

HATE BIAS INCIDENTS FREQUENTLY ASKED QUESTIONS (FAQs)

What Is A Hate Bias Incident?

Generally, hate bias incidents are acts characterized by some expression of hate or bias against a particular group, or towards an individual because of their membership in that group. Hate bias incidents may range from acts of ignorance or indifference, to acts directed to inflict harm. A hate bias incident may constitute discrimination as defined under the [University's Non Discrimination Policy](#). Not all hate bias incidents rise to the level of a hate crime.

What Is A Hate Crime?

A hate crime is a criminal act (against person or property) that is motivated, in whole or in part, by the offender's hate or bias towards a particular group or individual because of their membership in that group.

What Is Hate Speech?

Hate speech is speech that disparages, threatens, or intimidates a particular group or individual because of their membership in that group. Although commonly used, "hate speech" is not a legal term.

The First Amendment of the United States Constitution guarantees the right to freedom of speech. This means that people have the right to express their beliefs and ideas without censorship by government – even if those views are offensive, upsetting and expressions of hate. However, there are some important limitations on this right.

What Is Discrimination?

Per the [University's Non Discrimination Policy](#), discrimination is unequal treatment based on a legally protected trait or characteristic, that impacts your ability to participate in or benefit from University sponsored programs or activities, or negatively impacts your employment or education. For a summary of the University's Non Discrimination Policy, click [here](#).

Are Hate Bias Incidents Considered Discrimination?

Many acts of hate bias are acts of discrimination. When determining whether a hate bias incident, including incidents of hate speech, meet the definition of discrimination, the [Office of Civil Rights & Sexual Misconduct](#) (OCRSM) will look to the specific circumstances of each incident and consider the totality of what occurred. Some reasons hate bias incidents may not be investigated as discrimination under the University's Non Discrimination Policy include:

1. Not enough information is provided to make any determination;
2. There is no one to be held responsible by the University for the specific conduct (e.g. someone yells a racial slur from a moving car, a social media troll spews hate or posts on public Facebook pages, or other instances in which the University cannot identify the person),
3. The University lacks jurisdiction over the person who carried out the discrimination;
4. The incident itself does not target an individual or group because of their membership in that group, (e.g., it is not specific to a trait or characteristic legally protected by civil rights laws).

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How Can We Address Hate Speech On Our Campus?

By asserting our [core values](#), and reporting all incidents of hate speech so that OCRSM can determine if there has been a violation of the University's Non Discrimination Policy.

How Do I Determine If Something Is A Hate Crime, Hate Speech Or A Bias Incident?

You don't. You should report incidents, including speech, to the entities on campus charged with making such determinations: UMPD or the [Office of Civil Rights & Sexual Misconduct](#). A determination about whether or not an incident constitutes a crime, and/or a violation of the University's Non Discrimination Policy is specific to the facts and circumstances of each incident.

What Groups, Or Individuals Because Of Their Membership In That Group, Do Civil Rights Laws, And The University's [Non Discrimination Policy](#) Protect?

Civil rights laws and the University's Non Discrimination Policy protect *all individuals (or groups of individuals)* from discrimination based on the following specific traits or characteristics:

- Physical or mental disability
- Race/color
- National origin (place of birth, accents, etc.)
- Gender identity and expression (transgender, non-binary, etc.)
- Religious beliefs
- Marital status (married, single, divorced, etc.)
- Age (older, younger)
- Sexual orientation (gay, straight, pan sexual, etc.)
- Sex (female, male)
- Protected veteran status
- Genetic information
- Political affiliation
- Personal appearance

What Is The Role Of The Office Of Civil Rights & Sexual Misconduct In Responding To Hate Bias Incidents And/Or Discrimination?

The OCRSM is charged with responding to all complaints of discrimination and initiating the University's administrative civil rights response. When a report of a hate bias incident is made to OCRSM, OCRSM determines whether that incident is discrimination as defined under the [University's Non Discrimination Policy](#), and responds accordingly. OCRSM tracks all hate bias incidents occurring on our campus. Please report such incidents [here](#). If you believe you have been discriminated against based on a legally protected trait, please report it to OCRSM [here](#).

What Resources Are Available When A Hate Bias Incident Occurs?

You may experience a wide range of feelings and reactions in the wake of a hate crime or bias incident. Everyone reacts differently depending on their individual personality and life

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experiences. It is not unusual to experience intense and uncomfortable feelings after an incident. Asking for help is a sign of strength. Sources of help include:

NAME	NUMBER	WEBSITE
University Counseling Center	301-314-7651	www.counseling.umd.edu
University Health Center and Mental Health Services	301-314-8180	www.health.umd.edu
University of Maryland Chaplains		thestamp.umd.edu/memorial_chapel/chaplains
Office of Civil Rights and Sexual Misconduct	301-405-1142	www.ocrsm.umd.edu
Maryland Hillel	301-422-6200	www.marylandhillel.org
Nyumburu Cultural Center	301-314-7758	www.nyumburu.umd.edu
UMD Chabad	301-277-2994	www.umdchabad.org
Multicultural Involvement and Community Advocacy Office (MICA)	301-314-8600	www.mica.umd.edu
Office of Diversity and Inclusion	301-405-6810	www.diversity.umd.edu
Office of Multi-Ethnic Student Education (OMSE)	301-405-5616	www.omse.umd.edu
Office of Lesbian, Gay, Bisexual and Transgender Equity	301-405-8720	www.umd.edu/lgbt
Office of Student Conduct	301-314-8204	www.osc.umd.edu
Department of Resident Life <i>(When the incident occurred in the Resident Halls) Resident Life staff are available 24 hours a day to help. Speak with your RA, your Resident Director, or contact your Community Service Desk to reach a Resident Life staff member.</i>	North Campus: 301-226-4830 South Campus: 301-314-7484 301-405-8720 301-405-3333 (emergency)	www.reslife.umd.edu/halls/servicedesks
University of Maryland Police	Non Emergency 301-405-3555	www.umpd.umd.edu
Faculty Staff Assistance Program (FSAP)	301-314-8170	www.health.umd.edu/fsap

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