

ALAMEDA COUNTY SHERIFF'S OFFICE GENERAL ORDER	NUMBER: 5.06
	RELATED ORDERS: CALEA 11.4.5
	ISSUE DATE: March 1, 1996
	REVISION DATE: <i>May 3, 2017</i>
CHAPTER: Law Enforcement Operations	SUBJECT: Hate Motivated Crime And Incident Investigation

- I. **PURPOSE:** To establish guidelines for the recognition, initial response, investigation and follow-up of hate motivated crimes.
- II. **POLICY:** The Alameda County Sheriff's Office shall ensure that the rights of individual citizens guaranteed by the United States Constitution and State Law shall be protected regardless of race, ethnic background, national origin, religious belief, gender, age, disability, sexual orientation, gender identification or political affiliation.

III. **DEFINITION:**

HATE MOTIVATED CRIME: Hate motivated crime shall be defined as:

- A. Any act of intimidation, harassment, physical force, or threat of physical force directed against any individual or group, or their property.
- B. Motivated either in whole or in part by hostility to their real or perceived race, ethnic background, national origin, religious belief, gender, age, disability, sexual orientation, gender identification or political beliefs.
- C. With the intention of causing fear or intimidation, or to deter the free exercise or enjoyment of any rights or privileges secured by the Constitution or the laws of the United States or the State of California.
- D. Whether or not performed under color of authority (422 PC).

IV. **ORDER:**

- A. **AWARENESS/RECOGNITION OF HATE CRIMES:** It shall be the responsibility of each supervisor to ensure that all personnel under their supervision are made aware of the definition, policy, content and application of this General Order regarding Hate Motivated Crime.
- B. **INITIAL RESPONSE/PRELIMINARY INVESTIGATION:**
 - 1. Whenever a hate motivated crime is identified, personnel shall immediately notify their supervisor.

2. When a member of the Agency is alleged to have committed a hate crime, the Captain of Internal Affairs shall immediately be notified.
3. Upon notification, the supervisor shall be responsible for initiating a thorough preliminary investigation and providing his/her Commanding Officer with a full and complete briefing of the incident.
4. The Commanding Officer shall review all reports and immediately forward a copy of the completed report package to the Lieutenant of Investigations in the ***Eden Township Division***. The Investigative Lieutenant of Dublin Police Services will receive the report package for those incidents occurring in the contract city of Dublin.
5. Hate crimes that involve physical violence or are particularly flagrant in nature shall immediately be reported to the Office of the Undersheriff via the chain of command. In cases where the Undersheriff is unavailable, the on-call or appropriate executive management member will be notified.

C. INVESTIGATION:

1. All hate motivated crime shall be thoroughly investigated in an effort to apprehend and prosecute the involved suspect(s).
2. Upon receipt of the report, the Investigations Lieutenant shall:
 - a. Immediately assign specific detective(s) to maximize the chance of apprehension and prosecution of the involved suspect(s).
 - b. Establish a separate investigative file on hate motivated crime in accordance with State and Federal laws.
 - c. Liaison with other law enforcement agencies to share hate crime information that will assist in the identification and apprehension of involved suspect(s).
 - d. Forward a copy of the report to the Crime Prevention Sergeant.

D. CRIME PREVENTION/VICTIM ASSISTANCE:

1. As soon as reasonably possible following notification, Crime Prevention personnel shall contact victims and witnesses to provide required assistance and/or service agency referral.
2. The Crime Prevention Sergeant shall ensure that hate motivated crime information is incorporated into all Neighborhood Watch Group meetings and/or into any Crime Prevention programs that pertain to community awareness.
3. Victim/witness assistance for employees of this Agency need not be limited to the required follow up by the Crime Prevention Sergeant as noted above. If assistance or referral to an outside agency is necessary, it shall be coordinated and documented through the Management Services Division.