

# TENNESSEE

# HATE CRIME

# 2011



PREPARED BY  
TENNESSEE BUREAU OF INVESTIGATION  
CRIME STATISTICS UNIT





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**MARK GWYN**  
Director

April 26, 2012

Ladies and Gentlemen:

I would like to present the 2011 Hate Crime report. This is the annual report published by the TBI presenting information on reported crimes motivated by bias that occurred in Tennessee. The information contained in the report is based on crime statistics information submitted by law enforcement agencies in Tennessee to TBI's Tennessee Incident Based Reporting System (TIBRS) program. TIBRS is the state version of the FBI's National Incident Based Reporting System (NIBRS) program. Please see [www.tncrimeonline.com](http://www.tncrimeonline.com) for additional information.

The groups toward which bias motivated crimes may be directed are based on the national definitions and conform to the same standards used in the annual Hate Crime Report published by the FBI for the United States. Any offense may be motivated by bias. The bias motivation is an element of the offense and is not reported as a separate crime occurrence.

I am very proud of the efforts of all participating law enforcement agencies in the state to provide the data necessary to produce this report. Our combined efforts have resulted in this annual report detailing the nature of bias motivated crime occurrences in our state.

Sincerely,

Mark Gwyn  
Director



## Introduction

The current report examines hate crimes reported by Tennessee law enforcement agencies for the year 2011. Agencies were contacted and asked to verify the accuracy of hate crime(s) reported for their jurisdiction. An examination of hate crime data revealed several trends and noteworthy facts. Specifics are detailed in the body of the report.

## Bias Motivation

The key element of any hate crime is the presence of bias motivation. The criminal act, itself, does not constitute a hate crime; rather, the criminal investigation must conclude the offender was motivated in whole or part by bias motivation. Six bias categories are utilized: Anti-Racial; Anti-Religious; Anti-Ethnicity/National Origin; Anti-Disability; Anti-Sexual; and Non-Specific. Please note that there is an “Unknown” bias code in the Non-Specific category. The “Unknown” bias code’s single purpose is to serve as a category for those offenses thought to be bias motivated that are currently under investigation by the respective law enforcement agency. These crimes demonstrate characteristics of a hate crime; however, the investigation has not revealed a specific bias motivation code/category. It should be noted that a hate crime *may or may not have* occurred as there has not been a conclusive determination of bias motivation in these ongoing cases. Once the investigation is completed and a full determination has been made regarding the crime’s specific bias motivation (if any), agencies are responsible for removing the “Unknown” bias code and properly categorizing the hate crime. Incidents that do not involve facts and/or evidence of the offender’s bias motivation are to be reported as “None.”

## Categories of Bias Codes

Anti-Racial	Anti-Religious	Anti-Sexual
White	Jewish	Male Homosexual
African American	Catholic	Female Homosexual
Asian/Pacific Islander	Protestant	Homosexual (Gay & Lesbian)
American Indian/Alaskan Native	Islamic	Bisexual
Multi-Racial Group	Other Religion	
	Multi-Religious Group	
	Atheism/ Agnosticism	
Non-Specific	Anti-Ethnicity/National Origin	Anti-Disability
Unknown	Hispanic	Physical Disability
None	Other Ethnicity/National Origin	Mental Disability

## **Methodology**

The TBI collects crime data from all agencies across the state of Tennessee. Hate crimes reported by those agencies are specifically examined each year. The resulting hate crime data includes criminal offenses committed against persons, property, and society that are motivated, in whole or in part, by the offender's bias against a race, religion, sexual orientation, ethnicity, national origin, or disability. Motive, defined as something that causes a person to act, exists at the root of classifying hate crimes. Because motivation is subjective, it can be difficult to know with certainty whether a crime was the result of the offender's bias.

Moreover, the presence of bias alone does not necessarily mean that a crime can be considered a "hate crime". Law enforcement investigation is crucial for accurate hate crime reporting because it must reveal sufficient evidence to lead a responsible and prudent person to conclude that the offender's actions were motivated, in whole or in part, by his or her bias. Only then can law enforcement report an incident as a hate crime.

## **Data Collection**

All law enforcement agencies are mandated by the Federal Hate Crimes Statistics Act of 1990 to report all hate crimes to the Attorney General. In addition to reporting bias motivated crimes to the federal government, the Tennessee Bureau of Investigation prepares an annual, statewide Hate Crime report. Utilizing data collected through the Tennessee Incident Based Reporting System (TIBRS) to identify bias motivated offenses, the current report examines 2011 hate crimes.

According to the national data collection guidelines, a hate crime may involve multiple offenses, victims, and offenders, within one incident. Counting of crimes follows the same standards used in Crime in Tennessee. Crimes against persons are a count of the individual victims. When submitting crimes against property or society, however, agencies count one offense for each distinct incident regardless of the number of victims.

This report uses the minimally accepted designations for race and ethnicity as established by the Office of Management and Budget (OMB) and published in the Federal Register. The revised standards have five minimum categories for data on race and two categories for data on ethnicity. In complying with the published standards, the following racial designations are used in the hate crime data collection program: White, African American, American Indian/Alaskan Native; Asian/Pacific Islander; and Multiple Races. The ethnic designations are Hispanic and Other Ethnicity/National Origin.

## Evidence a Crime is Motivated by Bias

Certain qualifications are required to classify any crime as a “hate crime.” The presence of an offender holding a certain prejudice or bias does not, alone, imply that the crime committed was motivated by that particular bias.

- The offender and the victim were of different race, religion, disability, sexual orientation, and/or ethnicity/national origin. For example, the victim was black and the offender was white.
- Bias-related verbal comments, written statements, or gestures were made by the offender, which indicated his/her bias. For example, the offender shouted out a racial epithet at the victim.
- Bias related drawings, markings, symbols, or graffiti were left at the crime scene. For example, a swastika was painted on the floor of a synagogue.
- Certain objects, items, or things which indicate bias were involved. For example, the offenders wore white sheets with hoods covering their faces or a burning cross was left in front of the victim’s house.
- The victim is a member of a racial, religious, disability, sexual-orientation, or ethnic/national origin group which is overwhelmingly outnumbered by other residents in the neighborhood where the victim lives and the incident took place. This factor loses significance with the passage of time; i.e. it is most significant when the victim first moved into the neighborhood and becomes less and less significant as time passes without incident.
- The victim was visiting a neighborhood where previous hate crimes were committed against other members of his/her racial, religious, disability, sexual-orientation, or ethnic/national origin group and where tensions remained high against his/her group.
- Several incidents occurred in the same locality at or about the same time and the victims were all of the same race, religion, disability, sexual orientation, or ethnicity/national origin.
- A substantial portion of the community where the crime occurred perceived the incident as motivated by bias.
- The victim was engaged in activities promoting his/her race, religion, disability, sexual orientation, or ethnicity/national origin. For example, the victim was a member of the NAACP or participated in gay rights demonstrations.
- The incident coincided with a holiday or a date of particular significance relating to race, religion, disability, sexual orientation, or ethnicity/national origin, e.g., Martin Luther King Day, Rosh Hashanah.

## Federal and Local Hate Crime Legislation

Bias motivated crimes or hate crimes have been the topic of numerous discussions and forums in legislation across the United States for several years. The strong push for legislative action often follows highly publicized incidents in which some form of bias is determined to be the main motivation for the criminal offense. These cases involving hate crime have significantly contributed to the development or enhancement of federal and/or state hate crime statutes.

The chart below details some significant Hate Crime Statutes at both the Federal (United States) and local (state of Tennessee) levels.

