



Police Department

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DEPARTMENT GENERAL ORDER 19-04

OFFICE of the CHIEF OF POLICE
REPLACES: N/A

DATE: April 25, 2019

HATE CRIMES

I. PURPOSE

The purpose of this policy is to establish guidelines for identifying and investigating hate crimes and assisting victimized individuals and communities. A swift and strong response by law enforcement can help stabilize and calm the community as well as aid in a victim's recovery.

II. POLICY

Any acts or threats of violence, property damage, harassment, intimidation, or other crimes motivated by hate and bias and designed to infringe upon the rights of individuals are viewed very seriously by this agency and will be given high priority. This agency shall employ all necessary resources and vigorous law enforcement action to identify and arrest hate crime perpetrators. Also, recognizing the fears and distress typically suffered by victims, the potential for reprisal and escalation of violence, and the far-reaching negative consequences of these crimes on the community, this agency shall be mindful of and responsive to the security concerns of victims and their families.

This agency shall develop a standard system for collecting, analyzing, and reporting incidents of crime that are, in whole or in part, directed against individuals because of race, religion, ethnicity, gender, sexual orientation, gender identity, or disability.

III. DEFINITIONS

Bias: A preformed negative opinion or attitude toward a group of persons based on their race, religion, disability, sexual orientation, ethnicity, gender, or gender identity.

Hate Crime: A crime in which the defendant intentionally selects a victim, or in the case of a property crime, the property that is the object of the crime, because of the actual or perceived race, color, religion, national origin, ethnicity, gender, gender identity, disability, or sexual orientation of any person. Most states and the District of Columbia also have hate crime laws. State statutes should be checked for relevant definitions and crime categories.

Hate Incident: Those actions by an individual or group that, while motivated by hate or bias, do not rise to the level of a criminal offense.

Hate Group: An organization whose ideology is primarily or substantially based on antipathy, hostility, or hatred toward persons of a different race, ethnicity, national origin, religion, disability, sexual orientation, gender, and/or gender identity.

Race: A group of persons who possess common physical characteristics, for example, color of skin, eyes, and/or hair; facial features, and so forth, which are genetically transmitted by descent and heredity and that distinguish them as a distinct division of humankind. Examples include Asians, blacks or African Americans, and whites.

Ethnic Group: A group of persons whose members identify with each other through a common heritage, often consisting of a shared language, culture and/or ideology that stresses common ancestry.

Religious Group: A group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being. Examples include Catholic, Jewish, Protestant, Muslim, Sikh, Hindu, and atheist.

Sexual Orientation: A person's physical, romantic, and/or emotional attraction to members of the same and/or opposite sex. Examples include homosexual, bisexual, and heterosexual.

Gender: Used synonymously with sex to denote whether an individual is male or female.

Gender Identity: A person's internal sense of being male, female, or a combination of both; this internal sense of gender may be different from physical gender at birth.

Disability: A physical or mental impairment, whether temporary or permanent, that is due to conditions that are congenital or acquired by heredity, accident, injury, advanced age, or illness.

IV. PROCEDURES

A. Goals

1. Officers shall conduct a thorough, prompt, and complete investigation in all suspected and confirmed hate crimes and assist the local prosecutor. Evidence related to all hate incidents should be thoroughly documented.
2. All officers of this agency shall receive instruction on both hate crime investigation and community-police relations.
3. Investigators shall make every effort to become familiar with organized hate groups operating in the community.

B. Initial Response Procedures

Initial responding officers at the scene of a suspected hate crime shall follow this agency's standard protocol for responding to a crime scene. Officers shall:

1. Collect physical evidence such as hate literature, spray paint cans, and symbolic objects used by hate groups, such as swastikas and crosses and photograph the scene.
2. Recognize the potential need for and request the assistance of a translator, where necessary.
3. Notify a supervisor and brief him or her on actions taken thus far.
4. Ensure that all statements made by suspects are recorded verbatim; exact language is critical.
5. Identify prior bias-motivated occurrences in the immediate area or against the same victim.
6. Assist investigators in complying with any federal or state hate crime data collection reporting requirements.

7. If evidence of an inflammatory nature cannot be physically removed (e.g., painted words or signs on a wall), photographs should be taken, and the owner of the property should be contacted to do all that is possible to ensure that the graffiti is removed as soon as possible. The responding officers shall make every attempt to ensure that this is accomplished in a timely manner.

