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SENATOR SMITH: And as a law enforcement officer, how would you go about detecting...I would agree that some of them would be more obvious than others, but there are subtleties of the mind that is really the basis for...

SENATOR MOSSEY: Right.

SENATOR SMITH: ...hate, in general. And certainly, when a crime is committed, it could be done very subtly, and how...and with just as much hate as something that's more obvious. How is the hate detected?

SENATOR MOSSEY: I guess a good example, on the boxes we have, there's about...I believe probably about ten choices of hate...of types of hate crime, I believe. I'm just guessing off the top of my head. You would have to go with things, excited utterances, statements made, if it...if you're at somebody's apartment after a serious crime has been committed, and there's all this Nazi stuff spray-painted all over their walls, which isn't uncommon, collecting evidence is...

SENATOR CUDABACK: One minute.

SENATOR MOSSEY: ...the primary...the first step in any investigation, and statements made. You have to be able to prove that their intent was to hurt that person because of what they believed, and that crime would not have been committed had it not been for what they believed. So it all starts at the very beginning with collecting the evidence to prove that, and then the prosecutor would then decide whether to file the...you know, file the charges. But from the initial onset on,...

SENATOR SMITH: So, if there's no tangible evidence, whether it's a swastika painted on a wall, and most of it's...most of the evidence would be verbal, how would you go about collecting that or documenting that?

SENATOR MOSSEY: If it was verbal, then I've got a statement and I can collect a written statement, I can collect a tape recorded statement or what...I could also put it in there. Oftentimes