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DAVIS POLICE DEPARTMENT
HATE CRIMES AND INCIDENTS
Policy and Procedure 2.18-C

DEPARTMENT MANUAL

Index As:
Hate Crimes
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I. POLICY

It is the policy of the Davis Police Department to endeavor to safeguard the rights of all individuals regardless of their disability, gender, nationality, race or ethnicity, religion, sexual orientation, and/or association with a person or group with one or more of these actual or perceived characteristics.

Any acts or threats of violence, property damage, harassment, intimidation, or other crimes motivated by hate or bias should be viewed very seriously and given high priority response. All reported hate incidents/crimes shall be documented in a police report initiated the by the responding member. The Davis Police Department will employ necessary resources and vigorous law enforcement action to identify and arrest hate crime perpetrators.

Members are required to be familiar with and carry out the provisions of this policy at all times. (PC § 422.87(C)(9))

This policy will be posted on the Department website so that it is available for public inspection and field use by members of the Davis Police Department.

II. PROCEDURE

A. Definitions (by policy or as defined by PC §§ 422.55, 422.56 and 422.87)

1. HATE CRIME - A criminal act committed in whole or in part, because of one or more of the following actual or perceived characteristics of the victim (PC §§ 422.55; 422.56, and 422.57):
   a. Disability
   b. Gender
   c. Nationality
   d. Race or ethnicity
   e. Religion
   f. Sexual orientation
   g. Association with a person or group with one or more of these actual or perceived characteristics

   The federal Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act expands federal hate crimes to include crimes motivated by a victim’s actual or perceived sex, sexual orientation, gender identity or disability (18 USC § 249).

2. HATE INCIDENT - An action or behavior motivated by hate but legally protected by the First Amendment right to freedom of expression.
Examples of hate incidents include;

- Name-calling,
- Insults and epithets,
- Distributing hate material in public places, and
- Displaying hate material on a person’s own property.

The U.S. Constitution allows hate speech as long as it does not interfere with the civil rights of others. If a hate incident starts to threaten a person or property, it may become a hate crime.

3. **ASSOCIATION** means “Association with a person or group with these actual or perceived characteristics” and includes advocacy for, identification with, or being on the ground owned or rented by, or adjacent to, any of the following: a community center, educational facility, family, individual, office, meeting hall, place of worship, private institution, public agency, library, or other entity, group or person that has, or is identified with people who have, one or more of those characteristics listed in the definition of “hate crime.” (PC § 422.56(a))

4. **BIAS MOTIVATION** is a preexisting negative attitude toward actual or perceived characteristics referenced in PC § 422.55. Depending on the circumstances of each case, bias motivation may include, but is not limited to, hatred, animosity, resentment, revulsion, contempt, unreasonable fear, paranoia, callousness, thrill-seeking, desire for social dominance, desire for social bonding with those of one’s “own kind,” or a perception of the vulnerability of the victim due to the victim being perceived as being weak, worthless, or fair game because of a protected characteristic, including, but not limited to, disability or gender. (PC § 422.87(B))

5. **DISABILITY** includes mental disability and physical disability as defined in Section 12926 of the Government Code regardless of whether those disabilities are temporary, permanent, congenital, or acquired by heredity, accident, injury, advanced age, or illness. (PC § 422.56(b))

6. **GENDER** means sex and includes a person's gender identity, and gender related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth. (PC § 422.56(c))

7. **IN WHOLE OR IN PART BECAUSE OF** means that the bias motivation must be a cause in fact of the offense. When multiple concurrent motives exist, the prohibited bias must be a substantial factor in bringing about the particular result. There is no requirement that the bias be a main factor, or that the crime would not have been committed but for the actual or perceived characteristic. (PC § 422.56(d))

8. **NATIONALITY** includes citizenship, country of origin, and national origin. (PC § 422.56(e))

9. **RACE AND ETHNICITY** includes ancestry, color, and ethnic background. (PC § 422.56(f))

10. **RELIGION** includes all aspects of religious belief, observance, and practice and includes agnosticism and atheism. (PC § 422.56(g))
11. **SEXUAL ORIENTATION** means heterosexuality, homosexuality, or bisexuality. (PC § 422.56(h))

12. **VICTIM** includes, but is not limited to, a community center, educational facility, entity, family, group, individual, office, meeting hall, person, place of worship, private institution, public agency, library or other victim or intended victim of the offense (PC § 422.56(i)).