Tennessee Hate Crime Statutes (State)		United States Hate Crime Statutes (Federal)	
<b>1989</b>	<b>Tennessee Code Ann. 39-17-311</b>	<b>1969</b>	<b>Hate Crimes Provision Act</b>
Criminalizes intentional desecration of places of worship and burial as well as the state or national flag.		Permits federal punishment for bias motivated crimes based on religion, race, and national origin	
<b>1990</b>	<b>Tennessee Code Ann. 39-17-309</b>	<b>1990</b>	<b>Hate Crime Statistics Act</b>
Establishes intimidation of others from exercising civil rights through injury or threat of injury as well as damaging or defacing real or personal property as a Class D felony. Also allows victims to seek remedies in criminal or civil court in addition to the provided penalties.		Requires all law enforcement agencies in the United States to submit annual hate crime data to Attorney General. Establishes guidelines for data collection and states that data will only be used for research and/or statistical purposes. Attorney General will publish an annual summary of data acquired.	
<b>2008</b>	<b>Tennessee Code Ann. 40-35-114</b>	<b>1999</b>	<b>Hate Crimes Prevention Act</b>
Amends Criminal Sentencing Reform Act of 1989 so court may consider enhancing defendant's sentence when victim vulnerable due to age or physical or mental disability. Also enhances sentence if victim was intentionally selected due to defendant's belief or perception of race, religion, color, disability, sexual orientation, national origin, ancestry, or gender.		Prohibits intentional bodily injury based on race, religion, or national origin. Adds gender, sexual orientation and disabilities as federal hate crime categories. Offenses prosecuted as felonies when fire, firearm, or explosive is used to attempt or achieve bodily injury or death.	
		<b>2009</b>	<b>Matthew Shepard &amp; James Byrd, Jr. Act</b>
		Extends Federal Hate Crime Act of 1969 to include crimes motivated by individual's actual or perceived gender, sexual orientation, gender identity, or disability.	

## Quick Facts

- In 2011, 261 offenses were reported as Bias Motivated in the state of Tennessee
- The number of reported hate crimes increased 50.9% from 173 in 2010 to 261 in 2011
- About 1 in every 3 Hate Crimes were determined to be racially motivated at 36.5%
- Offenses categorized as “Unknown” increased significantly from 12 in 2010 to 75 in 2011
- Destruction/Damage/Vandalism was the most frequently reported bias motivated offense (71) in 2011
- 29 victims and 37 offenders of 2011 hate crimes were juveniles (under age 18)
- Acquaintance and Stranger categories were the most commonly reported Victim to Offender relationships with 76 and 72 respectively
- 45 hate crime offenses were committed by individuals from the 18 to 24 age group
- 6pm to 9pm was the most commonly reported time period for bias motivated crimes
- 1 in 5 hate crimes occurred on Tuesday (the most frequently reported day of week in 2011)
- In 2011, males were victimized 5.5 times more often than females
- 41 bias motivated offenses were cleared by arrest in 2011
- Intimidation was the most often reported Crime Against Persons with 60 offenses
- 64% of all weapons used in 2011 bias motivated crimes were categorized as Personal Weapons (hands, feet, teeth)
- Reported Victim to Offender relationships (163) revealed approximately 58% of hate crime victims knew their offenders

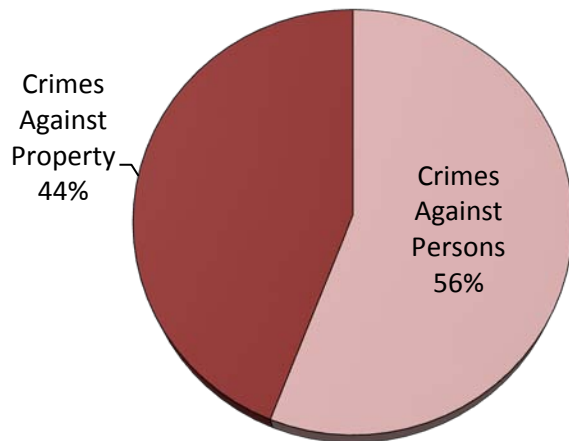
## Bias Motivation Offense Analysis (2009-2011)

Bias Motivation	2011		2010		2009	
	Total Offenses	% of Total Offenses	Total Offenses	% of Total Offenses	Total Offenses	% of Total Offenses
<b>Racial Bias</b>	<b>97</b>	<b>37.2%</b>	<b>108</b>	<b>62.4%</b>	<b>102</b>	<b>42.0%</b>
Anti-White	23	8.8%	18	10.4%	28	11.5%
Anti-African American	68	26.1%	86	49.7%	68	28.0%
Anti-American Indian/Alaskan Native	1	0.4%	0	0.0%	1	0.4%
Anti-Asian/Pacific Islander	0	0.0%	0	0.0%	1	0.4%
Anti-Multi-Racial Group	5	1.9%	4	2.3%	4	1.6%
<b>Ethnicity/National Origin Bias</b>	<b>17</b>	<b>6.5%</b>	<b>11</b>	<b>6.4%</b>	<b>19</b>	<b>7.8%</b>
Anti-Hispanic	9	3.4%	8	4.6%	16	6.6%
Anit-Other Ethnicity/National Origin	8	3.1%	3	1.7%	3	1.2%
<b>Religious Bias</b>	<b>15</b>	<b>5.7%</b>	<b>11</b>	<b>6.4%</b>	<b>21</b>	<b>8.6%</b>
Anti-Jewish	4	1.5%	3	1.7%	8	3.3%
Anti-Catholic	1	0.4%	1	0.6%	1	0.4%
Anti-Protestant	2	0.8%	1	0.6%	6	2.5%
Anti-Islamic	2	0.8%	4	2.3%	0	0.0%
Anti-Multi-Religious Group	2	0.8%	0	0.0%	1	0.4%
Anti-Other Religion	4	1.5%	2	1.2%	5	2.1%
<b>Sexual Bias</b>	<b>42</b>	<b>16.1%</b>	<b>23</b>	<b>13.3%</b>	<b>53</b>	<b>21.8%</b>
Anti-Male Homosexual (Gay)	16	6.1%	12	6.9%	29	11.9%
Anti-Female Homosexual (Lesbian)	23	8.8%	5	2.9%	9	3.7%
Anti-Homosexual (Gays & Lesbians)	3	1.1%	5	2.9%	14	5.8%
Anti-Heterosexual	0	0.0%	0	0.0%	1	3.4%
Anti-Bisexual	0	0.0%	1	0.6%	0	0.0%
<b>Disability Bias</b>	<b>15</b>	<b>5.7%</b>	<b>8</b>	<b>4.6%</b>	<b>3</b>	<b>1.2%</b>
Anti-Physical Disability	9	3.4%	4	2.3%	2	0.8%
Anti-Mental Disability	6	2.3%	4	2.3%	1	0.4%
<b>Unknown</b>	<b>75</b>	<b>28.7%</b>	<b>12</b>	<b>6.9%</b>	<b>45</b>	<b>18.5%</b>
<b>Total</b>	<b>261</b>	<b>100.0%</b>	<b>173</b>	<b>100.0%</b>	<b>243</b>	<b>100.0%</b>



## Comparison of Offense Types Motivated by Bias

### Property vs. Persons



Bias motivated offenses categorized in TIBRS as Crimes Against Persons accounted for 146 and Crimes Against Property made up 115 of all Hate Crimes in the state of Tennessee.

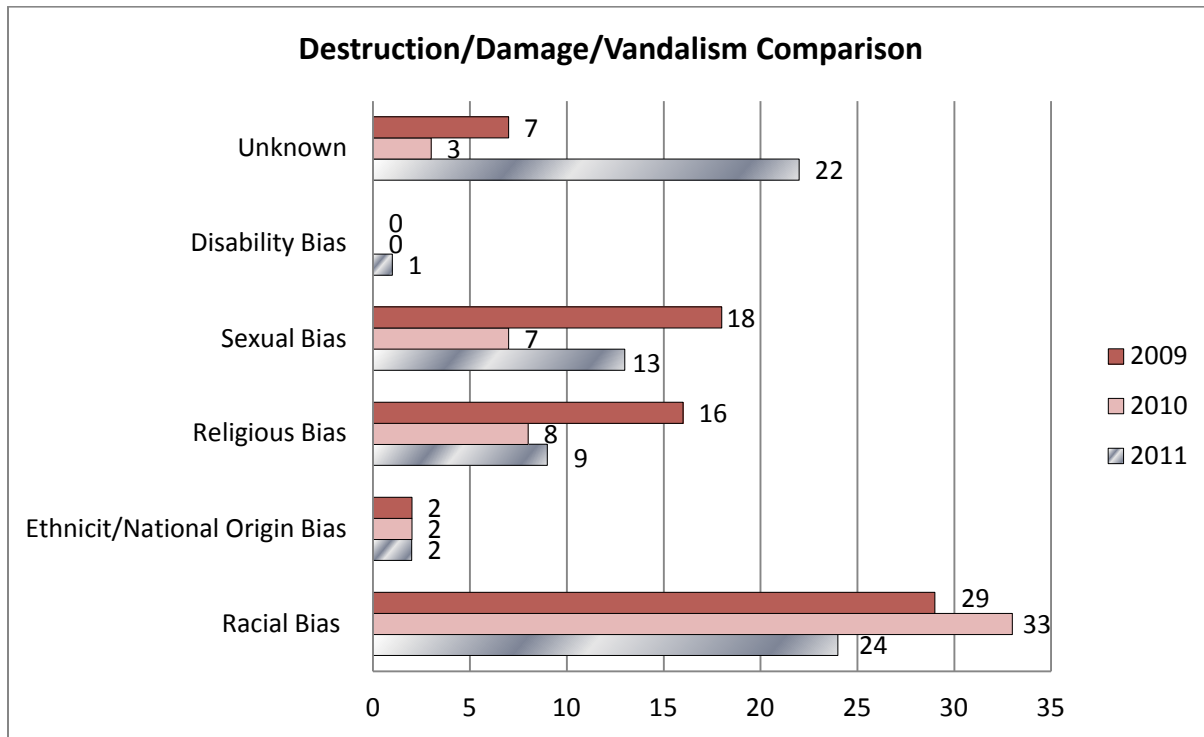
- The offense of Destruction/Damage/Vandalism accounts for 27.8% of all hate crimes reported in 2011.
- Intimidation made up the largest “Crimes Against Persons” offense category for hate crimes this year. Sixty Intimidation offenses motivated by bias were reported, which accounts for 23% of all 2011 bias motivated offenses.
- 20.0% of bias motivated offenses were Simple Assaults

