

852 HATE CRIME/INCIDENT INVESTIGATIONS

852.1 Purpose

The Claremont Police Department has recognized the very serious nature of crimes and incidents motivated by hatred or prejudice and recognizes and places a high priority on protecting the rights of all individuals guaranteed under the constitution and the laws of this state. When such rights are infringed upon by violence, threats, or harassment, this Department will utilize all available resources to see that justice is served under the law.

852.2 Definitions

Hate Crime: Penal Code § 422.55(a) defines a hate crime as a criminal act committed, in whole or in part, because of one or more of the following actual or perceived characteristics of the victim: disability, gender, nationality, race or ethnicity, religion, or sexual orientation.

Hate Incident: is non-criminal conduct that is motivated by hatred or bigotry and directed at an individual, group of persons, house of worship, institution or business; because of the victim's actual or perceived race, color, ancestry national origin, religion, sexual orientation, disability, or gender. Hate incidents include, but are not limited to: epithets, distribution of hate material in public places, posting of hate material that does not result in property damage, and display of offensive material on one's own property.

852.3 Training

All members of this department shall complete POST approved training on hate crime recognition and investigation as provided by Penal Code § 13519.6.

852.4 Procedure for investigating Hate Crimes:

Whenever a department employee becomes aware of a crime or incident motivated by hatred or prejudice, the following shall occur:

- An officer(s) will be promptly assigned to investigate the crime or incident.
- Once the handling officer confirms that a hate crime or incident has occurred, he/she shall notify the Watch Commander as soon as practical.
- The handling officer shall complete the appropriate crime or arrest report and shall categorize the related report as a "Hate Crime". If the incident is determined to be a "Hate Incident" a report should be completed unless a supervisor determines that no report is required. The report documenting the incident should be titled "Hate Incident". A copy of the report should be forwarded to the department's hate crime coordinator (refer to current collateral assignment document).

The handling officer shall provide the victim(s) of any suspected hate crime with a brochure on hate crimes (Penal Code § 422.92). These brochures will also be available to the general public upon request. The handling officer should also make reasonable efforts to assist the victim(s) by providing available information on local assistance programs and organizations.

The handling officer and supervisor shall take responsible steps to ensure that any such situation does not escalate further (e.g. Emergency Protective Order).

The supervisor shall immediately screen all reported hate related crimes/incidents to determine if the victim is desirous of further intervention, resources, and/or a response from a member of the Human Services Commission's Hate Crime Committee. If a request for additional resources is made, the Watch Commander will contact the Director of the Human Services Department who will handle any necessary notifications.

In the event a serious and significant hate crime/incident is reported, resulting in major property damage or injury, the Watch Commander, regardless of the hour, shall notify the Operations Captain as soon as practical.

Hate Crimes and Hate Incidents shall be documented on the shift summary.

A binder marked "Hate Crime Reporting" will be maintained in the Watch Commander's office which contains information on related resources, referral agencies, and the telephone numbers of the Human Services Commission's Hate Crime Committee team members.

The supervisor tasked with the collateral assignment of Hate Crimes coordinator shall maintain statistical data on suspected hate crimes and report such data to the Attorney General upon request pursuant to Penal Code § 13023, as well and providing this information on an annual basis to the Los Angeles County Commission on Human Relations.