B. Preliminary Response/Investigation

Peace officers have important roles in responding to and documenting hate incidents and crimes. Members should always be aware of the effects of the crime on the victim and take into account the victims' sensitivities while conducting an investigation. By doing the job efficiently and carefully, members can reinforce the message that hate crimes will be investigated aggressively, thus enhancing the likelihood of a successful prosecution. A swift and strong response by the initial responding member can help stabilize and calm the community as well as aid in a victim’s recovery.

1. Members shall use the Davis Police Department Hate Crimes Supplemental Report (Checklist) to ensure they follow best-practices for the investigation of hate crimes/incidents.

2. The preliminary response or investigation of an actual or suspected hate crime/incident shall include:
   
   a. Attempting to identify any suspected perpetrator(s).
   
   b. Identifying any witnesses, including those no longer at the scene.
   
   c. Recording any statements made by suspects; exact wording is critical.
   
   d. Identifying and documenting the victim’s protected characteristics and determining if bias was a motivation “in whole or in part” in the commission of the crime.
   
   e. Immediate notification to the Watch Commander whenever there is an actual or suspected hate crime/incident or when there is preliminary information provided by any involved party that the crime is or may be a hate crime/incident.

1. When reasonably practical, a supervisor will respond to the scene to ensure the responding officer has adequate resources to process the scene and interview involved parties.

2. A supervisor will notify the Investigations Lieutenant or Sergeant of the incident(s) and they will confer on the necessity of having an investigator respond.

3. Investigations will provide appropriate assistance, including activating the California Department of Justice hate crime rapid response protocol if necessary. For information see the California Department of Justice webpage or use the following link:


4. A supervisor is also responsible for completing an administrative notification of the crime or incident. (see PP 2.56-C)

f. Ensuring that the crime scene is properly protected, preserved, and processed and that all physical evidence of the incident is removed as soon as possible after the offense is documented. If evidence of an inflammatory nature cannot be physically removed, the
property owner should be contacted to ensure that it is removed or covered up as soon as possible. Members should follow-up to ensure that this is accomplished in a timely manner.

g. All related evidence, including but not limited to: hate literature; spray paint cans; threatening letters; and symbols used by hate groups shall be collected, if possible. Photographs of injuries and/or property damage, including but not limited to desecration of religious symbols, objects or buildings, shall be taken. Consideration should be given to whether a neighborhood canvas should be conducted, whether search warrants should be written to determine the existence of other evidence or indicia that may tie a suspect to hate groups or crimes, and whether the District Attorney’s office should be contacted for consultation or to assist with the investigation and/or prosecution.

h. Determine and document the history of the location and whether the victim has experienced other acts of intimidation or a possible pattern of intimidation (PC § 11411(c)).

2. Consideration should be given to the following possible indicators of a hate crime/incident:

a. A perception by the victim or a witness that the crime was motivated by bias.

b. Victim and suspect are members of different groups (racial, religious, ethnic etc.).

c. Hate language is said before, during and/or after the crime or hate language is used in writings found at the scene.

d. Symbols of hate are on the suspects, their clothing or personal possessions.

e. Overly vicious injuries, duration and manner of attack.

f. Any relevant social media activity that demonstrates potential evidence of bias motivation.

g. Damage to items of cultural or religious importance.

h. History of the area; other hate-related incidents have taken place there.

i. Suspect’s motive; suspect’s prior acts or affiliation with hate groups.

j. A relevant date in the victim’s or suspect’s calendar (e.g., anniversary of World Trade Center bombing).

k. Lack of other motives; suspect does not know the victim.

l. In recognizing suspected disability-bias hate crimes;

1. Whether there is any indication that the perpetrator was motivated by hostility or other bias, occasioned by factors such as, but not limited to: dislike of persons who arouse fear or guilt; a perception that persons with disabilities are inferior and therefore “deserving victims;” a fear of persons whose visible traits are perceived as being disturbing to others; or resentment of those who need, demand, or receive alternative educational, physical, or social accommodations.

