

RESOLUTION NO. 26189

A RESOLUTION APPROVING THE CITY OF  
CHATTANOOGA HATE CRIMES RESPONSE POLICY AS  
ATTACHED HERETO.

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA,  
TENNESSEE, That it hereby approves the City of Chattanooga Hate Crimes Response Policy as  
attached hereto.

ADOPTED: January 26, 2010.

/mms

## City of Chattanooga Hate Crime Response Policy

### Purpose:

The purpose of this proposal is to establish a procedure for appropriate and timely response to alleged hate crimes or bias incidents. The plan will provide strong support for the alleged victim, outline a coordinated community response, show zero community tolerance for bias incidents and hate crimes within our city, and raise awareness of hate related issues within the community.

Hate is not an individual problem but a community one. The City of Chattanooga recognizes the importance of standing together against all acts of hatred. Though the incidents may be unique, the response should be consistent.

### Proposal:

The Chattanooga Police Department is responsible for the investigation of reported hate crimes. Victims of hate crimes should contact the Police Department immediately<sup>1</sup>. If a hate crime or incident is reported to an agency other than the Police Department, a representative of that agency should offer to accompany the victim(s) to the Police Department. It is important that individual community members not interfere or interrupt the official investigation. If local law enforcement determines a hate crime or incident has occurred, it will report the incident to the appropriate state and federal agencies.

The Chattanooga Office of Multicultural Affairs (OMA) and members of its Human Rights Human Relations Committee will work with interested law enforcement, schools, victim advocacy organizations, community groups, social service agencies, ethnic and religious organizations to form a Hate Crime Response Network. The intended role of the Network is to provide support to the victim(s) and to assist the community in developing a zero tolerance for hate crimes and bias incidents, through the use of education and communication outreach initiatives.

The Office of Multicultural Affairs will work to develop a Memorandum of Understanding with the Chattanooga Police and Chattanooga Fire Departments so that following a reported incident, they will contact OMA, who will alert the Hate Crime Response Network for appropriate assistance. The same notification process will be carried out at the conclusion of the investigation.

Only where appropriate and after consultation with the Chattanooga Police Department and /or Chattanooga Fire Department, OMA in conjunction with members of the Hate Crime Response Network will determine and coordinate the appropriate level of community response, including any necessary public statements.

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<sup>1</sup>Victims or witnesses to a hate crime should call 911 immediately. The police department will respond 24 hours a day, seven days a week to any requests for police service. The non-emergency telephone number is 423-698-2525.

## City of Chattanooga Hate Crime Response Policy

### Follow-up:

Contact with the victim(s) will be made within seven (7) business days by the Office of Multicultural Affairs Compliance Officer when appropriate, so as not to interfere with an ongoing investigation.

The OMA Human Rights Human Relations Committee and the Hate Crimes Response Network shall meet as necessary, to review the response process and take appropriate actions to affect change.

Additional follow-up may include:

- Meeting with neighborhood groups and residents in target communities to allay concern and respond to the specific incident
- Developing community programs and forums which would encourage solidarity against prejudice, bigotry and other such acts of hatred
- Conducting additional hate crime<sup>2</sup> prevention or awareness programs and workshops

At least annually, the City of Chattanooga Office of Multicultural Affairs<sup>3</sup> and its Human Rights Human Relations Committee will review the overall Hate Crime Response process and provide any policy amendments to the Mayor's Office.

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<sup>2</sup> Hate Crime Definitions vary in legal jurisdictions:

**United States:** For the purposes of data collection, the FBI defines a hate crime as a criminal offense committed against a person or property which is motivated, in whole or in part, by the offender's bias against the victim's race, religion, disability, ethnic origin, or sexual-orientation.

**Tennessee:** Tennessee's Hate Crime statute deals with sentencing enhancement for a hate crime offense:

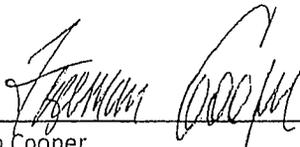
**§ 40-35-114. Enhancement factors.** If appropriate for the offense and if not already an essential element of the offense, the court shall consider, but is not bound by, the following advisory factors in determining whether to enhance a defendant's sentence:

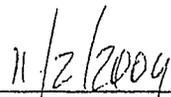
(17) The defendant intentionally selected the person against whom the crime was committed or selected the property that was damaged or otherwise affected by the crime, in whole or in part, because of the defendant's belief or perception regarding the race, religion, color, disability, sexual orientation, national origin, ancestry, or gender of that person or the owner or occupant of that property; however, this subdivision (17) should not be construed to permit the enhancement of a sexual offense on the basis of gender selection alone.

<sup>3</sup>The Ordinance of the Office of Multicultural Affairs states that it is "...to encourage understanding and goodwill, promote justice, and eliminate discriminatory practices between and among its citizens because of race, religion, national origin, age, sex, disability or ethnicity."

Memorandum of Understanding (MOU)

The signature of the undersigned indicates review and approval of the City of Chattanooga Hate Crimes Response Policy, and thus acknowledges this Memorandum of Understanding (MOU).

