

Hate Crime Definition

- A hate crime (also known as a bias crime) is a crime where a perpetrator targets a victim due to their physical appearance or perceived membership in a specific social group. Such groups may include race, ethnicity, disability, language, nationality, political views, age, religion, sex, gender identity, or sexual orientation. Non-criminal actions motivated by these biases are often termed “bias incidents.”
- Examples of hate crimes include:
 - Physical assault, homicide, damage to property
 - Bullying, harassment, verbal abuse, offensive graffiti, or hate mail

History of Hate Crimes

- Term Origin: The term “hate crime” gained common usage in the U.S. during the 1980s, although similar crimes have historical roots.
- Historical Examples:
 - Roman persecution of Christians, Nazi genocide of Jews, European colonial violence against indigenous peoples
 - In the U.S., lynching of African Americans, cross burnings, and attacks on minority ethnic and LGBTQ+ communities
- Recent Examples:
 - During COVID-19, anti-Chinese violence surged due to blame associated with the virus, as documented by organizations like the “NEVER AGAIN” Association in Poland.

Psychological Effects of Hate Crimes

- Impacts on Individuals: Trauma, depression, low self-esteem
- Targeted Group: Increased fear and vulnerability
- Broader Community: Division and weakened multicultural society

Victim Reactions: Symptoms may include PTSD, depression, and avoidance behaviors. Studies suggest that hate crimes also negatively impact educational and socioeconomic outcomes for affected groups.

Motivation Behind Hate Crimes

- Primary Motives Identified by Sociologists Jack McDevitt and Jack Levin:
 1. Thrill-seeking: Crimes for excitement, often by groups, targeting perceived vulnerable groups.
 2. Defensive: Motivated by a belief that they are protecting their community from perceived threats.
 3. Retaliatory: Crimes committed in revenge for other incidents or perceived offenses.
 4. Mission-oriented: Crimes ideologically motivated, often targeting symbolically significant sites.
- Psychological Theories: Strain Theory, Doing Difference Theory, and Self-Control Theory offer insights into motivations behind hate crimes, suggesting interactions of social, cultural, and individual factors. Hate-crime offenders often develop biases through social interaction and exposure to biased media.

Risk Management for Hate-Crime Offenders

- Risk Assessment Tools: Limited in research; commonly used tools include:
- Violence Risk Appraisal Guide (VRAG)
- Psychopathy Checklist-Revised (PCL-R) for evaluating recidivism risks for hate-crime offenders.

General Hate Crime Laws in Germany

Categories of Hate Crime Laws:

1. **Bias-motivated acts as distinct crimes:** Germany doesn't define hate crime as a separate offense. Instead, courts can enhance penalties if bias motivation is proven.
2. **Criminal penalty enhancements:** Section 46 of the German Criminal Code (StGB) allows bias motivation (e.g., hatred based on race, religion, or sexual orientation) to be considered when sentencing.
3. **Civil actions for hate crimes:** Civil actions are less prominent, as hate crime cases often fall under criminal jurisdiction. However, individuals can pursue civil

remedies for discrimination under laws like the General Equal Treatment Act (AGG).

- 4. **Administrative data collection requirements:** German authorities collect data on hate crime incidents, categorized by bias motivations, through the Federal Criminal Police Office (BKA).

Key Legislation for Hate Crimes

German Criminal Code (StGB)

- **Section 46 StGB:** Allows courts to consider discriminatory motives (e.g., race, religion, sexual orientation) during sentencing, enhancing penalties for crimes with bias motivation.
- **Section 130 StGB (Volksverhetzung):** Specifically addresses incitement to hatred, hate speech, and acts intended to incite violence or hatred against specific groups, including racial, religious, and national communities.

Bias-Specific Legislation

1. Gender and Sexuality-Based Hate Crimes:

- **Section 46 StGB:** Permits enhanced sentencing for crimes committed with discriminatory motivations.
- **Equal Treatment Act (AGG):** This law prohibits discrimination based on gender and sexual orientation in various domains, including employment, housing, and access to services.
- **Section 130 StGB:** Provides criminal sanctions for hate speech targeting individuals or groups based on gender or sexual orientation.

