- › Address concerns and explain processes and decisions to the victim/community leaders
- › Be willing to accept community criticism and be willing to work with the community to address these issues



# Classifications

- › Bias Crime
- › Suspected Bias Crime
- › Bias Incident
- › Not a Bias Crime
- › Insufficient Information

# Assessment Considerations

- › Geography of locations/offenders
- › Offender typology
- › Previous incidents & escalation pathways
- › Incident review (non bias identified)
- › Offender admissions/denials
- › OHG activity
- › Resident complaints

# Questions?