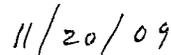
  
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Freeman Cooper  
Chief of Police, City of Chattanooga Police Department

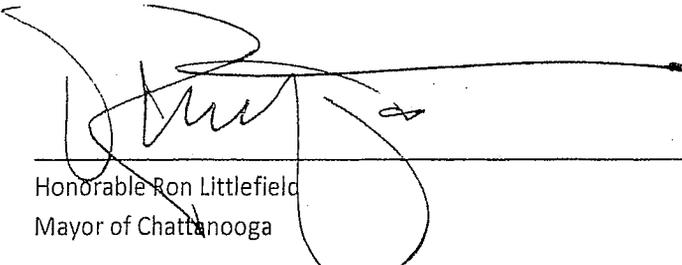
  
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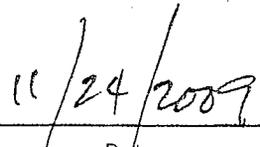
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Randy Parker  
Fire Chief, City of Chattanooga Fire Department

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Date

  
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Beverly J. Cosley  
Director, City of Chattanooga Office of Multicultural Affairs

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Honorable Ron Littlefield  
Mayor of Chattanooga

  
\_\_\_\_\_  
Date

Memorandum of Understanding (MOU)

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Freeman Cooper  
Chief of Police, City of Chattanooga Police Department

\_\_\_\_\_  
Date

*Randall L. Parker*  
\_\_\_\_\_

*11-11-09*  
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Randy Parker  
Fire Chief, City of Chattanooga Fire Department

Date

*Beverly J. Cosley*  
\_\_\_\_\_

Beverly J. Cosley  
Director, City of Chattanooga Office of Multicultural Affairs

*11/20/09*  
\_\_\_\_\_

Date

*[Signature]*  
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Honorable Ron Littlefield  
Mayor of Chattanooga

*11/24/09*  
\_\_\_\_\_

Date

<b>Office Of Multicultural Affairs Hate Crimes Response Network</b>		<u>City</u>	<u>State</u>	<u>Zip</u>	<u>Phone Number</u>
<u>Organization</u>	<u>Address</u>				
Annour Islamic Community	5311 Upshaw Drive	Chattanooga	TN	37416	(423) 490-8544
Bridge Refugee Resettlement	4791-A Hal Drive	Chattanooga	TN	37416	(423) 954-1911
Catholic Charities	859 McCallie Ave., Suite 200	Chattanooga	TN	37403	(423) 267-1297
Chattanooga Chapter - Red Cross	801 McCallie Avenue	Chattanooga	TN	37403	(423) 265-3455
Chattanooga City Attorney's Office	100 East 11th Street, Suite 200	Chattanooga	TN	37404	(423) 757-5338
Chattanooga City Council	1001 Lindsay Street	Chattanooga	TN	37402	(423) 757-5196
Chattanooga Fire Department	910 Wisdom Street	Chattanooga	TN	37406	(423) 643-5600
Chattanooga Intertribal Association	P. O. Box 1063	Chattanooga	TN	37401	(423) 624-3380
Chattanooga NAACP	P. O. Box 3226	Chattanooga	TN	37403	(423) 267-5637
Chattanooga Neighborhood Association Council	P. O. Box 16613	Chattanooga	TN	37416	(423) 899-1748
Chattanooga Police Department	3410 Amnicola Hwy	Chattanooga	TN	37406	(423) 698-2525
Chattanooga State Technical Community College	4501 Amnicola Highway	Chattanooga	TN	37406	(423) 697-4404
Federal Bureau of Investigation	633 Chestnut Street	Chattanooga	TN	37450	(423) 265-3601
Hamilton County Board of Education	6703 Bonny Oaks Drive	Chattanooga	TN	37421	(423) 290-8400
Hamilton County Commission	625 Georgia Avenue	Chattanooga	TN	37402	(423) 209-7200
Hamilton County Sheriff's Department	600 Market Street	Chattanooga	TN	37402	(423) 209-7000
India Association	1520 Hawthorne Landing, NW	Cleveland	TN	37312	(423) 559-2717
Jewish Community Federation	P. O. Box 8947	Chattanooga	TN	37414	(423) 493-0270
Korean Full Gospel Church	5421 Ringgold Road	East Ridge	TN	37412	(423) 499-8432
La Paz de Dios	1918 Union Avenue, Suite 210	Chattanooga	TN	37404	(423) 624-8414
Office of Faith Based Initiatives	101 East 11th Street	Chattanooga	TN	37402	(423) 425-3800
Partnership for Families, Children and Adults	1800 McCallie Avenue	Chattanooga	TN	37404	(423) 867-9784
Salvation Army	800 McCallie Avenue	Chattanooga	TN	37403	(423) 756-1023
Tennessee Multicultural Chamber of Commerce	535 Chestnut Street, Suite 200	Chattanooga	TN	37402	(423) 265-0021
Tennessee Temple University	1815 Union Avenue	Chattanooga	TN	37404	(423) 553-4050
Tennessee Human Rights Commission	540 McCallie Ave., 4th Floor	Chattanooga	TN	37403	(423) 634-6837
Unified Way First Call for Help	630 Market Street	Chattanooga	TN	37402	(423) 265-8000
U.S. Attorney's Office	1110 Market Street, Suite 301	Chattanooga	TN	37402	(423) 752-5140
University of Tennessee @ Chattanooga	615 McCallie Avenue	Chattanooga	TN	37403	(423) 425-4111