



THE UNIVERSITY of  
NEW MEXICO

Hate/Bias Incident  
Reporting Procedures  
Document



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*Diversity is Our Strength*

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## **Statement of Appreciation**

In 2007 the University of New Mexico created the Hate Crimes Task Force and charged them with the responsibility of reviewing issues regarding campus climate. The task force wrote a brief report that recommended that an office be developed that would support a university-wide initiative on diversity and campus climate. We would like to recognize the Hate Crimes Task Force for their hard work in initiating a dialogue that led to the creation of the 2008 Hate/Bias Incident Work Group.

The Office for Equity and Inclusion (OEI) would like to thank all the members of the 2008 Hate/Bias Incident Work Group for their tireless effort in creating the current document.

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Randy Boeglin – Dean of Students

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Antoinette Sedillo Lopez – Professor, University of New Mexico Law School

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# Hate/Bias Incident Reporting Procedures

## University of New Mexico

### Introduction

The Mission of the Office for Equity and Inclusion at the University of New Mexico is to support system-wide diversity initiatives to enhance student recruitment and retention, academic excellence, employee diversity, and a campus climate that embraces diversity as an asset. In order to fulfill this mission, one of the goals of the Office for Equity and Inclusion is to promote a healthy campus climate where students and employees feel safe and have the freedom to grow and succeed to their full capacity. In concert with this goal, the Office for Equity and Inclusion supports the following statement of community:

*The University of New Mexico believes that everyone has worth and dignity. Our rich community of students, faculty, staff, constituents, and stakeholders represent numerous cultures, ethnicities, religions, nations, abilities, and perspectives. We recognize that our diversity is a unique advantage that plays a significant role in sustaining a learning environment of inclusive excellence. Our environment empowers our community to learn with and from one another, and to generate knowledge that enables the world's people to value difference. Respectful relationships built on trust, collaboration, and thoughtful dialogue and deliberation are essential to UNM's commitment to equity and success. We will respond to any violation of our sense of community displayed in acts of hatred and bias.*

Of equal importance to the University's embrace of diversity is the University's commitment to academic freedom and free speech. The University recognizes that respect for these rights requires it uphold a speaker's freedom to express views that oppose our statement of community and that members of the campus community find offensive. However, protecting the rights of speakers to express such opinions does not mean that the University must remain silent in the face of speech that is hateful or biased. Quite the contrary; the University retains and will exercise its right to speak out in response to hate or bias acts that violate our sense of community by engaging in educational dialogues, conflict mediation, and campus programming. Successfully resolving the dynamic tension between free speech and the values that underlie our sense of community is an ever present challenge.

### **Purpose and Scope of the Hate/Bias Incident Reporting Procedures:**

The Office for Equity and Inclusion, in collaboration with members of the broader campus community, has developed the following procedures to ensure a timely and appropriate response to hate or bias incidents impacting

students, staff, faculty, or community members on campus. When you submit a report using these procedures, it will be determined whether the hate/bias incident is a crime or a non-criminal incident. **If you believe a crime has occurred and/or if you need immediate assistance, contact the [UNM Police Department](#) at 277- 2241.**

According to the U.S. Department of Justice, a **hate crime** is a “crime of violence, property damage, or threat that is motivated in whole or in part by an offender’s bias based on race, religion, ethnicity, national origin, gender, physical or mental disability and sexual orientation.” The New Mexico Hate Crimes Act defines hate crimes as “Noncapital felonies, misdemeanors or petty misdemeanors committed because of the victim’s actual or perceived race, religion, color, national origin, ancestry, age, handicapped status, gender, sexual orientation or gender identity.” The Hate Crime legislation in New Mexico is applied only to acts already deemed crimes, and contains provisions to enhance sentencing for individuals found guilty of committing a crime motivated by hate. Some possible examples of hate crimes are painting of racial or ethnic slurs on public property, assaulting a person because of perceived religious affiliation, or vandalizing property while yelling derogatory comments about someone’s sexual orientation.

Within the University, we recognize that some hate/bias incidents are non-criminal activities committed against a person or property motivated, in whole or in part, by the offender’s bias against a race, color, ethnicity, national origin, sex, gender identity or expression, sexual orientation, disability, age, or religion. Derogatory language or writing directed against someone because of their identity, if not accompanied by threat of harm or delivered in a threatening manner, would be protected speech and not a hate crime. Such incidents, however, may constitute a hate/bias incident and can be reported using these procedures.