2. Whether there is any indication that the perpetrator perceived the victim to be vulnerable and, if so, if this perception is grounded, in whole or in part, in anti-disability bias. This includes, but is not limited to, if a perpetrator targets a person
with a particular perceived disability while avoiding other vulnerable-appearing persons such as inebriated persons or persons with perceived disabilities different than those of the victim, those circumstances could be evidence that the perpetrator’s motivations included bias against persons with the perceived disability of the victim and that the crime must be reported as a suspected hate crime and not a mere crime of opportunity.

C. Victim Assistance

1. A responding officer should assist the victim in the following manner:
   a. Obtain appropriate medical attention if a victim claims injury, whether visible or not.
   b. Provide information regarding temporary restraining orders, if applicable.
   c. Obtain the assistance of an interpreter if necessary. When appropriate, use family members or coordinate the use of the Language Line Service. (See PP 1.34-A, Communications with Persons with Disabilities).
   d. Advise the victim of the right to keep their identity confidential and complete the victim Confidentiality Form. (Refer to Policy and Procedure 2.15-A, Victim Confidentiality).
   e. Explain the available options and provide the victim with the Legal Options & Rights of Victims of Hate Crimes Information Brochure.
   f. A Marsy’s Resource Card will be provided to the victim(s).
   g. Pursuant to PC § 422.93 it is the policy of this state to protect the public from crime and violence by encouraging all persons who are victims of or witnesses to crimes, or who otherwise can give evidence in a criminal investigation, to cooperate with the criminal justice system and not to penalize these persons for being victims or for cooperating with the criminal justice system. Hate crime victims and witnesses shall not be reported to the federal immigration authorities if they have not committed any crime under California state law. Information regarding immigration remedies available to victims of crime (U-Visa, T-Visa, S-Visa, etc.) can be provided, if applicable.

D. 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, the Department will endeavor to:

1. Continue to provide assistance to any hate crime victim, including protecting their privacy 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.1
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

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1 This is particularly important among marginalized minority groups who may be less likely to report hate crimes to the police, including members of LGBT communities, the disabled, new immigrants, Muslims, Arabs, Black or African-American, Jewish, Sikh, disabled persons, etc. It is important to remember that all victims of hate crimes, regardless of immigration status, are entitled to full protection under the law.
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. Engage with the Police Chief’s Community Advisory Board, which is made up of various community stakeholders including members of marginalized groups.

6. Conduct public meetings or forums designed to address the community-wide impact of hate crime and violence in general.

7. 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.

8. Expand, where appropriate, preventive programs such as hate, bias, and crime reduction seminars for school children.

E. Classification of a Hate Crime/Incident or Related Investigation.

California law recognizes that certain crimes are more serious when a victim is singled out because of their disability, gender, nationality, race or ethnicity, religion, sexual orientation, or other protected status. These offenses are commonly referred to as hate crimes, and can serve as a stand-alone crime under California PC § 422.6 (interfering with the civil rights of another), as an aggravating factor under PC § 422.7, or as an enhancement under PC § 422.75.

**PC § 422.6** – Makes it a stand-alone crime to willfully interfere, by force or threat of violence, with someone else’s civil rights (PC § 422.6, subds. (a), (c)), or knowingly damage or destroy their property (PC § 422.6, subd. (b)), because of that person’s actual or perceived protected characteristic(s).

To prove interference with another’s civil rights by force (PC § 422.6, subd. (a)), a prosecutor must establish the following elements:

1. The defendant used force to willfully interfere with, injure, intimidate, oppress, or threaten another person’s legally protected right or privilege.

2. The defendant did so in whole or in part because of the other person’s actual or perceived protected characteristic(s), or because of the other person’s association with a person or group having one or more of these characteristics.

3. The defendant intended to interfere with the person’s legally protected right.

To prove interference with another’s civil rights by threat of violence (PC § 422.6, subds. (a), (c)), a prosecutor must establish the following elements:

1. The defendant threatened physical violence against a specific person or group.

2. The threat would have caused a reasonable person to be afraid because the defendant appeared able to carry out the threat.

3. The defendant used the threat to willfully interfere with, injure, intimidate, oppress, or threaten another person’s free exercise of a legally protected right.

4. The defendant did so in whole or in part because of the other person’s actual or perceived protected characteristic(s), or because of the other person’s association with a person or group having one or more of these characteristics.