Hate crimes, by their nature, are typically committed against individuals. Society is rarely reported as the victim of bias motivated offenses. As such, hate crime offenses are documented in one of two TIBRS categories that report crimes with individual victims: Crimes Against Persons or Crimes Against Property.

Crimes Against Persons	
Offense Type	Number
Murder	1
Forcible Rape	2
Forcible Fondling	6
Aggravated Assault	23
Simple Assault	52
Intimidation	60
Stalking	2
<b>Total</b>	<b>146</b>
Crimes Against Property	
Offense Type	Number
Arson	1
Burglary	6
Counterfeiting/ Forgery	1
Destruction/Damage/Vandalism	71
Embezzlement	1
Fraud – False Pretenses	3
Fraud – Credit Card/ATM	1
Fraud – Welfare	1
Robbery	1
Theft – Shoplifting	3
Theft From Building	12
Theft From Motor Vehicle	2
Theft of Motor Vehicle Parts	3
Theft – All Other Larceny	5
Motor Vehicle Theft	3
Stolen Property Offenses	1
<b>Total</b>	<b>115</b>

## Crimes Against Property

The TIBRS Crimes Against Property category includes such offenses as Arson, Burglary, and Destruction/Damage/Vandalism. Of the 115 bias motivated crimes against property, 61.7% (71) were reported as Destruction/Damage/Vandalism. Over the past three years, this offense has consistently been reported most frequently of all the Crimes Against Property when Bias Motivation is present. The graph below compares bias motivated Vandalism offenses from 2009-2011.



Vandalism over the Years: Analysis of Hate Crime Offenses

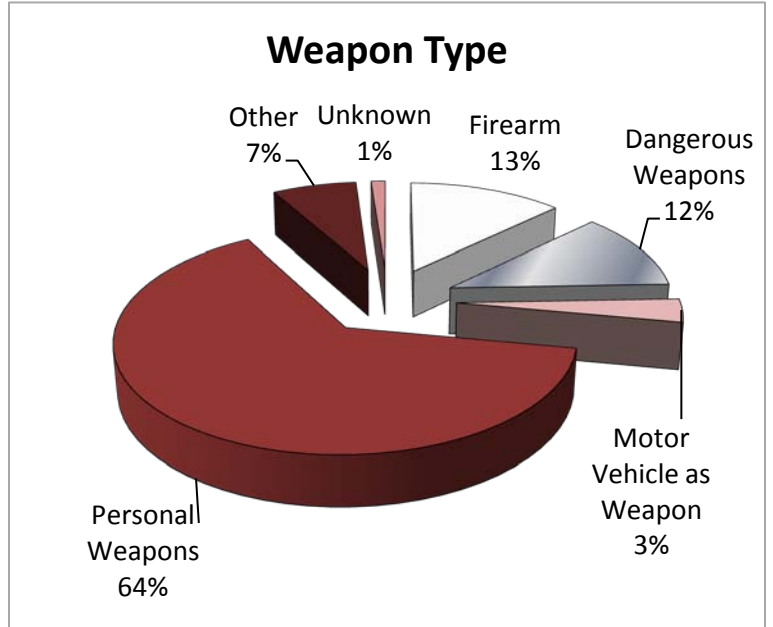
- Vandalism offenses have fluctuated over the past 5 years with 2008 having the highest number of Vandalism offenses with 121 while 2010 reported the lowest number with 53
- From 2010 to 2011, bias motivated Vandalism offenses increased 34.0% from 53 to 71
- Racial Bias, though the most common motivation for Vandalism offenses, has decreased by 50% since 2008 with 24 offenses reported in 2011 (the lowest in 5 years)
- Vandalism motivated by Religious Bias has declined 59% from 22 in 2008 to 9 in 2011
- Sexual bias has varied over the past 5 years with regards to vandalism offenses showing no clear trends; however it has accounted for least 11.5% of vandalism offenses since 2007

## Crimes Against Persons

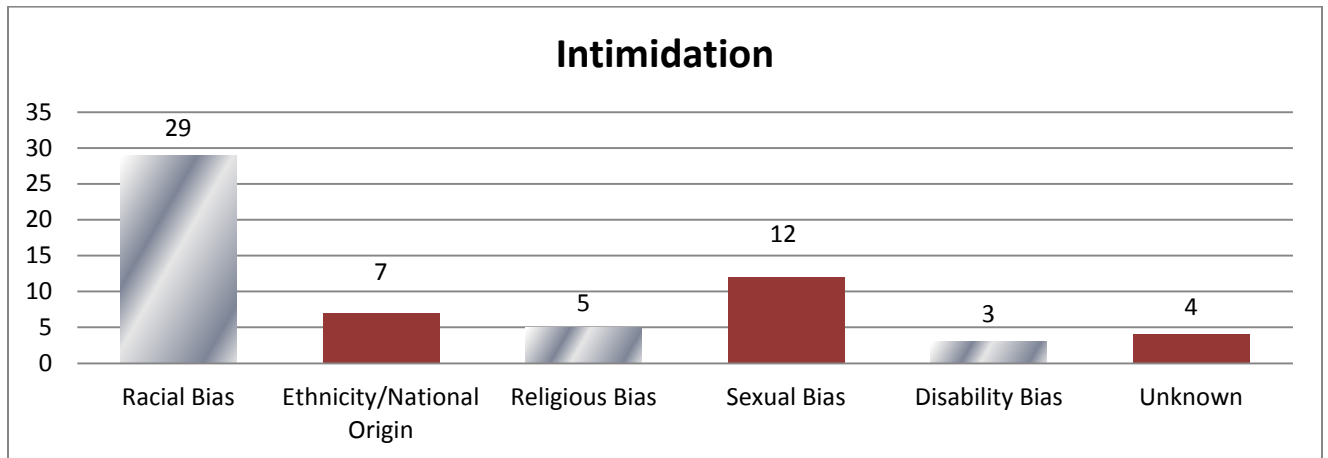
Hate Crime resulted in one murder in 2011 as well as 23 aggravated assaults. Anti-Hispanic Bias is the documented bias motivation for the 2011 murder offense with a weapon type of Dangerous Weapon, which includes knives, cutting instruments, etc.

Several types of weapons were utilized in violent bias motivated crimes. Of the 86 weapons reported, the most commonly reported Type of Weapon/Force Involved was the category of Personal Weapons (64%) which includes the use of hands, feet, teeth, etc. to inflict injury. Firearm and Dangerous Weapons were reported at 12.8% and 11.6% respectively.

The chart (to right) details Weapon Types used in Bias Motivated offenses.



TIBRS defines the offense of Intimidation as “unlawfully placing another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.” Sixty such bias motivated Intimidation offenses were reported in 2011. The graph below reveals the frequency and specific bias motivation for these crimes.



