

**San Diego County Police Chiefs' and Sheriff's Meeting
March 7, 2007**

- The **San Diego Regional Hate Crimes Coalition** meets bi-monthly and is attempting to obtain even more participation from both law enforcement agencies as well as community based organizations.
- The separate **Law Enforcement Only Sub-Committee** will also meet on a bi-monthly basis and will have a format similar to the monthly Gang Intelligence meeting for all of the local law enforcement agencies, which the D.A.'s office sponsors on a monthly basis.
- As you have undoubtedly noticed, there has been an upswing in hate crime related incidents and crimes, particularly against Hispanic victims. This is likely, at least partly, attributable to the current, hot political issues dealing with illegal immigration and the national debates on this and related topics.
- Pursuant to the **San Diego County Regional Hate Crimes Policy Protocol**, we are seeking a re-commitment to the aggressive investigation, prevention, and training relating to hate crimes.
- Our goal is to provide better communication within the law enforcement community as it relates to hate crimes, thereby resulting in more successful prosecutions in this area. I am drawing upon my experience as a prosecutor in the Gang Prosecution Unit, where we had great communication with and between the various law enforcement agencies, largely as a result of the regular intelligence meetings.
- As in the Gang Intelligence meetings, I plan to include periodic training relating to Hate Crimes for the attendees.
- We are also in the process of updating our website (www.sdhatecrimes.org), however much of the information there is still relevant and will provide you with further information regarding the background and mission of the Hate Crime Coalition.
- Contact Information:
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Deputy District Attorney
Hate Crimes Unit
(619) 515-8147 (Office)
(619) 559-1569 (Cell)

REGIONAL HATE CRIMES POLICY PROTOCOL

POLICY

The members of the San Diego County Police Chiefs' and Sheriff's Association, which includes local, state and federal agencies, agree to focus agency administrative, investigative and enforcement resources toward eliminating hate crimes through enforcement, in-service training, victim assistance and community crime prevention efforts.

PROFESSIONAL EXPECTATIONS

Hate crimes attack the basic values of American society by targeting the right of every resident to live safely and freely. It is vital that all members of the public safety team recognize the impact of these crimes on the victims, their families and our community. Therefore, we expect that every member of the public safety team demonstrate the highest professional standards when dealing with hate crimes.

As protectors of the peace of our community and guarantors of the rights of every individual living therein, we expect that all members of the public safety team, from dispatchers to first responders, from detectives to command staff, shall comport themselves in a professional and knowledgeable manner. All members will exhibit empathy for the victims and all members will present a non-discriminatory demeanor when dealing with any alleged hate crime.

REPORTING

The San Diego County Police Chiefs' and Sheriff's Association believes in the importance of thoroughly and completely reporting and tracking hate crimes. Each agency is responsible for ensuring its communications staff receive training in identifying hate crimes. This will help insure an appropriate response to reported hate crimes.

Responding personnel's reports should state the suspect's and victim's race, ethnicity, nationality, religion, gender, disability or sexual orientation. All hate crimes shall be documented on the appropriate ARJIS crime report forms, ensuring that the hate crime fields are properly marked.

All reported bias incidents, which are incidents not rising to the level of a hate crime, should be documented on an ARJIS 9 report. If applicable, a designee in the agency should collect, review and store all ARJIS 9 reports to assist in pattern analysis and aid in the prosecution of hate crimes. The report should state the suspect's and victim's race, nationality, ethnicity, religion, gender, disability or sexual orientation. This information will be utilized for follow-up and appropriate referral to mutually concerned agencies.

FIRST RESPONDER

When responding personnel determine the acts complained of constitute a hate crime, they are responsible for conducting a thorough preliminary investigation consistent with agency policies and procedures. Their investigation should focus on the ultimate identification, apprehension and prosecution of suspects.

Personnel will maintain objectivity in reporting hate crimes. They will ensure that elements of all involved crimes are included in the report, document any injuries sustained by the victim on the appropriate forms, and document all evidence collected. An arrest should be made when appropriate.

Personnel should be aware of the emotional trauma associated with hate crimes and be sensitive to the victim's feelings, needs and fears. Personnel should explain the options available to the victim, including the citizen's arrest process, temporary restraining orders (if applicable), and in cases of arrest, the follow-up procedures and ensuing criminal proceedings. Personnel should inform the victim of available department and community resources.

INVESTIGATION

All reported hate crimes will receive thorough follow-up investigation consistent with agency policies and procedures. Investigators should maintain liaisons with appropriate state, federal and local law enforcement agencies for intelligence and information exchange and assistance.

PREVENTION EFFORTS

All agencies should develop and implement innovative strategies designed to prevent and reduce the spread of hate crimes and bias-motivated incidents within their communities. The agencies should develop programs that are consistent with their mission and values statements. The programs should take an educational approach and must be tailored to the needs of the community. Agencies should engage community leaders and organizations in their prevention efforts.

TRAINING

It is the policy of the San Diego County Police Chiefs' and Sheriff's Association to encourage and facilitate hate crime training for all public safety personnel. We will facilitate the development of training that will assist local agencies in hate crime education.

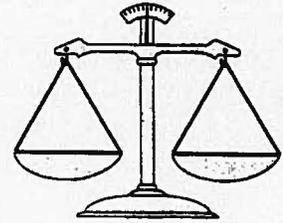
Departments will develop procedures to accomplish formal on-the-job training. The training will follow California Peace Officer Standards and Training guidelines. Training should be given to all personnel regardless of assignment or tenure. Formal on the job training should be accomplished at a minimum of every twenty-four months.

PROSECUTING AGENCIES

The San Diego County District Attorney's Office recognizes the distinctive fear and stress typically suffered by victims of hate crimes, the potential for reprisal and escalation of violence, and the far-reaching negative consequences that hate crimes have on our community. The District Attorney's Office considers hate crimes to be very serious and is committed to prosecute hate crimes aggressively through vertical prosecution.

The San Diego City Attorney's Office is committed to protecting the rights guaranteed by the United States and California Constitutions to all people, regardless of their race, color, religion, ancestry, national origin, sexual orientation, gender or disability. Hate Crimes, whether by violence, threats or other forms of harassment, infringe those rights and create fear, trauma and concern not only in the direct victims, but in the entire community. The San Diego City Attorney's office will aggressively investigate and prosecute all hate-motivated misdemeanors reported in the City of San Diego.

San Diego County
Police Chiefs' & Sheriff's
Association



Memorandum of Understanding

Regional Hate Crimes Policy Protocol

Date: April 27, 1999

Registry #12

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This Memorandum of Understanding shall be in full force and effect commencing April 27, 1999. This Memorandum of Understanding shall be terminable by an signatory upon provision of thirty (30) days notice. Notice of termination shall be in writing.