### **Who can report a hate/bias incident?**

Any student, staff, faculty, or UNM community member who has experienced or witnessed an incident they believe to be motivated by hate or bias can report an incident using the [Hate Crime and Hate/Bias Incident Reporting Form](#).

All UNM community members are encouraged to report hate/bias incidents to the Office for Equity and Inclusion. This information can help the Office monitor and address issues of hate and bias on campus as well as help the University to be proactive in creating a safe and respectful campus climate to prevent future incidents. Hate crime and hate/bias incident reporting will be maintained as confidential to the extent permitted by law.

## How do I report a hate/bias incident?

The Office for Equity and Inclusion offers a process for the reporting of hate/bias incidents. **If you need immediate assistance, contact the [UNM Police Department](#) at 277- 2241.**

You can find the [Hate/Bias Incident Reporting Form](#)

- Online at the [Office for Equity and Inclusion](#)
- Hard copies are available at the Office for Equity and Inclusion
- The [Hate/Bias Incident Reporting Form](#) can be submitted online, by fax, or can be hand-delivered to the Office for Equity and Inclusion.

- **Office for Equity and Inclusion**

240 Scholes Hall Room

1 University of New Mexico

Albuquerque, NM 87103

**Contact:** Dr. Jozi DeLeon, Vice President

Email: [diverse@unm.edu](mailto:diverse@unm.edu)

Phone: 505-277- 1238

Fax: 505-277- 8275

<http://www.unm.edu/~diverse>

- Hard copies are also available at the following locations.

- **University of New Mexico Police Department**

2500 Campus Blvd. NE

505-277-2241

<http://policeweb.unm.edu/welcome.html>

- **Office of Equal Opportunity**

609 Buena Vista Dr. NE

Phone: 505-277-1356

**Contact:** Theresa Ramos, Interim Director

<http://www.unm.edu/~oeounm/index.htm>

- **Office of the Dean of Students**

280 Student Services Center

Phone: 505-277-3361

**Contact:** G. Randall Boeglin, Dean of Students

[www.unm.edu/~doso](http://www.unm.edu/~doso)

- **African American Student Services**

1130 Mesa Vista Hall

Phone: 505-277-5645

**Contact:** Scott Carreathers, Director

[www.unm.edu/~aass](http://www.unm.edu/~aass)

- **American Indian Student Services**  
 1119 Mesa Vista Hall  
 Phone: 505-277-6343  
**Contact:** Pam Agoyo, Director  
[www.unm.edu/~aiss](http://www.unm.edu/~aiss)
  
- **El Centro de la Raza**  
 1153 Mesa Vista Hall  
 Phone: 505-277-5020  
**Contact:** Veronica Mendez-Cruz, Director  
[www.unm.edu/~elcentro](http://www.unm.edu/~elcentro)
  
- **Women's Resource Center**  
 1160 Mesa Vista Hall  
 Phone: 505-277-3760  
**Contact:** Sandra Gonzales, Director  
[www/unm.edu/~women](http://www.unm.edu/~women)
  
- **Accessibility Resource Center**  
 2021 Mesa Vista Hall (2<sup>nd</sup> Floor)  
 Phone: 505-277-3506  
**Contact:** Joan Green, Director  
<http://as2.unm.edu>
  
- **UNM Law School Career Services Office**  
 1117 Stanford NE Room 2502  
 Phone: 505-277-2146  
**Contact:** John Feldman  
<http://lawschool.unm.edu>
  
- **UNM Health Sciences Center**  
 Basic Medical Science Building (BMSB) Room 106  
 Phone: 505-272-2728  
**Contact:** Valerie Romero-Leggott, MD  
<http://hsc.unm.edu/som/diversity>

### **What happens once the Hate/Bias Incident Reporting Form is submitted?**

The University of New Mexico's primary concern is for the emotional and physical well-being of those affected by a hate or bias incident. The University also recognizes that while those directly affected by a hate or bias incident may be few, such incidents reverberate throughout the campus and the greater UNM community. The University is committed to facilitating open and productive dialogue with the goal of restoring and sustaining our diverse community as well as ensuring that all students, faculty, and staff have access to safe, equitable, and appropriate services in the event of a hate or