5. The defendant intended to interfere with the person’s legally protected right.

To prove interference with another’s civil rights by damaging or destroying their property (PC § 422.6, subd. (b)), a prosecutor must establish the following elements:
1. The defendant knowingly damaged or destroyed someone else’s real or personal property.
2. The defendant did so for the purpose of intimidating or interfering with that person’s free exercise of a legally protected right.
3. The defendant did so in whole or in part because of the other person’s actual or perceived protected characteristic(s), or because of the other person’s association with a person or group having one or more of these characteristics.
4. The defendant intended to interfere with the person’s legally protected right. A conviction for interfering with another person’s civil rights under PC § 422.6 is a misdemeanor that can be punished by up to a year in jail, up to a $5,000 fine, and up to 400 hours of community service. (PC § 422.6, subd. (c).)

**PC §§ 422.7 and 422.75** – Provide that if a person commits a crime and is motivated in part by the fact that the victim has one or more of the protected characteristics in PC § 422.55, the criminal offense will be considered a “hate crime.”

**PC § 422.7** (sentence enhancement) – If the defendant is convicted of a misdemeanor that was motivated by bias and the misdemeanor caused the victim to suffer an injury, or the defendant had the ability to violently commit injury, or the misdemeanor caused property damage in excess of $950, the prosecution may use this in aggravation and charge the misdemeanor as a felony. (Felony wobbler: 16 months, or two or three years in county jail and/or fine up to $10,000; or one year in jail.)

A prosecutor must establish the following elements:

1. The defendant committed the underlying crime intending to interfere with another person’s legally protected rights or privilege.
2. The defendant did so in whole or in part because of the other person’s actual or perceived protected characteristic(s).
3. The defendant caused physical injury or had the ability at that time to cause a violent injury; OR caused property damage in excess of $950.

**PC § 422.75** (felony enhancement) – Provides for an enhanced sentence for any felony if the prosecutor can establish that it was committed as a hate crime.

A prosecutor must establish the following element:

1. The defendant committed the underlying crime in whole or in part because of the alleged victim’s actual or perceived protected characteristic(s), or association with a person or group having one or more of these actual or perceived characteristics.

A felony hate crime sentence enhancement can add an additional one, two, or three years in prison on top of to any other sentence the defendant receives for the underlying felony. (PC § 422.75, subd. (a)).

If convicted of acting in concert with another person to commit the felony hate crime, the felony hate crime sentence enhancement increases to two, three, or four years in prison. (PC § 422.75, subd. (b)).

If convicted of committing a felony hate crime while using a firearm, the court may lengthen the sentence at its discretion. (PC § 422.75, subd. (c)). Prior felony hate crime convictions can add an additional one year in state prison for each prior conviction. (PC § 422.75, subd. (d)).
Additional Crimes and Enhancements that Fall within the Hate Crimes Umbrella

In addition to PC §§ 422.7 and 422.75, other hate crime-related statutes prohibit or provide enhanced penalties for specified hate-related acts.

PC § 190.2, subd. (a)(16) (Special Circumstances) – Provides a death penalty or sentence of life in prison without possibility of parole for murder motivated by a victim’s race, color, religion, nationality, or country of origin. A prosecutor must establish that the defendant intended to kill because of the deceased person’s real or perceived protected characteristic(s).

PC § 190.03, subd. (a) – Provides for life in prison without possibility of parole for first-degree murder motivated by a victim’s protected characteristic(s). The prosecutor must prove the defendant committed the murder, in whole or in part, because of the deceased person’s actual or perceived protected characteristic(s).

PC § 302 – Establishes a misdemeanor to intentionally disturb a group of people who have met to worship. (Penalty: up to one year in jail and/or up to a $1000 fine.)

PC § 594.3, subd. (b) – Provides that it is a felony to knowingly vandalize a place of worship as a hate crime. (Penalty: 16 months, or two or three years in county jail.)

PC § 1170.8 – Provides as an aggravating factor the fact that a robbery, arson, or assault with a deadly weapon or by means of any force likely to produce great bodily injury was committed within a place of worship.

PC § 1170.85, subd. (b) – Provides that age or disability of a victim may be circumstances in aggravation.