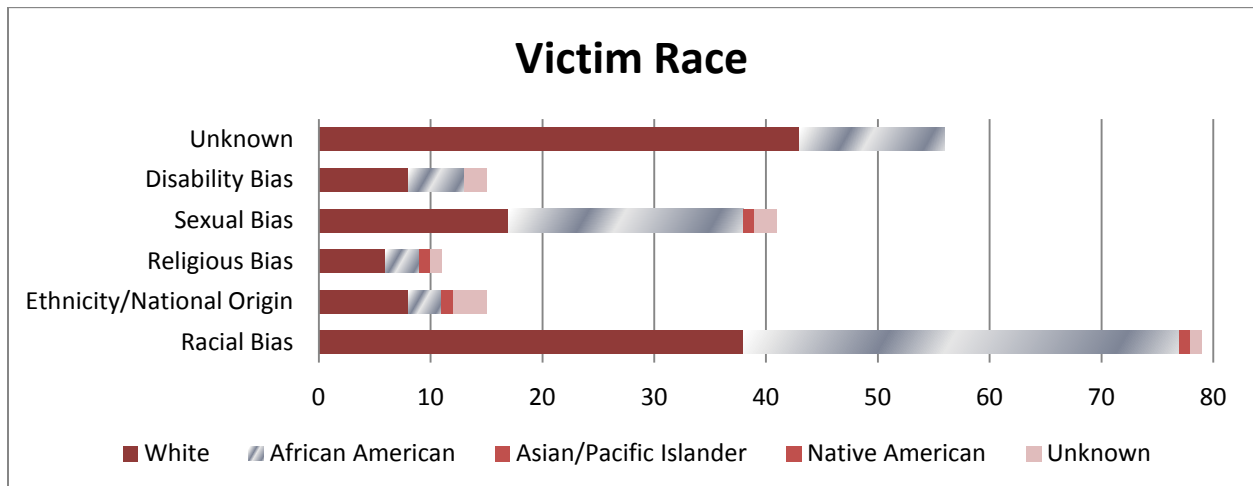
## Hate Crime Victims

In 2011, 132 victims of hate crimes were males and 83 victims were females (2 victims were documented as having unknown gender). Males were victimized at a much higher rate, 62.9%, than females in 2011. In the state of Tennessee, 79 people were victims of Racial Bias making this the largest bias motivation category in 2011. White females (23) and African American males (28) were the most commonly targeted groups for racially motivated crimes. 2011 saw a decrease in Sexual Bias offenses from the previous year. Thirty-three of 40 victims of Sexual Bias were males (14 white, 18 African American, and 1 Native American) making them 5.5 times more likely to be victimized than females. Tennessee law enforcement agencies reported 59 victims of Unknown Bias. In these cases, it has been determined that characteristics of a bias motivated offense exist; however, a specific category of bias is pending due to ongoing investigation of the event.

Victim to Offender Relationship	Number
Spouse	2
Boyfriend/Girlfriend	6
Sibling (Brother/Sister)	1
In-Law	1
Other Family	3
Child of Boyfriend/Girlfriend	1
Friend	2
Neighbor	13
Acquaintance	38
Otherwise Known	16
Stranger	36
Victim was Offender	11
Unknown	33
<b>Total</b>	<b>163</b>

Along with offense and demographic information, Victim to Offender Relationships were examined for 2011 hate crime offenses. Acquaintance, Stranger, and Unknown were the most frequently reported relationships. The data reveals that the Stranger and Unknown categories compose only 42.3 percent of all known Victim to Offender relationships. Consequently, the remaining 57.7% of relationships are ones in which the victim was in some way acquainted with his/her offender.

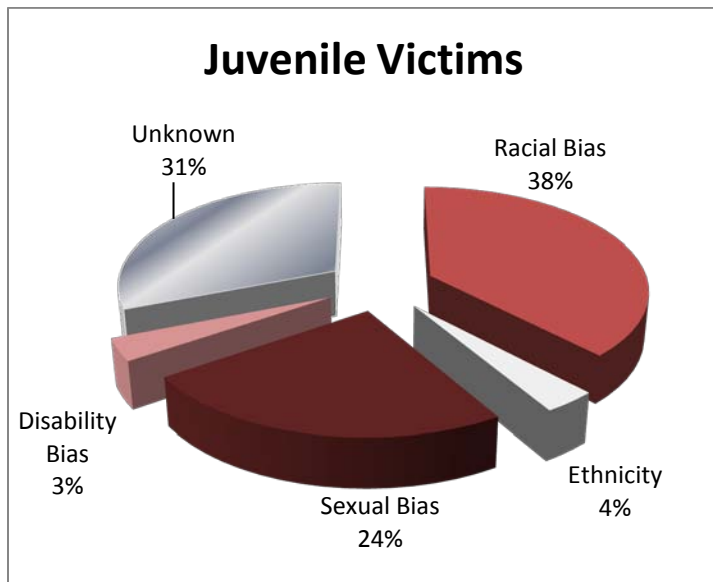
The most commonly reported victim races were White (120) and African American (84). Asian/Pacific Islanders accounted for 3 victims in 2011 while only 1 victim was reported as Native American. Nine victims have a documented race of Unknown. See graph below.



## Juvenile Victims and Offenders

The 2011 data reveals approximately 11% of all hate crime cases involve juvenile offenders and/or victims. Upon further examination, the juvenile data mirrors adult hate crime in several areas. Of note, Racial Bias is the most commonly reported motivation for Juvenile hate crimes just as is found in those perpetrated by adults. Also similar to adult victims, juvenile males are victimized at a higher rate than females. In 2011, 22 juvenile males were victims of hate crimes as compared to 7 juvenile females. The 2 reported victims under the age of 10 were females. Five adult offenders were reported as having committed hate crimes against children under the age of 18.

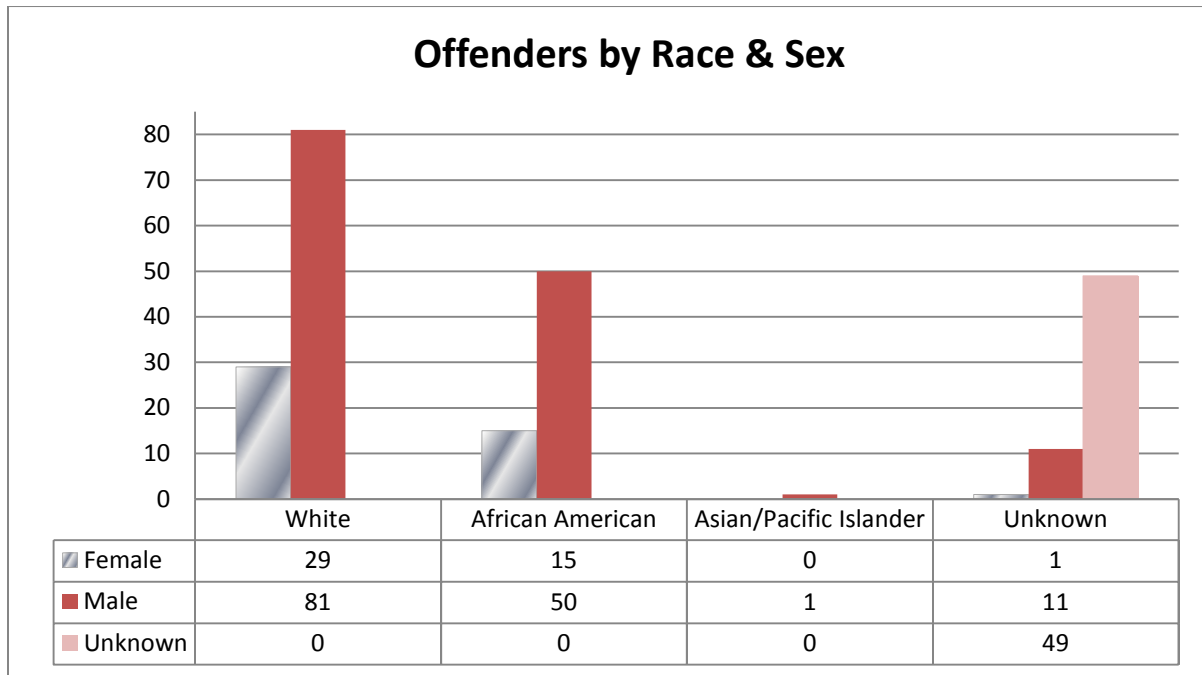
Juvenile Victims		
Offense Type	Number	
Forcible Fondling	4	
Simple Assault	18	
Intimidation	4	
Destruction/Damage/Vandalism	2	
Theft From A Building	1	
<b>Total</b>	<b>29</b>	
Offenders Against Juvenile Victims		
Offender Age	Male	Female
Under 18	17	4
18 to 24	4	0
Unknown	2	0
<b>Total</b>	<b>23</b>	<b>4</b>



\*1 offender reported with Unknown Gender in 18-24 Age Range.