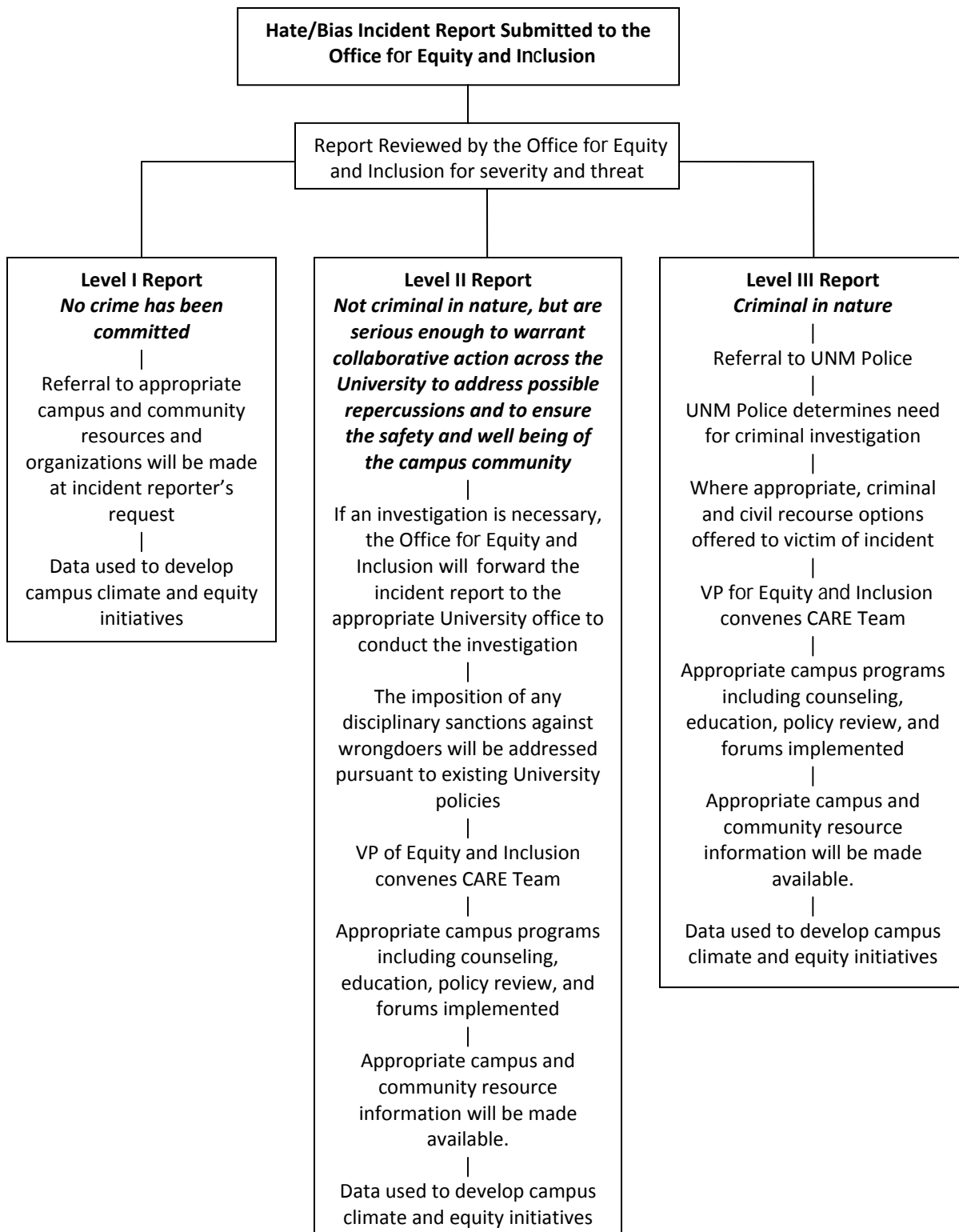
bias incident. Reporting a hate/bias incident does not commit you to a chain of events over which you are powerless, and any retaliation for reporting an incident is prohibited by University Policy. The University will protect your anonymity and confidentiality to the extent permitted by law. At times, information will need to be shared among University personnel in various departments and offices in order to conduct a thorough investigation.