2. Religious Hate Crimes:

- **Section 166 StGB:** Criminalizes the public defamation of religious groups or beliefs if it poses a risk to public peace.
- **Basic Law (Grundgesetz, GG):** Article 4 of Germany's constitution ensures freedom of religion, and Article 3 prohibits discrimination based on religion.
- **Section 130 StGB:** Includes provisions addressing hate speech or violence against religious groups.

3. Racist and Xenophobic Hate Crimes:

- **Section 130 StGB:** Criminalizes incitement to hatred, hate speech, and violent actions against people based on race, ethnicity, or nationality.

- **Basic Law (GG):** Article 3 guarantees equality before the law and prohibits discrimination based on race, ethnicity, or national origin.
- **International Convention on the Elimination of All Forms of Racial Discrimination (ICERD):** Reinforces anti-racist measures within German law, requiring penalties for racial discrimination and hate crimes.

Practical Implementation

- In Germany, these laws provide a foundation for addressing and prosecuting hate crimes, with a strong emphasis on preventing incitement to violence and protecting marginalized communities. The integration of both criminal sanctions (for severe acts like hate speech or bias-motivated violence) and civil protections (to address discrimination in social sectors) reflects a broad commitment to countering hate-driven behavior.

Steps to Report a Hate Crime in Germany

1.Document the Incident:

- Gather as much information as possible about the event, including:
- Photos or Videos: Visual evidence of the incident or its aftermath.
- Witness Statements: Contact information and statements from any witnesses.
- Descriptions: Detailed accounts of what happened, including time, location, and any identifying features of the perpetrator.

2.Preserve Digital Evidence:

- Save any online messages, emails, or social media posts related to the incident. Screenshots can be valuable evidence if hate speech or threats were made online.

3.Prepare for Language Barriers:

- If You Don't Speak German: It can be helpful to bring someone who speaks German to assist with translation at the police station. This person can help ensure accurate communication with the officers.
- Alternative Support: If you don't know someone who can assist, you may contact organizations that provide translation support for hate crime

victims. One example is ReachOut Berlin, which offers assistance for individuals facing hate crime incidents.

- Contact:
 - ReachOut Berlin
 - Email: info@reachoutberlin.de
 - Address: Oranienburger Str. 27, 10117 Berlin

4. Visit Your Local Police Station:

- Bring all collected documentation with you. Explain the details of the incident, and let the officer know you believe it to be a hate crime.
- The police will create an official report based on your statement and evidence.

5. Report Online (Optional):

- If you're unable to visit the police station, you may be able to file a report online through local authorities' websites or specific online reporting platforms.
- For Berlin residents, you can use the Berlin Police Online Reporting Portal to report incidents anonymously or directly.

6. Follow Up on Your Report:

- After filing, obtain a case reference number for future inquiries.
- You may check in periodically with the police station or use online tools (where available) to get updates on your case.

7. Consider Additional Support:

- Legal Assistance: In case you want to take this case to court and need information on legal protections and free community assistance, please click on:
 - [Legal Assistance](#)
- Mental Health Support: Please don't hesitate to also seek guidance from mental health professionals or other communities who can support you through this difficult time. You can find more by clicking on:
 - [Mental Health Support](#)

Local Resources: NGOs, Legal Aid, Counseling, etc

1. Reporting Mechanisms and Platforms

a. Online Strafanzeige (Online Criminal Complaint)

- **Summary:** Allows individuals to file criminal complaints online in Germany, including hate crimes.
- **Contact:** Depends on the federal state; typically managed by local police authorities.
- **Link:** online-straftanzeige.de

b. Meldestelle Respect!

