

Raymond Kelly Richardson
Superintendent

Barry Golner
Deputy Superintendent

Mark LeBlanc
Deputy Superintendent

To: Eileen Donoghue *EMD*
City Manager

From: Raymond Kelly Richardson
Superintendent of Police

Date: May 20, 2021

Re: City Council Motion Response

*Rec
5/20/2021
KA*

Councilor Nuon - Req. City Mgr. Work with Appropriate Departments to Discuss Possible Options for Reporting Hate Crimes in the City.

The Lowell Police Department (LPD) is committed to serving all residents in the City and takes hate crime allegations very seriously. The standard method for reporting hate crimes in the City of Lowell is by either calling the LPD via telephone (978-937-3200) or by visiting the police station. As always, in an emergency, residents are advised to call 911.

The LPD is in the process of adding a hate crime tab within our records management system. This will make it easier to identify, track and follow up on any bias/hate related crimes.

The LPD is also working to create a page on their website to include the definition of a hate crime and also an alternative way to report hate crimes via email.

Massachusetts General Law defines hate crimes as follows: A hate crime is any criminal act coupled with overt actions motivated at least in part by racial, religious, ethnic, handicap, gender or sexual orientation prejudice, or bias.

Massachusetts General Law Chapter 265 section 37 also offers several other protections regarding violation of individuals' constitutional rights. Please refer below for the definition:

No person, whether or not acting under color of law, shall by force or threat of force, willfully injure, intimidate or interfere with, or attempt to injure, intimidate or interfere with, or oppress or threaten any other person in the free exercise or enjoyment of any right or privilege secured to him by the constitution or laws of the commonwealth or by the constitution or laws of the United States. Any person convicted of violating this provision shall be fined not more than one thousand dollars or imprisoned not more than one year or both; and if bodily injury results, shall

be punished by a fine of not more than ten thousand dollars or by imprisonment for not more than ten years, or both.

The Lowell Police Department has arrested, charged and convicted individuals in the past who have been found to have engaged in assaultive behavior in violation of the victim's constitutional rights. The Lowell Police Department does not tolerate any type of behavior based upon an individual's race, creed or color, sexual orientation, disability, ethnicity, gender or gender identity.

Also, the Criminal Justice Information Services Division (CJIS) Uniform Crime Reporting (UCR) Program defines a hate crime as:

A committed criminal offense that is motivated, in whole or in part, by the offender's bias(es) against a race, religion, disability, sexual orientation, ethnicity, gender, or gender identity; also known as Hate Crime. Even if the offender was mistaken in his or her perception that the victim was a member of the group he or she was acting against, the offense is still a hate crime because the offender was motivated by bias against the group.