When the Hate/Bias Incident Reporting Form is submitted, the Office for Equity and Inclusion will review the form and any accompanying documentation (i.e. photos, video, letters, email transcripts) and will work with impacted parties in determining an appropriate course of action. Regardless of severity, all reports are given immediate attention and all merit a timely and considered response. If an investigation is necessary, the Office for Equity and Inclusion will forward the incident report to the appropriate University office to conduct the investigation. The imposition of any disciplinary sanctions against wrongdoers will be addressed pursuant to existing University policies. Generally speaking, incident reports will fall into one of three categories:

- **Level I Incident Reports** have been submitted by the reporter who wants the incident noted. No crime has been committed and the individual reporting the incident may or may not wish referral and follow-up with campus and community resources. The data will be used to monitor campus climate and to develop and implement proactive steps toward a more inclusive and safe campus environment.
- **Level II Incident Reports** are not criminal in nature, but are serious enough to warrant collaborative action across the University to address possible repercussions and to ensure the safety and well being of the campus community. The Vice President of Equity and Inclusion will convene the Communication Actions Response Education (CARE) Team comprised of members including, but not limited to, representatives of the Office for Equity and Inclusion, University Police, Office of the Dean of Students, Office of University Counsel, African American Student Services, American Indian Student Services, El Centro De La Raza, Accessibility Resource Center, Women's Resource Center, and University Housing and Residence Life. The CARE Team will facilitate access to appropriate services for individuals impacted by the incident, and will move swiftly to respond to the incident. The Office for Equity and Inclusion will distribute timely and accurate information to affected parties and to the public consistent with federal and state law and university policy.
- **Level III Incident Reports** are criminal in nature and will be immediately referred to the University Police Department and other relevant departments. Additionally, the CARE Team will be convened by the Vice President of Equity and Inclusion, and appropriate responses will be coordinated across campus. The CARE Team will



facilitate access to appropriate services for individuals impacted by the incident, and will move swiftly to investigate and respond to the incident. The Office for Equity and Inclusion will distribute timely and accurate information to affected parties and to the public consistent with federal and state law and university policy.



## Related University Policies and Procedures

For more information on related policies and procedures or other related information please see the following:

**Mission and Vision Statements of the Office for Equity and Inclusion**

<http://diverse.unm.edu/about/mission-vision>

**UNM Student Code of Conduct**

<http://pathfinder.unm.edu/policies.htm#studentcode>

**UNM Visitor Code of Conduct**

<http://pathfinder.unm.edu/policies.htm#visitorcode>

**Freedom of Expression and Dissent**

<http://www.unm.edu/~ubppm/ubppmanual/2220.htm>

**UNM Equal Opportunity & Affirmative Action Policy**

<http://www.unm.edu/~ubppm/ubppmanual/3100.htm>

**Personnel Policy**

<http://www.unm.edu/~ubppm/ubppmanual/toc3000.htm>

**Sexual Harassment Policy**

<http://www.unm.edu/~ubppm/ubppmanual/3780.htm>

**Whistleblower Protection Policy (Reporting Misconduct)**

<http://www.unm.edu/~ubppm/ubppmanual/2200.htm>

**Inspection of Public Records Policy (IPRA)**

<http://www.unm.edu/~ubppm/ubppmanual/2300.htm>

**UNM Student Records Policy**

<http://handbook.unm.edu/D195.html>



6. Were you:  the victim  a witness

7. Would you like to be contacted about the hate/bias incident you are reporting?

**Yes**, I would like to be contacted about the hate/bias incident I am reporting.

**No**, I would not like to be contacted about the hate/bias incident I am reporting.

Contact information for person reporting alleged hate/bias incident.

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Name

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Local Address

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E-mail address

Phone

8. Has this incident been reported to any other departments or offices at the University of New Mexico?

**Yes**, I reported this hate/bias incident to \_\_\_\_\_.

**No**, I have not reported this hate/bias incident to any other departments or offices at the University of New Mexico

9. University status of person making report:

Student  Faculty  Staff  Consultant/Contractor  Visitor

**I affirm that the above information is true and accurate to the best of my knowledge.**

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**Signature of reporter**

**Date**

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