HATE CRIMES/BIAS INCIDENTS POLICY

DEFINITION OF A HATE CRIME INCIDENT

An act, not necessarily a violation of a federal, state or local law, motivated by one or more of the following with bias undertones:

1. Any suspected or confirmed act of prejudice, hate or violence, directed against an individual, group, organization or institution because of their background or belief.
2. Any reported act which appears to be motivated or is perceived by the victim to have been motivated all or in part by hate directed at an enumerated background or belief.

CLASSIFICATION OF HATE CRIME INCIDENTS

All hate crimes/incidents must be classified as one of the following:

1. Verified.
2. Inconclusive.
3. Unfounded.
4. Inconclusive name calling.

If the crime/incident cannot be determined to have been caused or created as a result of any other type of problem, the crime/incident shall be considered verified.

VERIFIED

To be classified as a verified hate crime/incident, one or more of the following conditions must be met:

1. The act must have been motivated or apparently motivated by race, religious, ethnic, sexual orientation or disability prejudices.
2. The act or incident is perceived by the victim as being motivated by prejudices.

INCONCLUSIVE

The inconclusive classification is for those acts or incidents when the evidence is conflicting, incomplete, inconclusive, and/or insufficient.

UNFOUNDED

The unfounded classification shall be used for acts or incidents when one or more of the following conditions are met:

1. The evidence clearly indicates that hate prejudices were not a motivational consideration.
2. The reported act or incident never occurred (i.e. false report).

INVESTIGATION

Whenever a suspected or verified hate crime/incident comes to the attention of a member of the Sheriff’s Office, the act or incident shall be thoroughly investigated and documented via an Incident Report (SO-001) or an Incident Report (DC-316) in the case of the Detention Center.

The Hate Crime Data Collection Narrative (SO-047) shall be completed and immediately forwarded with the appropriate incident report.
The investigation shall continue until such time that a determination can be made of the following:
1. Motivation of the act(s).
2. Identification of suspect(s) or the lack of sufficient evidence to determine the identification.
3. Means by which the act(s) were carried out.
4. Potential for continued acts.
5. The arrest of any known criminal offender(s).
6. Verification that the incident was a hate crime in nature.

All members shall be responsive, supportive and sensitive to the victim's rights and needs in dealing with all victims of hate crimes/incidents.

NOTIFICATION

Upon notification of a possible hate crime/incident, the on duty Shift supervisor shall be notified.

A Supervisor shall respond to the scene of the crime/incident to assist the investigating member and determine if any additional resources are required.

The responding Shift Supervisor shall personally make contact with the victim(s) and reporting person (if different from the victim).

PERSONAL CONTACT WITH VICTIM

The investigating member shall ensure that a minimum of one personal follow-up contact is made with the victim(s) of a hate incident to gather additional information and/or to promote the well being of the victim(s).
1. The first personal follow-up contact shall be made within 72 Hours following the original complaint.
2. Follow-up contacts shall continue as necessary and practical, until any effects of fear are eliminated or have been sufficiently reduced.

CID RESPONSE

The Shift Supervisor may notify the Criminal Investigation Division if he/she determines the crime/incident is bias in nature and one or more of the following criteria are met:
1. Circumstances are such that continued hate acts are likely to occur.
2. The crime/incident is of such enormity or complexity.
3. Death threats, arson, serious bodily injury or cross burning has occurred.

If required, a Criminal Investigation Division investigator shall respond to the scene and assume the investigation.

SHERIFF’S SERVICES RESPONSE

The Shift Supervisor or investigating member shall contact any member of the Sheriff’s Office or Community Outreach group deemed necessary to assist in the investigation or aid the victim.
SHERIFF’S OFFICE INCIDENT

- The preliminary investigative Incident Report (SO-001) and the Hate Crime Data Collection Narrative (SO-047) shall be completed and submitted prior to the conclusion of the investigating member's tour of duty.
- Upon receipt of the Hate Incident Report (SO-001) and the Hate Crime Data Collection Narrative (SO-047), the Administrative Services Division Records Section shall promptly process the reports. The following personnel shall receive notification via e-mail:
  1. Chief Deputy.
  2. Bureau Commanders.
  3. Police Services Division Captains.
  4. Intelligence Sergeant.
  5. Community Policing Sergeant.
  6. Police Services Bureau Roll Call Folder.

DETENTION CENTER INCIDENT

- The investigative Incident Report (DC-316) and Hate Crime Data Collection Narrative shall be completed and submitted prior to the conclusion of the investigating member's tour of duty.
- The investigating member shall contact the Sheriff's Office Communications Section for assignment of a report number.
  1. The Sheriff's Office report number shall be entered in the area entitled "IR Number" on the Hate Crime Data Collection Narrative (SO-047).
  2. Upon receipt of the Hate Incident Report (DC-316) and in addition to routine distribution as listed above, the Shift Supervisor shall forward copies of the report to the following prior to the conclusion of their tour of duty:
     a. Warden.
     b. Assistant Warden.

HATE CRIME INCIDENT REPORT SUMMARY

- On a monthly basis, the Administrative Services Division Records Section shall prepare and forward a Hate Crime Incident Report summary to the Maryland State Police as mandated by Maryland Criminal Procedure Article 10-201.
- A copy of the monthly Hate Crime Incident Report summary shall be forwarded to the Harford County Human Relations Commission to assist that agency in monitoring hate crime incidents.