PC § 11411, subds. (a), (b) – Subdivision (a) provides that it is a misdemeanor to hang a noose, knowing it to be a symbol representing a threat to life, on the private property of another and on public property, without authorization, for the purpose of terrorizing the owner or occupant of that private property or in reckless disregard of the risk of terrorizing them. Subdivision (b) provides that it is a misdemeanor to cause a person to fear for their safety by displaying racist signs on the private property of another, without authorization, for the purpose of terrorizing the owner or occupant of that private property or in reckless disregard of the risk of terrorizing them. (Penalty: up to one year in jail and/or a fine of up to $5,000, with increased fine for subsequent convictions.)

A prosecutor must establish the following elements:

1. The defendant placed or displayed a sign, mark, symbol, emblem, or physical impression on the private property of another person.
2. The defendant did not have authorization to place or display that item on the property.
3. The defendant intended to terrorize the owner or occupant of the property (or acted with reckless disregard of the risk of terrorizing the owner or occupant of the property).

PC § 11411, subd. (c) – Provides that it is a misdemeanor or a felony to engage in a pattern of conduct for the purpose of terrorizing the owner or occupant of private property or in reckless disregard of terrorizing the owner or occupant of that private property by placing a racist symbol on that property on two or more occasions. (Felony wobbler: 16 months, or two or three years, and/or up to a $10,000 fine; or one year in jail and/or up to a $5,000 fine.)

PC § 11411, subd. (d) – Provides that any person who burns or desecrates a cross or other religious symbol, knowing it to be a religious symbol, on the private property of another without authorization for the purpose of terrorizing the owner or occupant or in reckless disregard of terrorizing them, or who burns, desecrates or destroys a cross or other religious symbol, knowing it
to be a religious symbol, on the property of a primary school, junior high school or high school, for the purpose of terrorizing any person who attends, works at or is otherwise associated with the school shall be guilty of a felony or misdemeanor. (Felony wobbler: 16 months, or two or three years in county jail, and/or up to a $10,000 fine; or one year in jail and/or up to a $5,000 fine, as well as increased fines for subsequent convictions.).

A prosecutor must establish the following elements:

1. The defendant burned or desecrated a religious symbol on the private property of another; OR on the property of a school.
2. The defendant knew the object that they burned or desecrated was a religious symbol.
3. The defendant did not have authorization to burn or desecrate the religious symbol on the property.
4. The defendant intended (or acted with reckless disregard) to terrorize the owner or occupant of the property; OR intended to terrorize someone who attends the school, works at the school, or is associated with the school.

PC § 11412 – Provides that it is a felony to attempt to discourage religious activities by threats of violence. (Penalty: 16 months, or two or three years in state prison.)

A prosecutor must establish the following elements:

1. The defendant caused or attempted to cause a person to refrain from exercising their religion (OR refrain from engaging in a religious service) by threatening injury upon that person or upon property.
2. The defendant directly communicated the threat to that person.
3. The person reasonably believed the threat could be carried out.
4. At the time the defendant made the threat, the defendant intended to cause the person to refrain from exercising their religion (OR refrain from engaging in a religious service).

PC § 11413, subds. (a), (b)(2), (b)(9) – Provides that it is a felony to use a bomb against or to set on fire a place of worship or any private property if the property was targeted because of the protected characteristic(s) of the owner or occupant of the property and the purpose was to terrorize another or was in reckless disregard of terrorizing another. (Penalty: three, five, or seven years in state prison, and a fine of up to $10,000.)

A prosecutor must establish the following elements:

1. The defendant exploded or ignited (or attempted to explode or ignite) a destructive device or explosive; OR committed arson.
2. The defendant used or attempted to use the destructive device or explosive; OR committed arson in or about a place of worship or private property.
3. The defendant committed these acts with the intent to terrorize or with reckless disregard of terrorizing someone else.

Miscellaneous Penal Code Provisions Relating to Hate Crimes

PC § 136.2 – Protective Orders – Provides protection against further harm. Once criminal charges are filed under any criminal statute, hate crimes victims have the right to a court order prohibiting any additional harassment.

PC § 1547, subds. (a)(12) & (13) – Authorizes the Governor to offer a reward for information leading to the arrest and conviction of any person who has committed certain hate crimes.
PC § 3053.4 – Requires that as a condition of parole following a hate crime sentence, defendant must refrain from further acts of violence, threats, stalking, or harassment of the victim or victim’s family. “Stay away” conditions may also be imposed (additional requirement that you maintain a certain physical distance from victim).