C. Supervisory Responsibilities

The supervisor shall do the following:

1. Notify the chief executive or his or her designee and other appropriate personnel in the chain of command, depending on the nature and seriousness of the offense and its potential inflammatory and related impact on the community.
2. Provide updated information on the status of the investigation and the community impact within 48 hours.
3. Provide immediate assistance to the victim as outlined by this agency's policy on victim response.
4. Identify individuals or agencies that may provide support and assistance. These may include family members or close acquaintances, family clergy, or a departmental chaplain, as well as community service agencies that provide victim assistance, shelter, food, clothing, child care, or other related services.
5. Ensure that all relevant facts are documented on an incident or arrest report or both and make an initial determination as to whether the incident should be classified as a hate crime for federal and state bias crime-reporting purposes.
6. If evidence of an inflammatory nature cannot be physically removed (e.g., painted words or signs on a wall), photographs should be taken, and the owner of the property should be contacted to do all that is possible to ensure that the graffiti is removed as soon as possible. The supervisor shall follow up to ensure that this is accomplished in a timely manner.

D. Investigators' Responsibilities

The investigator shall follow this agency's standard protocol for responding to a crime scene. Investigators shall do the following:

1. If evidence of an inflammatory nature cannot be physically removed (e.g., painted words or signs on a wall), photographs should be taken, and the owner of the property should be contacted to do all that is possible to ensure that the graffiti is removed as soon as possible. The investigator shall follow up to ensure that this is accomplished in a timely manner.
2. Work closely with the prosecutor's office to ensure that a legally sound case is developed for prosecution.
3. Coordinate the investigation with other units of this agency, as well as other local, state, and regional intelligence operations to identify any patterns, organized hate groups, and suspects potentially involved in the offense.
4. Make a final determination based on evidence and facts as to whether the incident should be classified as a hate crime after consultation with Detective Sergeant and/or the Detective Lieutenant.
5. Determine the primary elements of the crime and obtain the information necessary to complete the federal and state hate crime data collection requirements.
6. Request additional resources from the federal government as necessary and available.
7. Take steps to ensure that appropriate assistance is being provided to hate crime victims.

E. Command Staff Responsibilities

1. The Chief of Police or his designee will communicate with concerned community-based organizations, civic groups, and religious institutions regarding the suspected or confirmed hate crime.
2. Identify individuals or agencies that may provide support and assistance. These may include family members or close acquaintances, family clergy, or a departmental chaplain, as well as community service agencies that provide victim assistance, shelter, food, clothing, child care, or other related services.

F. Community Relations and Crime Prevention

Hate crimes are viewed in the community not only as a crime against the targeted victim(s), but also as a crime against the victim's identification group as a whole. Towards this end, this agency's community relations function, or officers so assigned, shall perform the following:

1. Continue to aid the victim, including protecting his or her privacy and that of his or her family as much as possible.
2. Work with segments of the larger community after such crimes to help reduce fears, stem possible retaliation, prevent additional hate crimes, and encourage any other previously victimized individuals to step forward and report those crimes, especially if an upward trend has been identified.
3. Especially in the most serious crimes, meet with neighborhood groups, residents in target communities, and other identified groups as soon as possible to allay fears; emphasize the agency's concern over this and related incidents; reduce the potential for counter-violence and reprisals; and provide safety, security, and crime prevention information.
4. Engage the media as soon as possible as partners in restoring victimized communities through sensitive and accurate reporting. Information regarding hate crimes should be prepared for the media in an accurate and timely manner.
5. Conduct public meetings or forums designed to address the community-wide impact of hate crime and violence in general.
6. Establish liaisons with formal community-based organizations and leaders to mobilize resources that can be used to assist victims and prevent future hate incidents and crimes.
7. Expand, where appropriate, preventive programs such as hate, bias, and crime reduction seminars for school children.

G. Hate Crime Data Collection and Reporting

This agency shall do the following:

1. Submit a monthly report on all hate crime occurrences to the appropriate state crime analysis center or central repository;

2. Submit a monthly report to the FBI on all hate crime occurrences, in accordance with guidelines established pursuant to the federal Hate Crime Statistics Act.
3. Make information, records, and statistics collected available to any appropriate local or state agency and to the public, subject to all confidentiality requirements otherwise imposed by law.

BY ORDER OF:

A handwritten signature in black ink, appearing to read "Stewart Glenn". The signature is fluid and cursive, with the first name "Stewart" and last name "Glenn" clearly distinguishable.

STEWART P. GLENN
Interim Chief of Police

SPG: ja