- Analysis of offenses committed against juveniles reveals that 62.1% of juvenile victims were victims of simple assault
- Several bias motivations were documented for the 18 reported simple assaults
  - 7 Racial Bias
  - 1 Ethnicity/National Origin Bias
  - 6 Sexual Bias
  - 4 Unknown
- All four forcible fondling offenses with juvenile victims documented the bias motivation as Unknown
- Of the four intimidation offenses, 3 were racially motivated and 1 was reported as disability bias motivation

# Hate Crime Offenders



Examination of 2011 Hate Crime offender data revealed males, 60.3%, to be the most common perpetrators of bias motivated crimes. More specifically, white males accounted for 34.2% and black males accounted for 21.1% of all hate crime offenders. Offenders with “unknown” gender accounted for 20.7%. As compared to the 143 males, only 45 (19.0%) of hate crime offenders were female.

In 2011, 21 females were reported as having committed racially motivated criminal offenses which is 46.7% of all female hate crime offenders.

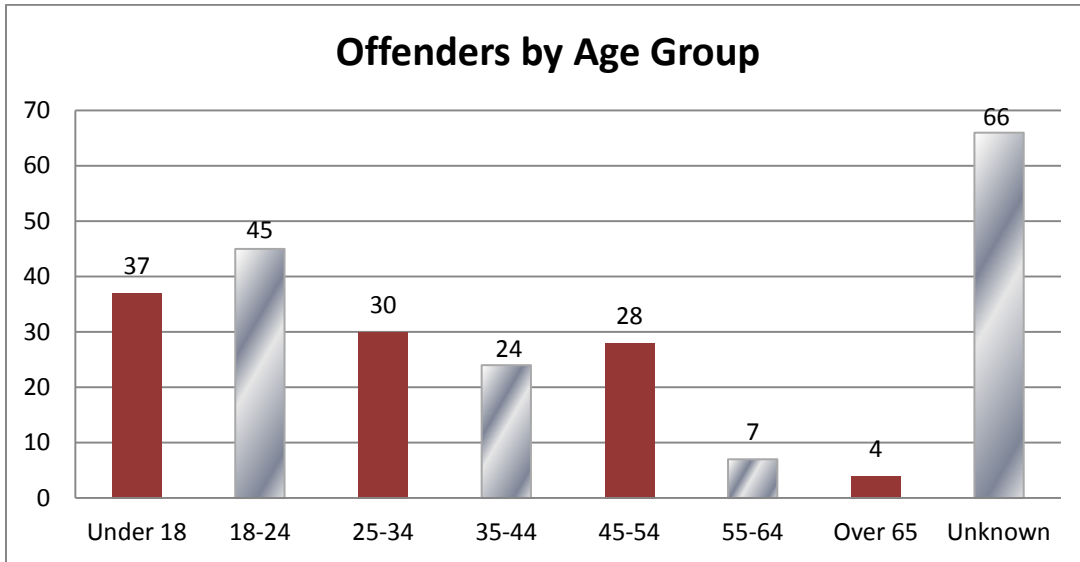
The most commonly reported perpetrators of 2011 Ethnicity/National Origin Bias offenses were white offenders (males – 7; females – 3)

The most frequent perpetrators of Sexual Bias offenses in 2011 were African American males. Of the 40 Sexual Bias offenders, 22 were African American males at 55%.

Disability Bias category was fairly diverse with regards to gender and race of offenders

- 4 African American female offenders
- 3 African American male offenders
- 4 White male offenders
- 2 male offenders with Unknown race
- 4 offenders with Unknown race and gender

Of the 176 known offender races, only one offender was not identified as being either African American or White.



37 juvenile offenders (those under the age of 18) committed bias motivated crimes with Simple Assault being the most commonly reported offense for this age group (16).

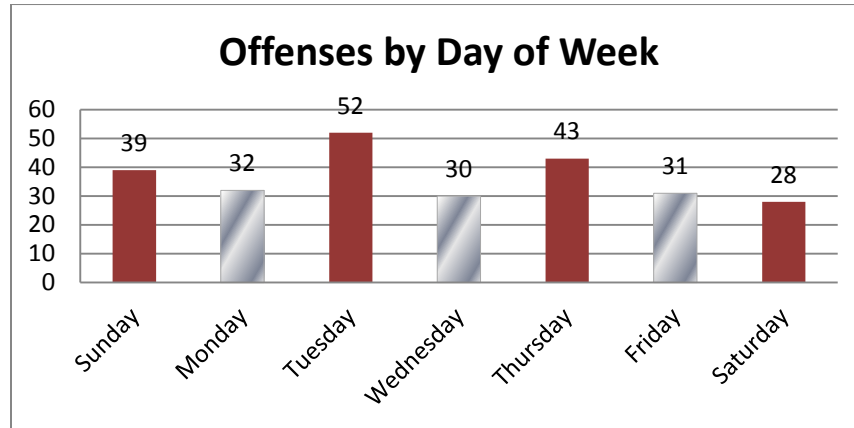
27.8% of offenders were reported to have an unknown age. The largest age group of known offenders was the 18 to 24 cohort. Forty-five hate crime offenders were between the ages of 18 and 24 accounting for 19.0% of all offenders.

Offenders with Unknown Age & Sex were examined closely to identify offenses and bias motivations.

- Findings reveal that Unknown Offenders committed 45 bias motivated offenses accounting for 17.2% of all offenses in 2011
- Of the 45 offenses, 53% were documented as Destruction/Damage/Vandalism
- Bias Motivation for the offenses are as follows:
  - 17 Unknown Bias
  - 15 Racial Bias
  - 5 Religious Bias
  - 4 Sexual Bias
  - 4 Disability Bias
- One of the reported aggravated assaults was racially motivated while the other has an unclear motivation (Unknown).

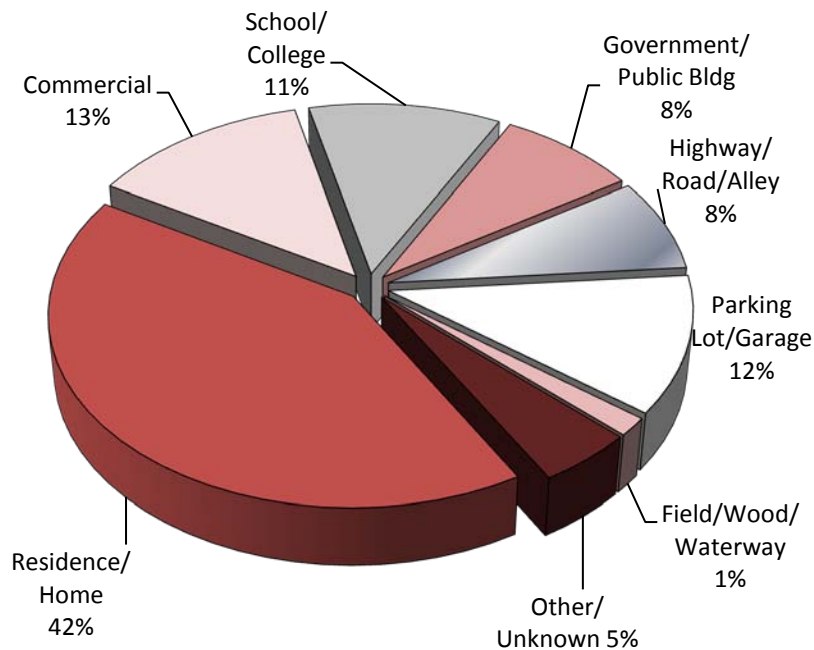
Offenders with Unknown Age & Sex	
Offense Type	Number
Aggravated Assault	2
Intimidation	4
Arson	1
Burglary	1
Destruction/Damage/Vandalism	24
Fraud – Credit Card/ATM	1
Theft – Shoplifting	1
Theft From Building	5
Theft From Motor Vehicle	2
Theft of Motor Vehicle Parts	2
Theft – All Other Larceny	2
<b>Total</b>	<b>45</b>

## 2011 Hate Crimes: When & Where



Time of day and day of week were examined in an effort to identify when hate crimes most often occurred in 2011. Results reveal very little variation in time of day. The most frequently reported time period for hate crimes was between the hours of 6pm and 9pm with 42 incidents. Following very close behind were 9am-12 noon, 3pm-6pm, and 6am-9am with 38, 37, and 35 incidents respectively. According to the 2011 TIBRS data, Tuesday had the highest number of Bias Motivated offenses with 52 reports in 2011.

