

Los Angeles County Sheriff's Department Hate Crime Policies

CLASSIFICATION Crime or Incident	FORM NUMBER FILE NUMBER PRIORITY	ASSIGNMENT AND ACTION	ADDITIONAL INFORMATION AND STATISTICAL CODES
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4-11/012.00 HATE CRIMES			
	SH-R-49 URN	Station/Unit Detectives A	<p>All hate crime investigations shall be handled by the Hate Crime Task Force. Hate crimes shall initially be classified as active and assigned to station detectives. Station detectives shall review reports for proper classification and determine if incident should, or should not, be listed as a hate crime. For all hate crimes, the investigator shall complete a case clearance supplemental report using clearance code "112 - Reassigned to Other Agency."</p> <p>SRD to the Hate Crime Task Force and the Unit's Hate Crime Coordinator.</p> <p>All in-custody arrests for hate crimes shall be immediately reported via telephone to the on-call Hate Crime Task Force investigator. If after hours, SHB may be contacted to make such notification. All hate crime reports shall be faxed immediately to the Hate Crime Fax Distribution list located in Outlook.</p> <p>A Chief's memorandum shall be completed and forwarded through channels. An operational log entry shall be made by contacting Sheriff's Headquarters Bureau.</p> <p>Code 520 - Race Code 521 - Ethnicity Code 522 - Religion Code 523 - Sexual Orientation Code 524 - Physical Disability Code 525 - Mental Disability Code 526 - Gender</p>
Hate Incidents	SH-R-49URN	Patrol	<p>SRD to the Hate Crime Task Force and Unit's Hate Crime Coordinator.</p> <p>All hate incident reports shall be faxed immediately to the Hate Crime Fax Distribution list located in Outlook.</p> <p>A Chief's memorandum shall be completed and forwarded through channels. An operational log entry shall be made by contacting Sheriff's Headquarters Bureau.</p>

			Code 529 - Non-criminal
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5-09/510.00 HANDLING HATE CRIMES

DEFINITIONS

Hate Crime:

Any criminal act or attempted act directed against:

- a person(s) motivated by bias (1) due to that person's (actual or perceived) race, religion, ethnicity, sexual orientation, gender (including trans-gender) or disability (including mental) or (2) due to that person's association with any of the aforementioned protected groups; or
- a public agency or private institution which apparently is motivated due to the fact that the agency or institution is identified or associated with a person(s) with an identifiable protected characteristic (i.e., race, religion, ethnicity, sexual orientation, gender or disability).

Hate Incident:

Any non-criminal act, including words, directed at a person(s) motivated by bias against a person or group based on that person's race, religion, ethnicity, sexual orientation, gender or disability.

Hate incidents include, but are not limited to, the following:

- utterance of epithets;
- distribution of hate materials in public places;
- posting of hate materials without causing property damage; and
- the display of offensive materials on one's own property.

Gang-Related Hate Crimes:

All hate crimes should be considered gang-related when the suspects or victims, acting individually or collectively, are believed to be gang members or gang affiliates. When the suspects are unknown, a crime should be considered gang-related when:

- there are strong indications a crime is gang-related, such as the nature of the offense or the fact the participants were wearing/using common gang identifying signs, symbols, or colors; or
- there are indications that a crime is gang-related based upon the circumstances of the crime or the expert opinion of a gang investigators.

NOTE: The definition of a gang-related crime should not be confused with a gang-motivated crime. Motivation is used for investigative and prosecutorial purposes only. Gang motivated is a state of mind that can be proven in a court of law by the totality of circumstances or by statements.

DUTIES AND RESPONSIBILITIES

Complaint Desk

Information regarding hate crimes/incidents received at the complaint desk will be entered into the Department's computer-aided dispatch system (CAD), assigning the call to the attention of the appropriate field supervisor and dispatched immediately. "Hate-related crime/incident" shall be referenced in the remarks section of the call prior to dispatching.

Handling Deputy Responsibilities

Deputies receiving possible hate-related calls shall give them higher priority than other non-emergency calls. For example, a hate-related vandalism report would take priority over a burglary report; however, a hate-related vandalism report would not take priority over crimes in progress, burglary or robbery alarms, or medical emergencies.

Deputies handling a hate-related crime or incident shall prepare an Incident Report (SH-R-49). Hate crime reports shall not be deferred. Hate incident reports may be deferred with the approval of the Watch Sergeant.

All gang-related hate crimes or hate incidents shall be reported and documented with the statistical code 860.