PC § 11410 – States that the urging of violence where death or great bodily injury is likely to result is conduct not protected by the California Constitution; in this section the Legislature finds that it is the right of every person, regardless of actual or perceived race or ethnicity, color, creed, religion, gender, gender identity, gender expression, national origin, disability, sexual orientation, or association with a person or group with these actual or perceived characteristics, to be secure and protected from fear, intimidation and physical harm caused by the activities of violent groups and individuals.

PC § 13023 – Requires the Attorney General to collect statistical information on hate crimes.

PC § 13519.6 – Requires Peace Officers Standards and Training Commission to offer training on hate crimes enforcement.

**California Ralph Civil Rights Act and the Bane Act**

The Ralph Civil Rights Act, Civil Code section 51.7, provides that it is the right of every person in California to be free from violence or the threat of violence against their person or property because of their actual or perceived sex, race, color, ancestry, national origin, religion, disability, medical condition, genetic information, marital status, sexual orientation, citizenship, primary language, immigration status, political affiliation, or position in a labor dispute.

These listed characteristics are merely examples and other bases for a discrimination claim under the Act. The Bane Act, Civil Code section 52.1, provides protection against interference or attempts to interfere by threat, intimidation, or coercion with a person’s exercise or enjoyment of any constitutional or statutory rights. Remedies for violations of the Ralph Civil Rights Act or the Bane Act include restraining orders, injunctive relief, equitable relief to secure constitutional and statutory rights, actual damages, exemplary or punitive damages, a civil penalty of $25,000, and attorney’s fees.

F. Documentation of a Hate Crime/Incident or Related Investigation

1. Completing the RIMS Report

   All hate crime or incident reports shall indicate on the face page under the “Special Circumstance” box either “Hate Crime” or “Hate Incident” as appropriate.

2. Report Routing

   a. Copies of all hate crime reports shall be immediately routed by the reviewing supervisor to the Investigations Division.

   b. It shall be the responsibility of the Records Division to forward all hate crime reports to the Department of Justice pursuant to PC § 13023.

   c. The Investigations Lieutenant will determine whether to report or ensure any suspected multi-mission extremists crimes are reported to the agency TLO, or assigned designee, and direct the TLO or designee to send the data to the Joint Regional Information Exchange System.

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G. Training and Hate Crime Brochure Updates

Professional Standards will:

1. Ensure that members receive initial POST approved training on hate crime recognition and investigation as provided by PC § 13519.6.

2. Ensure that members receive periodic updated training. Members will attest to having read the policy at least annually.

3. Ensure that the Department has an updated hate crime brochure as required by PC §422.92 and that all officers are trained to distribute the brochure to all suspected hate crime victims and all other interested persons.

Darren Pytel
Police Chief
11/94

Revised
10/99
9/00
5/02
2/04, created mandatory response by watch commander and collection of evidence
6/05, modified to reflect 1/05 changes to hate crime laws that resulted from SB 1234.
04/08 RIMS Updates added
03/09, section I updated, changes made to reflect POST model policy
04/10 updates to statutes
12/16 update report routing and Section I
07/17 update to definitions
02/19 updated to comply with new requirements
1/2020 updated to comply with POST Model Policy

Reviewed
2/04, 6/05, 11/11, 12/17, 5/19
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<td>□ Actual bias [Victim actually has the indicated characteristic(s)].</td>
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<tr>
<td>□ Gender</td>
<td>□ Perceived bias [Suspect believed victim had the indicated characteristic(s)].</td>
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<tr>
<td>□ Religion</td>
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<tr>
<td>□ Significant day of offense (e.g., 9/11, holy days)</td>
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<tr>
<td>□ Other: ___________________________</td>
<td></td>
</tr>
</tbody>
</table>