## Hate Crime Location Types



Using TIBRS location categories, the pie chart (on left) depicts where 2011 hate crimes occurred. Personal residences accounted for the greatest portion of all reported offense locations with 42%.

Data analysis revealed the number of hate crimes reported at Tennessee Schools/Colleges has increased yearly from 8 in 2009 to 12 in 2010 and then 29 in 2011. This finding may or may not have implications for hate crimes on school and college campuses.

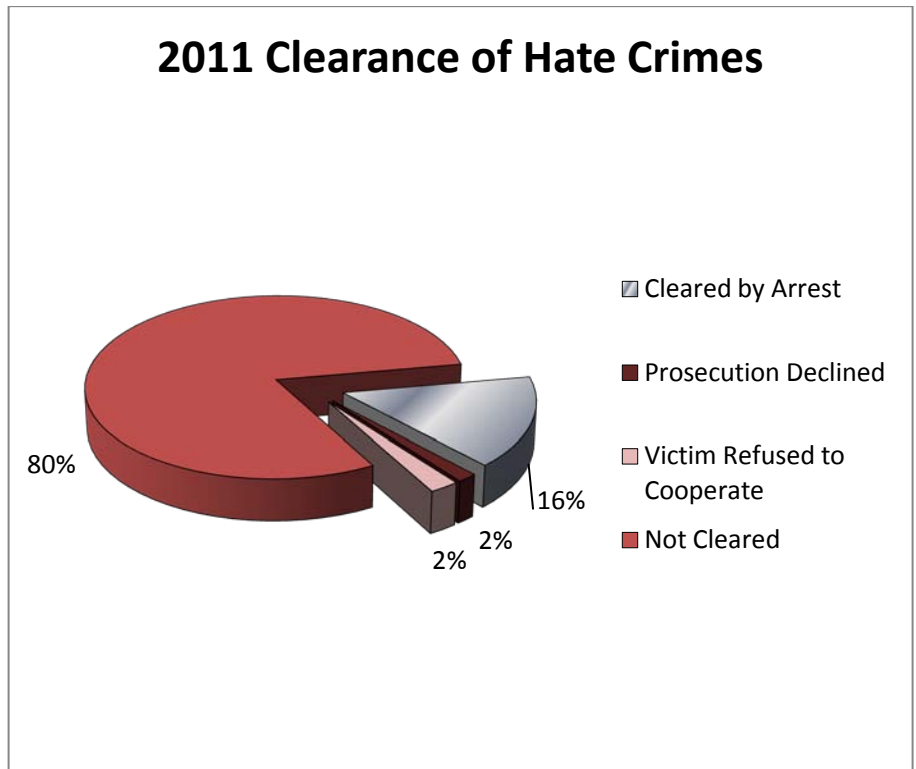
Location Types	#
Residence/Home	107
Commercial	33
School/College	29
Government/Public Bldg/Other	21
Highway/Road/Alley	20
Parking Lot/Garage	30
Field/Woods/Waterway	4
Other/Unknown	12



## Hate Crimes by Clearance

Of the 261 hate crimes reported in 2011 in the state of Tennessee, only 41 (15.7%) resulted in an arrest. Approximately 4% of all hate crimes were cleared exceptionally as a result of victims’ refusing to cooperate or prosecution was declined. Various factors contribute to the low clearance rate of bias motivated crimes. Among other things, time of day and location in which the offense occurs could affect the availability of essential law enforcement investigation elements such as evidence, witnesses, etc. Additionally, victim fear of retaliation should also be considered when evaluating the clearance of hate crimes. Examination of the 2011 reported Victim to Offender relationship data reveals that 58% of victims knew their offenders. This gives insight into the dilemma of uncooperative victims and/or witnesses law enforcement agencies potentially face when investigating hate crimes.

2011 Hate Crimes Cleared by Arrest	
Offense Type	Number
Murder	1
Aggravated Assault	6
Simple Assault	14
Intimidation	7
Burglary	2
Destruction/Damage/Vandalism	5
Embezzlement	1
Fraud – False Pretense	1
Fraud – Welfare	1
Theft – Shoplifting	1
Theft – All Other Larceny	2
<b>Total</b>	<b>41</b>



The table (above) details 2011 bias motivated offenses cleared by arrest.

- The only 2011 bias motivated murder reported was cleared by arrest
- Arrests for simple assaults accounted for 34.1% of all arrests
- The second offense most frequently cleared by arrest in 2011 was Intimidation at 17.0%
- Six of the 23 (26.1%) reported aggravated assaults were cleared by arrest

## Racial Bias by Jurisdiction

Anti-African American Bias		
Jurisdiction	Crimes Against Persons	Number
Alcoa Police Department	Simple Assault	1
Benton County Sheriff's Office	Aggravated Assault	1
Blount County Sheriff's Office	Aggravated Assault	1
Calhoun Police Department	Aggravated Assault	1
Chattanooga Police Department	Aggravated Assault	1
	Simple Assault	1
Cheatham County Sheriff's Office	Simple Assault	1
Clarksville Police Department	Simple Assault	1
Cleveland Police Department	Intimidation	2
	Simple Assault	2
Hamilton County Sheriff's Office	Intimidation	1
Hendersonville Police Department	Intimidation	1
Humboldt Police Department	Simple Assault	1
Jefferson County Sheriff's Office	Intimidation	2
Kingsport Police Department	Aggravated Assault	1
	Simple Assault	3
	Intimidation	2
Lawrenceburg Police Department	Intimidation	1
Maury County Sheriff's Office	Intimidation	1
McMinnville Police Department	Intimidation	1
Memphis Police Department	Simple Assault	1
	Intimidation	1
Middle Tennessee State University	Simple Assault	1
Milan Police Department	Intimidation	1
Millington Police Department	Aggravated Assault	1
	Simple Assault	1
Montgomery County Sheriff's Office	Stalking	1
Nashville Metro Police Department	Simple Assault	1
Rutherford County Sheriff's Office	Intimidation	1
Sevierville Police Department	Intimidation	1
Shelby County Sheriff's Office	Intimidation	2
	Simple Assault	3
Spring Hill Police Department	Intimidation	1
	Simple Assault	1
Sullivan County Sheriff's Office	Simple Assault	1
	Intimidation	1
Trimble Police Department	Intimidation	1
Tusculum College	Intimidation	2
Wilson County Sheriff's Office	Intimidation	1
Winchester Police Department	Intimidation	1

The following agencies reported **Anti-African American Bias** as the motivation for one or more Crimes Against Property offenses occurring in 2011:

- Clarksville Police Department
- Coopertown Police Department
- Franklin Police Department
- Harriman Police Department
- Knox County Sheriff's Office
- Maury County Sheriff's Office
- Memphis Police Department
- Montgomery County Sheriff's Office
- Nashville Metro Police Department
- Rutherford County Sheriff's Office
- Springfield Police Department
- Sumner County Sheriff's Office
- Washington County Sheriff's Office

<b>Anti-White Bias</b>		
<b>Jurisdiction</b>	<b>Crimes Against Persons</b>	<b>Number</b>
Bristol Police Department	Simple Assault	1
Columbia State Community College	Simple Assault	1
Lexington Police Department	Intimidation	1
Memphis Police Department	Simple Assault	2
Millington Police Department	Simple Assault	1
Newport Police Department	Simple Assault	1
Shelby County Sheriff's Office	Simple Assault	1
Tusculum College	Intimidation	1
White House Police Department	Simple Assault	1

The following agencies reported **Anti-White Bias** as the motivation for one or more Crimes Against Property offenses occurring in 2011:

- Baptist Memorial College of Health Sciences
- Baxter Police Department
- Jamestown Police Department
- Macon County Sheriff's Office
- Maryville College
- Moscow Police Department
- Nashville Metro Police Department

<b>Anti-Multi Racial Group Bias</b>		
<b>Jurisdiction</b>	<b>Crimes Against Persons</b>	<b>Number</b>
Kingston Police Department	Aggravated Assault	1
Clarksville Police Department	Intimidation	1
Memphis Police Department	Intimidation	1
Stewart County Sheriff's Office	Intimidation	1

The following agency reported **Anti-Multi Racial Group Bias** as the motivation for one or more Crimes Against Property offenses occurring in 2011:

- Shelby County Sheriff's Office

The following agency reported **Anti-American Indian/Alaskan Native Bias** as the motivation for one or more Crimes Against Property offenses occurring in 2011:

