

GENERAL ORDER 41.4.18

Hate and Bias Crime Reporting

GENERAL ORDER CROSS-REFERENCE: None.

SUMMARY

Establishes guidelines for responding to and investigating hate crimes and assisting victimized individuals and communities.

DISCUSSION

Bias crimes, commonly referred to as 'hate crimes, are incidents where the offender's motivation for committing the offense is based on a prejudice against the victim's perceived race, color, religion, sexual orientation, disability or national origin.

POLICY

I

All employees handling a bias crime have the responsibility to ensure that the matter is handled in accordance with department directives and any applicable state and federal law. Employees responding to criminal offenses need to be aware of the criteria used to determine whether a criminal act falls within the mandatory bias/prejudice crime reporting requirements. This criterion includes:

1. The motivation of the perpetrator, as expressed in statements made to the victim or the employee (i.e. slur, epithets).
2. The belief of the victim that the intent of the act was based on bias or prejudice.
3. The nature of the symbols used to deface public or private property indicate bias or prejudice.
4. The date and time of the occurrence corresponds to a holiday or significance,
5. Observations made by the employee and the objective review of the circumstances surrounding the incident which indicate bias or prejudice. Such observations may include the group or groups involved; the manner and means of the crime committed, and recurring patterns of similar incidents in the same area r against the same victim.

II

The investigating officer shall have the primary investigative responsibility to determine if the alleged crime was motivated by bias or prejudice. If it is determined that a crime meets the criteria above to be labels a bias crime, the investigating officer shall:

1. Ensure that victims are handled in a sensitive and caring fashion.
2. Ensure that any available evidence is collected and preserved.
3. Notify their supervisor if the criminal offense is determined to be a bias crime.
4. Place a notation of "Bias Crime" across the top of the report narrative.
5. Select the correct bias code for each applicable offense code that involves the element of bias on the offense tab.

III

The supervisor's responsibilities include:

1. Notify the Investigative Sergeant to determine if detectives will be sent to the scene of the hate crime.
2. Ensure that a complete and detailed preliminary investigation is conducted.
3. Ensure the case is routed to detectives for follow up.
4. Notify the Records Division to print a copy of the report and place it on the patrol briefing board.
5. Notify the Chief of Police, or AIC designee, who will notify the City Manager.

The supervisor made aware of a bias crime will ensure that the details of the bias crime are relayed to the next shift.

The Investigative Sergeant will assign all bias crimes for follow-up investigation

The Records Division will route a copy of the report to the Chief of Police, Patrol Lieutenant, the Public Information Officer, and the patrol briefing board.

Richard L. Lewis
Chief of Police