Boxes hypothetical scenarios for When the Law is Silent: Hate Crime Prosecution and Implicit Bias in Law Enforcement Agencies: A Romanian survey dataset

Hypothetical scenario 1

Next, we will present you a hypothetical case that would fall under art. 369 of the Criminal Code. You are asked to frame the act and propose a punishment, with the mention that the culprit admits his act.

Our preliminary classification is: Offenses against public order and peace - Incitement to hatred or discrimination - Art. 369. - Penal Code. Inciting the public, by any means, to hatred or discrimination against a category of people is punishable by imprisonment from 6 months to 3 years or a fine.

Presentation of the case

Description of the act: Andrei Popescu, 37 years old, born in Sighetu Marmației, a university graduate, threatened a group of neighboring citizens with acts of violence. Passing by a group of five men gathered in front of a block of stairs, who were preparing to leave for the synagogue in Sighetu Marmației, Andrei accused them of conspiracy. After this fact, Andrei posted on the Facebook social network several images and video posts with Nazi symbols, inciting hatred against Jews, encouraging neighbors to participate in actions against those targeted by him, including initiatives by which they are excluded from various community initiatives that would involve them, but also several explicit calls for acts of hate against them.

Mention: From the evidence administered during the criminal investigation, as well as those administered directly before the court, respectively: statements of injured persons, minutes drawn up by the chief police officer regarding the incidents with the defendant, witness statements, statements of the defendant, it emerged that there was no act that provoked or fueled Andrei's acts, and the men mentioned were not involved in previous incidents with neighbors or other people. The evidence also included photo boards from the Facebook social network, minutes of viewing recordings broadcast online and related photo boards; minutes of investigations; criminal record of the defendant. Andrei told the criminal investigation bodies that he realized what he had done and deleted the incriminating posts.

Hypothetical scenario 2

Next, we will present you a hypothetical case that would fall under art. 369 of the Criminal Code. You are asked to frame the act and propose a punishment, with the mention that the culprit admits his act.

Our preliminary classification is: Offenses against public order and peace - Incitement to hatred or discrimination - Art. 369. - Penal Code. Inciting the public, by any means, to hatred or discrimination against a category of people is punishable by imprisonment from 6 months to 3 years or a fine.

Presentation of the case

Description of the act: Herman Goldstein, 37 years old, born in Sighetu Marmației, university graduate, threatened a group of neighboring citizens with acts of violence. Passing by a group of five men gathered in front of a block of stairs, who were preparing to leave for the Orthodox Christian Church in Sighetu Marmației, Andrei accused them of conspiracy. After this fact, Andrei posted on the Facebook social network several images and video posts with signs that incited hatred against Christians, encouraging neighbors to participate in actions against the men targeted by him, including initiatives by which they would be excluded from various community initiatives that would involve them, but also more explicit calls for acts of hate against them.

Mention: From the evidence administered during the criminal investigation, as well as those administered directly before the court, respectively: statements of injured persons, minutes drawn up by the chief police officer regarding the incidents with the defendant, witness statements, statements of the defendant, it emerged that there was no act inciting or fueling Herman's acts, and the men mentioned had not been involved in previous incidents with neighbors or others. The evidence also included photo boards from the Facebook social network, minutes of viewing recordings broadcast online and related photo boards; minutes of investigations; criminal record of the defendant. Herman told the criminal investigation authorities that he realized what he had done and deleted the incriminating posts.