- **Summary:** A platform to report hate speech and receive expert analysis.
- **Contact:** Email: info@meldestelle-respect.de
- **Link:** meldestelle-respect.de/faq/

c. Antidiskriminierungsstelle des Bundes (Federal Anti-Discrimination Agency)

- **Summary:** Offers counseling and support for those facing discrimination, including hate crimes. They provide information on rights and connect individuals with local support.
- **Contact:** Contact form available on the website
- **Link:** antidiskriminierungsstelle.de [Contact Form](#)

2. Mental Health and Coping Strategies

a. You Are Not Alone – Coping with Psychological Effects

- **Summary:** Offers tips and support for dealing with the psychological impact of hate crimes.
- **Contact:** Not specified.
- **Link:** youarenotalone.ai

3. Education and Anti-Semitism Research

a. Alfred Landecker Foundation – Combat Antisemitism

- **Summary:** Focuses on combating antisemitism through education and research initiatives.
- **Contact:** Email: info@alfredlandecker.org
- **Link:** alfredlandecker.org

4. Legal Aid and Financial Assistance

a. HateAid – Legal Costs Financing

- **Summary:** Provides financial support for legal proceedings related to digital violence and hate crimes.
- **Contact:** Email: legal@hateaid.org
- **Link:** hateaid.org

5. Organizations Against Hate Speech and Digital Violence

a. Kompetenznetzwerk Hass im Netz

- **Summary:** A network combating hate speech and digital violence through various initiatives.
- **Contact:** Email: info@kompetenznetzwerk-hass-im-netz.de
- **Link:** kompetenznetzwerk-hass-im-netz.de

b. Neue deutsche Medienmacher*innen

- **Summary:** An organization promoting diversity in media and combating hate speech.
- **Contact:** Email: info@neuemedienmacher.de
- **Link:** neuemedienmacher.de

c. Gesellschaft für Freiheitsrechte – Marie Munk Initiative

- **Summary:** Focuses on protecting democracy and combating hate speech through legal means.
- **Contact:** Email: info@freiheitsrechte.org
- **Link:** freiheitsrechte.org

d. Ich Bin Hier e.V.

- **Summary:** Empowers individuals through education and events to combat hate speech online.
- **Contact:** Email: info@ichbinhier.eu
- **Link:** ichbinhier.eu

6. Religion-Based Hate Crime Resources

a. Get The Trolls Out!

- **Summary:** A project addressing hate speech based on religion through media monitoring and campaigns.
- **Contact:** Email: info@getthetrollsout.org
- **Link:** getthetrollsout.org

7. Local Support Resources for Victims

a. Berlin Police – Hate Crime Prevention

- **Summary:** Provides information and support for victims of hate crimes in Berlin.
- **Contact:** Phone: +49 30 4664 979 444
- **Link:** berlin.de/polizei/aufgaben/praevention/hasskriminalitaet

b. Roots Berlin

- **Summary:** Offers support and counseling for victims of discrimination and hate crimes.
- **Contact:** Email: info@rootsberlin.com
- **Link:** rootsberlin.com

c. KOP – Campaign for Victims of Police Violence

- **Summary:** Provides support for victims of police violence, including those affected by hate crimes.
- **Contact:** Email: info@kop-berlin.de
- **Link:** kop-berlin.de

d. Verband der Beratungsstellen für Betroffene rechter, rassistischer und antisemitischer Gewalt (VBRG)

- **Summary:** Supports victims of right-wing, racist, and anti-Semitic violence across Germany with counseling, legal assistance, and advocacy.
- **Contact:** Email: info@verband-brg.de
- **Link:** verband-brg.de

e. GLADT e.V.

- **Summary:** A multilingual organization for Black and People of Color (LGBTQ+) in Berlin, offering support against discrimination.
- **Contact:** Email: info@gladt.de
- **Link:** gladt.de/en/

f. Hydra e.V.

- **Summary:** Provides support and counseling for sex workers in Berlin, including those facing violence or discrimination.
- **Contact:** Email: info@hydra-berlin.de
- **Link:** hydra-berlin.de

g. LesMigraS

- **Summary:** Offers counseling and support for lesbian, bisexual women, and trans* individuals facing discrimination or violence.
- **Contact:** Email: lesmigras@lesmigras.de
- **Link:** lesmigras.de

h. Antidiskriminierungsverband Deutschland (advd)

- **Summary:** A network of anti-discrimination offices providing counseling and advocacy for victims of discrimination.

- **Contact:** Email: info@antidiskriminierung.org
- **Link:** antidiskriminierung.org