- Winchester Police Department

## Ethnicity/National Origin Bias by Jurisdiction

Anti-Hispanic Origin Bias		
Jurisdiction	Crimes Against Persons	Number
Greeneville Police Department	Murder	1
Kingsport Police Department	Aggravated Assault	2
Manchester Police Department	Intimidation	2
LaFayette Police Department	Intimidation	1
Vonore City Police Department	Intimidation	1
Union City Police Department	Intimidation	1

The following agency reported **Anti-Hispanic Origin Bias** as the motivation for one or more Crimes Against Property offenses occurring in 2011:

- Brownsville Police Department

Anti-Other Ethnicity/National Origin Bias		
Jurisdiction	Crimes Against Persons	Number
Loudon Police Department	Simple Assault	1
Memphis Police Department	Intimidation	1
Morristown Police Department	Intimidation	2
Nashville Metro Police Department	Simple Assault	2
	Burglary	2

The following agency reported **Anti-Other Ethnicity/National Origin Bias** as the motivation for one or more Crimes Against Property offenses occurring in 2011:

- Portland Police Department

## Religious Bias by Jurisdiction

Anti-Protestant Bias		
Jurisdiction	Crimes Against Persons	Number
Shelby County Sheriff's Office	Intimidation	1

The following agency reported **Anti-Protestant Bias** as the motivation for one or more Crimes Against Property offenses occurring in 2011:

- Gibson County Sheriff's Office

Anti-Islamic Bias		
Jurisdiction	Crimes Against Persons	Number
Nashville Metro Police Department	Intimidation	1

The following agency reported **Anti-Islamic Bias** as the motivation for one or more Crimes Against Property offenses occurring in 2011:

- Knoxville Police Department

Anti-Multi-Religious Group Bias		
Jurisdiction	Crimes Against Persons	Number
Red Boiling Springs Police Department	Burglary	1

The following agency reported **Anti-Multi-Religious Bias** as the motivation for one or more Crimes Against Property offenses occurring in 2011:

- Wilson County Sheriff's Office

<b>Anti-Other Religious Group Bias</b>		
<b>Jurisdiction</b>	<b>Crimes Against Persons</b>	<b>Number</b>
Cleveland Police Department	Intimidation	1
Nashville Metro Police Department	Intimidation	2

The following agency reported **Anti-Other Religious Group Bias** as the motivation for one or more Crimes Against Property offenses occurring in 2011:

- Shelby County Sheriff's Office

The following agencies reported **Anti-Jewish Bias** as the motivation for one or more Crimes Against Property offenses occurring in 2011:

- Oak Ridge Police Department
- Washington County Sheriff's Office
- Franklin Police Department

The following agency reported **Anti-Catholic Bias** as the motivation for one or more Crimes Against Property offenses occurring in 2011:

- Memphis Police Department

## Sexual Bias by Jurisdiction

Anti-Male Homosexual (Gay) Bias		
Jurisdiction	Crimes Against Persons	Number
Clarksville Police Department	Aggravated Assault	1
Hendersonville Police Department	Simple Assault	1
Memphis Police Department	Simple Assault	1
	Intimidation	4
Nashville Metro Police Department	Intimidation	2

The following agencies reported **Anti-Male Homosexual (Gay) Bias** as the motivation for one or more Crimes Against Property offenses occurring in 2011:

- Anderson County Sheriff’s Office
- Memphis Police Department
- Centerville Police Department
- Nashville Metro Police Department
- Clarksville Police Department
- Newport Police Department
- Lebanon Police Department
- Union City Police Department

Anti-Homosexual (Gays and Lesbians) Bias		
Jurisdiction	Crimes Against Persons	Number
Clarksville Police Department	Aggravated Assault	1
Gallatin Police Department	Simple Assault	1
Lebanon Police Department	Simple Assault	2
Memphis Police Department	Forcible Rape	1
	Aggravated Assault	1
	Simple Assault	6
	Intimidation	4
Nashville Metro Police Department	Intimidation	2

The following agencies reported **Anti- Homosexual (Gays and Lesbians) Bias** as the motivation for one or more Crimes Against Property offenses occurring in 2011:

- Clarksville Police Department
- Nashville Metro Police Department
- Knoxville Police Department
- Shelby County Sheriff’s Office
- Memphis Police Department

Anti-Heterosexual Bias		
Jurisdiction	Crimes Against Persons	Number
Hamilton County Sheriff’s Office	Intimidation	1
Shelby County Sheriff’s Office	Aggravated Assault	1
Tusculum College	Intimidation	1



## Disability Bias by Jurisdiction

Anti-Physical Disability Bias		
Jurisdiction	Crimes Against Persons	Number
Alamo Police Department	Intimidation	1
Covington Police Department	Simple Assault	2
Memphis Police Department	Forcible Rape	1
Shelby County Sheriff's Office	Forcible Fondling	2
Tennessee Bureau of Investigation	Aggravated Assault	1

The following agencies reported **Anti-Physical Disability Bias** as the motivation for one or more Crimes Against Property offenses occurring in 2011:

- Jamestown Police Department
- Red Boiling Springs Police Department
- Tennessee Bureau of Investigation

Anti-Mental Disability Bias		
Jurisdiction	Crimes Against Persons	Number
Bartlett Police Department	Intimidation	1
Shelby County Sheriff's Office	Intimidation	1
Sweetwater Police Department	Simple Assault	1

The following agencies reported **Anti-Mental Disability Bias** as the motivation for one or more Crimes Against Property offenses occurring in 2011:

- Shelby County Sheriff's Office
- Spring Hill Police Department
- Van Buren County Sheriff's Office

## Unknown Bias by Jurisdiction

Unknown Bias		
Jurisdiction	Crimes Against Persons	Number
Chattanooga Police Department	Aggravated Assault	1
	Burglary	1
Clarksville Police Department	Simple Assault	1
Greeneville Police Department	Simple Assault	1
Hamilton County Sheriff's Office	Forcible Fondling	4
Henry County Sheriff's Office	Simple Assault	1
Jefferson City Police Department	Simple Assault	1
	Burglary	1
Memphis College of Art	Intimidation	1
Memphis Police Department	Aggravated Assault	1
Montgomery County Sheriff's Office	Simple Assault	1
	Stalking	1
Nashville Metro Airport Police Department	Simple Assault	1
Nashville Metro Police Department	Simple Assault	1
	Intimidation	1
Pikeville Police Department	Simple Assault	1
Red Bank Police Department	Aggravated Assault	4
Smith County Sheriff's Office	Simple Assault	1
	Aggravated Assault	1
Tennessee Bureau of Investigation	Aggravated Assault	2
Tusculum College	Intimidation	2
Waverly Police Department	Burglary	1

The following agencies reported **Unknown Bias** as the motivation for one or more Crimes Against Property offenses occurring in 2011:

- Baxter Police Department
- Benton County Sheriff's Office
- Bledsoe County Sheriff's Office
- Chattanooga Police Department
- Clarksville Police Department
- Greeneville Police Department
- Hamilton County Sheriff's Office
- Jackson State Community College
- Jefferson City Police Department
- Knoxville Police Department
- Memphis Police Department
- Montgomery County Sheriff's Office
- Nashville Metro Police Department
- Red Bank Police Department
- Spring Hill Police Department
- Tennessee Office of Inspector General
- Tusculum College

# **TIBRS Group A Offense Definitions**

## **Arson (200)**

To unlawfully and intentionally damage, or attempt to damage, any real or personal property by fire or incendiary device.

## **Assault Offenses**

An unlawful attack by one person upon another.

### **Aggravated Assault (13A)**

An unlawful attack by one person upon another wherein the offender uses a weapon or displays it in a threatening manner, or the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness.

### **Simple Assault (13B)**

An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness.

### **Intimidation (13C)**

To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

### **Stalking (13D)**

To intentionally and repeatedly follow or harass another person in such a manner as would cause that person to be in reasonable fear of being assaulted, suffering bodily injury or death.

## **Bribery (510)**

The offering, giving receiving or soliciting of any thing of value (i.e., a bribe, gratuity or kickback) to sway the judgment or action of a person in a position of trust or influence.

## **Burglary/Breaking and Entering (220)**

The unlawful entry into a building or other structure with the intent to commit a felony or a theft.

## **Counterfeiting/Forgery (250)**

The altering, copying or imitation of something, without authority or right, with the intent to deceive or defraud by passing the copy or thing altered or imitated as that which is original or genuine; or the selling, buying or possession of an altered, copied or imitated thing with the intent to deceive or defraud.