In conducting the initial investigation, the handling Deputy shall:

- give victims time to voice their immediate concerns and express their feelings;
- express empathy for victim(s);
- express the Department's official position on the importance of these cases, the measures that will be taken to apprehend the perpetrator(s), and the Deputy's and Department's interest in the victim's well-being;
- assist victims in identifying and contacting community-based individuals or agencies that may provide support and assistance. These may include family members or close acquaintances, clergy, or agencies that provide counseling, shelter, food, clothing, childcare, or other related services, as needed;
- notify the field supervisor of the crime/incident and, if appropriate, request they respond to the scene;
- ensure the Crime Analysis Information form (MO Factor, Bias-Motivated Incident check-off section on the SH-R-49) is completed;

- ensure that the proper hate crime statistical code (520-529) is used in the Incident Report; and
- if the suspect(s) is in custody, immediately notify a member of the Hate Crime/Human Trafficking Task Force.

Field Sergeant Responsibilities:

Provide the Watch Commander with the pertinent information on the hate crime/incident as soon as possible.

Watch Sergeant Responsibilities:

The Watch Sergeant shall:

- review all hate crime and hate incident reports for appropriate classification;
- assign all hate crimes to “Station Detectives” unless incidents would ordinarily be assigned to O.S.S., Homicide, Major Crimes, Arson Explosives, or Special Victims Bureau. These shall be assigned after consultation with their respective on-call investigator;
- assign all hate incidents to “patrol;”
- all hate crimes/incidents reports shall be considered “active;” and
- SRD (Special Request Distribution) all hate crime and hate incident reports to the Hate Crime Human Trafficking Task Force. Ensure that the date and time of such notification is referenced in the Incident Report.

Watch Commander Responsibilities:

The Watch Commander shall:

ensure that an Operational Log entry has been completed for any hate crime. All hate crimes/incidents shall be recorded in the Watch Commander’s Summary Log and documented with a Chief’s Memorandum; and notify the Station’s Hate Crimes Coordinator of the incident.

Station Detective Responsibilities:

The Station Detective shall:

- review the report within ten business days of the crime/incident to ensure the proper classification (or declassification) of the report as a hate crime. Any changes shall be brought to the attention of the Hate Crimes Coordinator and the Hate Crime Human Trafficking Task Force; and
- if a case is assumed by the Hate Crime Human Trafficking Task Force, station detectives shall close their case by completing a case clearance supplemental report using clearance code “112 – Reassigned to Other Agency.” The case

clearance supplemental report shall indicate that the case will be handled by the Hate Crime Human Trafficking Task Force.

Unit Commander Responsibilities:

The Unit Commander's involvement in the process provides command emphasis that builds community confidence and maintains the integrity of the community partnership. This is a vital component in the Department's effort to reduce hate crimes and hate-related incidents, as well as reducing the spread of misinformation through education and enforcement. Therefore, Unit Commanders shall:

- ensure that key Station personnel meet periodically with neighborhood groups and/or residents in target communities to provide information and share concerns;
- express to the community the Department's concern for, and response to, hate crimes and hate incidents;
- establish liaison with community-based organizations, commissions, and task forces that deal with the issue of hate crimes. When a hate crime occurs, ensure that these organizations are briefed on actions taken and/or intended actions by the Department;
- identify impacted groups to allay fears and relay the Department's concern over and response to these incidents;
- develop procedures that reduce the potential for violence and provide safety, security, and crime prevention information regarding hate crimes and hate incidents;
- ensure that a process is in place to provide direct and referral assistance to victims and/or their families;
- participate in public meetings on hate-related threats and violence; and
- establish liaison with local community organizations and leaders.

Hate Crime Coordinator Responsibilities:

The Station Hate Crime Coordinator shall:

- review reports to ensure all appropriate reports have been completed;
- ensure that all hate crime and hate incident reports have been SRD'd to the Hate Crime Human Trafficking Task Force;
- liaison with the handling investigator, the community, and any applicable community-based organizations;
- act as an information resource for deputies at their Station regarding hate crimes and hate incidents; and
- expand, where appropriate, existing preventive programs.

Station Clerical Staff Responsibilities:

A copy of all hate crime and hate incident reports shall be immediately faxed to the Hate Crimes Fax Distributors list in Outlook and a copy SRD'd to the Hate Crime Human Trafficking Task Force and the unit's Hate Crime Coordinator as soon as possible.

Reporting Requirements:

Section 13023 of the Penal Code requires all law enforcement agencies to forward to the Department of Justice (DOJ) all hate-related crimes/incidents. Therefore, it shall be the responsibility of the LASD member of the Hate Crime Human Trafficking Task Force to provide the Crime Analysis Program (CAP) with the hate crime statistics. At the end of each month, CAP shall continue to process and report hate crime information in compliance with County, State, and Federal requirements.

Hate Crime Human Trafficking Task Force:

The Task Force shall seek the most effective investigation and prosecution with consideration given to both State and Federal laws.

See MPP section [4-11/012.00](#) Hate Crimes for additional information on hate crime reporting, clarifying distribution, and handling procedures.