Specify disability (be specific): ___________________________

<table>
<thead>
<tr>
<th>Reason for Bias:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Do you feel you were targeted based on one of these characteristics?</td>
</tr>
<tr>
<td>□ Yes □ No Explain in narrative portion of Report.</td>
</tr>
<tr>
<td>Do you know what motivated the suspect to commit this crime?</td>
</tr>
<tr>
<td>□ Yes □ No Explain in narrative portion of Report.</td>
</tr>
<tr>
<td>Do you feel you were targeted because you associated yourself with an individual or a group?</td>
</tr>
<tr>
<td>□ Yes □ No Explain in narrative portion of Report.</td>
</tr>
<tr>
<td>Are there indicators the suspect is affiliated with a Hate Group (i.e., literature/tattoos)?</td>
</tr>
<tr>
<td>□ Yes □ No Describe in narrative portion of Report.</td>
</tr>
<tr>
<td>Are there indicators the suspect is affiliated with a criminal street gang?</td>
</tr>
<tr>
<td>□ Yes □ No Describe in narrative portion of Report.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Bias Indicators (Check all that apply):</th>
</tr>
</thead>
<tbody>
<tr>
<td>□ Hate speech</td>
</tr>
<tr>
<td>□ Written/electronic communication</td>
</tr>
<tr>
<td>□ Graffiti/spray paint</td>
</tr>
<tr>
<td>□ Other: ___________________________</td>
</tr>
</tbody>
</table>

Describe with exact detail in narrative portion of Report.

<table>
<thead>
<tr>
<th>Relationship Between Suspect &amp; Victim:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Suspect known to victim? □ Yes □ No</td>
</tr>
<tr>
<td>Nature of relationship: ___________________________</td>
</tr>
<tr>
<td>Length of relationship: ___________________________</td>
</tr>
<tr>
<td>If Yes, describe in narrative portion of Report</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>History:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type of order: ___________________________</td>
</tr>
<tr>
<td>Order/Case#: ___________________________</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Weights:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Weapon(s) used during incident? □ Yes □ No Type: ___________________________</td>
</tr>
<tr>
<td>Weapon(s) booked as evidence? □ Yes □ No</td>
</tr>
<tr>
<td>Automated Firearms System (AFS) Inquiry attached to Report? □ Yes □ No</td>
</tr>
</tbody>
</table>
# HATE CRIME CHECKLIST

**EVIDENCE**
- Witnesses present during incident?  [ ] Yes  [ ] No  [ ] Statements taken?  [ ] Yes  [ ] No
- Evidence collected?  [ ] Yes  [ ] No
- Photos taken?  [ ] Yes  [ ] No
- Total # of photos:  
- Taken by:  
- Date:  
- Serial #:  
- Recordings:  [ ] Video  [ ] Audio  [ ] Blurred
- Suspect identified:  [ ] Field ID  [ ] By photo  [ ] Known to victim

**OBSERVATIONS**
- [ ] Tattoos
- [ ] Shaking
- [ ] Unresponsive
- [ ] Crying
- [ ] Scared
- [ ] Angry
- [ ] Fearful
- [ ] Calm
- [ ] Agitated
- [ ] Nervous
- [ ] Threatening
- [ ] Apologetic
- [ ] Other observations:

**VICTIM**

**SUSPECT**
- [ ] Tattoos
- [ ] Shaking
- [ ] Unresponsive
- [ ] Crying
- [ ] Scared
- [ ] Angry
- [ ] Fearful
- [ ] Calm
- [ ] Agitated
- [ ] Nervous
- [ ] Threatening
- [ ] Apologetic
- [ ] Other observations:

**ADDITIONAL QUESTIONS**
(Explain all boxes marked "Yes" in narrative portion of report):
- Has suspect ever threatened you?  [ ] Yes  [ ] No
- Has suspect ever harmed you?  [ ] Yes  [ ] No
- Does suspect possess or have access to a firearm?  [ ] Yes  [ ] No
- Are you afraid for your safety?  [ ] Yes  [ ] No
- Do you have any other information that may be helpful?  [ ] Yes  [ ] No

**Resources offered at scene:**  [ ] Yes  [ ] No  
**Type:**

**MEDICAL**

- [ ] Victim  [ ] Suspect:  
- [ ] Declined medical treatment
- [ ] Will seek own medical treatment
- [ ] Received medical treatment

- [ ] Paramedics at scene?  [ ] Yes  [ ] No  
- [ ] Unit #:  
- [ ] Name(s)/ID #:  
- [ ] Hospital:
- [ ] Jail Dispensary:
- [ ] Physician/Doctor:
- [ ] Patient #:  

**Authorization to Release Medical Information,**  
Form 06.03.00, signed?  [ ] Yes  [ ] No  

**Officer (Name/Rank):**  

**Date:**

**Officer (Name/Rank):**  

**Date:**

**Supervisor Approving (Name/Rank):**  

**Date:**

**POST 05/19**