## **Vandalism Intentional Destruction/Damage of Property (290)**

To willfully or maliciously destroy, damage, deface or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

## **Drug/Narcotic Offenses**

The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use.

### **Drug/Narcotic Violations (35A)**

The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance.

### **Drug Equipment Violations (35B)**

The unlawful manufacture, sale, purchase, possession or transportation of equipment or devices utilized in preparing and/or using drugs or narcotics.

### **Embezzlement (270)**

The unlawful misappropriation by an offender to his/her own use or purpose or money, property, or some other thing of value entrusted to his/her care, custody or control.

### **Extortion/Blackmail (210)**

To unlawfully obtain money, property, or any other thing of value, either tangible or intangible, through the use or threat of force, misuse of authority, threat of criminal prosecution, threat of destruction of reputation or social standing or through other coercive means.

### **Fraud Offenses**

The intentional perversion of the truth for the purpose of inducing another person or other entity in reliance upon it to part with something of value or surrender a legal right.

#### **False Pretenses/Swindle/Confidence Game (26A)**

The intentional misrepresentation of existing facts or conditions, or the use of some other deceptive scheme or device to obtain money, goods, or other things of value.

#### **Credit Card/Automatic Teller Machine Fraud (26B)**

The unlawful use of a credit or debit card or automatic teller machine for fraudulent purposes.

#### **Impersonation (26C)**

Falsely representing one's identity or position, and acting in the character or position thus unlawfully assumed, to deceive others and thereby gain a profit or advantage, enjoy some right or privilege, or subject another person or entity to an expense, charge, or liability which would not have otherwise been incurred.

#### **Welfare Fraud (26D)**

The use of deceitful statements, practices or devices to unlawfully obtain welfare benefits.

## **Wire Fraud (26E)**

The use of an electric or electronic communications facility to intentionally transmit a false and/or deceptive message in furtherance of a fraudulent activity.

## **Gambling Offenses**

To unlawfully bet or wager money or something else of value; assist, promote or operate a game of chance for money or some other stake; possess or transmit wagering information; manufacture, sell, purchase, possess or transport gambling equipment, devices or goods; or tamper with the outcome of a sporting event or contest to gain a gambling advantage.

### **Betting/Wagering (39A)**

To unlawfully stake money or something else of value on the happening of an uncertain event or on the ascertainment of a fact in dispute.

### **Operating/Promoting/Assisting Gambling (39B)**

To unlawfully operate, promote or assist in the operation of a game of chance, lottery or other gambling activity.

### **Gambling Equipment Violations (39C)**

To unlawfully manufacture, sell, buy, possess or transport equipment, devices and/or goods used for gambling purposes.

### **Sports Tampering (39D)**

To unlawfully alter, meddle in or otherwise interfere with a sporting contest or event for the purpose of gaining a gambling advantage.

## **Homicide Offenses**

### **Murder and Non-negligent Manslaughter (09A)**

The willful (non-negligent) killing of one human being by another.

### **Negligent Manslaughter (09B)**

The killing of another person through negligence.

## **Justifiable Homicide (09C)**

The killing of a perpetrator of a serious criminal offense by a peace officer in the line of duty; or the killing, during the commission of a serious criminal offense, of the perpetrator by a private individual.

*\* Justifiable homicide is not an actual offense and is not included in an agency's crime counts. Justifiable Homicide is not considered a crime.*

## **Kidnapping/Abduction (100)**

Definition – The unlawful seizure, transportation, and/or detention of a person against his/her will, or of a minor without the consent of his/her custodial parent(s) or legal guardian.

## **Larceny/Theft Offenses**

The unlawful taking, carrying, leading or riding away of property from the possession, or constructive possession, of another person.

### **Pocket-Picking (23A)**

The theft of articles from another person's physical possession by stealth where the victim does not become immediately aware of the theft.

### **Purse Snatching (23B)**

The grabbing or snatching of a purse, handbag, etc., from the physical possession of another person.

### **Shoplifting (23C)**

The theft, by someone other than an employee of the victim, of goods or merchandise exposed for sale.

### **Theft from a Building (23D)**

A theft from within a building which is either open to the general public or where the offender has legal access.

### **Theft from Coin-Operated Machine or Device (23E)**

A theft from a machine or device which is operated or activated by the use of coins.

### **Theft from Motor Vehicle (23F)**

The theft of articles from a motor vehicle, whether locked or unlocked.

### **Theft of Motor Vehicle Parts or Accessories (23G)**

The theft of any part or accessory affixed to the interior or exterior of a motor vehicle in a manner which would make the item an attachment of the vehicle or necessary for its operation.

### **All Other Larceny (23H)**

All thefts which do not fit any of the definitions of the specific subcategories of Larceny/Theft listed above.

### **Motor Vehicle Theft (240)**

The theft of a motor vehicle.

### **Pornography/Obscene Material (370)**

The violation of laws or ordinances prohibiting the manufacture, publishing, sale, purchase or possession of sexually explicit material, e.g., literature, photographs, etc.

### **Prostitution Offenses**

#### **Prostitution (40A)**

To unlawfully engage in sexual relations for profit.

#### **Assisting or Promoting Prostitution (40B)**

To solicit customers or transport persons for prostitution purposes; to own, manage or operate a dwelling or other establishment for the purpose of providing a place where prostitution is performed; or to otherwise assist or promote prostitution.



## **Robbery (120)**

The taking, or attempting to take, anything of value under confrontational circumstance from the control, custody or care of another person by force or threat of force or violence, and/or by putting the victim in fear of immediate harm.

## **Sex Offenses, Forcible**

### **Forcible Rape (11A)**

The carnal knowledge of a person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

### **Forcible Sodomy (11B)**

Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

### **Sexual Assault With An Object (11C)**

To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or his/her temporary or permanent mental or physical incapacity.

### **Forcible Fondling (11D)**

The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

## **Sex Offenses, Nonforcible**

Unlawful, non-forcible sexual intercourse.

### **Incest (36A)**

Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

### **Statutory Rape (36B)**

Non-forcible sexual intercourse with a person who is under the statutory age of consent.

Note: By Tennessee Statute the victim must be between ages 13-17 and the offender must be at least four years older than the victim for an offense to be classified as Statutory Rape.

### **Stolen Property Offense (280)**

Receiving, buying, selling, possessing, concealing or transporting any property with the knowledge that it has been unlawfully taken, as by burglary, embezzlement, fraud, larceny, robbery, etc.

### **Weapon Law Violations (520)**

The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This category includes violations such as the manufacture, sale or possession of deadly weapons; carrying deadly weapons, concealed or openly; using, manufacturing, etc., silencers; and furnishing deadly weapons to minors.

## **TIBRS Group B Offense Definitions**

There are eleven Group B offense categories and they encompass all of the crimes which are not Group A offenses, with the exception of most traffic offenses which TIBRS does not collect information on.

### **Bad Checks (90A)**

Knowingly and intentionally writing and/or negotiating checks drawn against insufficient or nonexistent funds.

### **Curfew/Loitering/Vagrancy Violations (90B)**

The violation of a court order, regulation, ordinance or law requiring the withdrawal of persons from the streets or other specified areas; prohibiting persons from remaining in an area or place in an idle or aimless manner; or prohibiting persons from going from place to place without visible means of support.

### **Disorderly Conduct (90C)**

Any behavior that tends to disturb the public peace or decorum, scandalize the community or shock the public sense of morality.

### **Driving Under the Influence (90D)**

Driving or operating a motor vehicle or common carrier while mentally or physically impaired as the result of consuming an alcoholic beverage or using a drug or narcotic.

### **Drunkenness (90E)**

To drink alcoholic beverages to the extent that one's mental faculties and physical coordination are substantially impaired.

### **Family Offense, Nonviolent (90F)**

Unlawful, nonviolent acts by a family member (or legal guardian) which threaten the physical, mental or economic well-being or morals of another family member and which are not classifiable as other offenses, such as Assault, Incest, Statutory Rape, etc.

### **Liquor Law Violations (90G)**

The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages.

### **Peeping Tom (90H)**

To secretly look through a window, doorway, keyhole or other aperture for the purpose of voyeurism.

### **Runaway (90I)**

A person under 18 years of age who has left home without the permission of his/her parent(s) or legal guardian.

### **Trespass of Real Property (90J)**

To unlawfully enter land, a dwelling or other real property.

### **All Other Offenses (90Z)**

All crimes which are not Group A offenses and not included in one of the specifically named Group B crime categories listed above.

Includes: Contempt of Court, Failure to Appear, Violation of Probation / Parole.