




ARLINGTON COUNTY POLICE DEPARTMENT DIRECTIVE MANUAL

Chapter: 5 Procedures	Effective Date: December 18, 2020	Amends/Supersedes: October 6, 2017 March 1, 2005	By Authority of the Acting Chief of Police  Charles A. Penn
Accreditation Standard(s): OPR.02.01, OPR.02.03			

531.05 Hate Crime

I. Policy

The police department supports the safeguarding and enforcement of human and civil rights for all people living, working, or visiting in Arlington County and believes that no one should be singled out for abuse, harassment, or mistreatment because of their race, gender, gender identity, religion, ethnic background, disability, or sexual orientation. Furthermore, the investigation of a hate crime will be given high priority as the impact of these crimes can be devastating to families and the community.

II. Code Requirements

- A. Arlington County Code [§ 17-22. Reporting of Hate Crimes.](#)
- B. Code of Virginia [§ 52-8.5. Reporting Hate Crimes.](#)

III. Definitions

- A. Disability – A physical or mental impairment that substantially limits one or more of a person's major life activities.
- B. Ethnic Group - Basic groups or divisions of mankind distinguished by customs, characteristics and/or common language and history, among other factors.
- C. Gender Identity - An individual's internal sense of being male, female, or another gender (not necessarily visible to others).
- D. Hate Crime - Any criminal or illegal act designed to frighten, harm, intimidate or harass an individual, in whole or in part based on their race, religion, gender, disability, gender identity, sexual orientation, or ethnic or national origin or that is committed for the purpose of restraining that person from exercising their rights under the Constitution or laws of the Commonwealth or of the United States.
- E. Sexual Orientation - Direction of sexual preference for persons of the same sex (gay, lesbian), persons of the opposite sex (heterosexual) or toward both in some proportion (bisexual).

IV. Procedure

- A. Initial Response - An officer at the scene of an incident considered to be a hate crime shall:
 - 1. Take appropriate enforcement action.

2. Restore order and gain control of the situation.
3. Identify injured parties and request medics.
4. Identify witnesses or others who have knowledge of the crime.
5. Protect the crime scene.
6. Request a supervisor respond to the scene.

B. Preliminary Investigation

1. Responding officers shall conduct a standard preliminary investigation to include preliminary interviews of the victim and any witnesses to the incident.
2. All relevant facts shall be documented in a police case report and an initial determination should be made as to whether the incident should be classified as a hate crime.

C. Supervisors Responsibilities

1. Confer with the initial responding officer and ensure that all necessary preliminary actions have been taken.
2. Request any additional appropriate personnel necessary to provide immediate assistance to the crime victim.
3. Express empathy and sincere interest in the victim's well-being.
4. Communicate the department's position regarding the priority given to investigating hate crime and the measures that will be taken to apprehend the perpetrators.
5. Allow victims time to voice their immediate concerns and express their feelings.
6. Assist the victim in identifying and contacting individuals or agencies that may provide support and assistance. These may include, but are not limited to:
 - a. Family members or close acquaintances.
 - b. Members of the clergy.
 - c. Community service agencies that provide shelter, food, clothing, childcare or other related services.
7. Implement security measures when necessary to protect the victim, including short-term relocation and increased patrols in the area. Inform the victim of the measures that have been taken in order to reduce the victim's fears. The victim should be given prevention, security and precautionary advice.

D. Additional Investigative Responsibilities - Personnel assigned to hate crime incidents shall be responsible for the following:

1. Assure the scene is properly protected, preserved and processed and all physical evidence of the incident is removed as soon as possible. If evidence of an inflammatory nature cannot be physically removed (e.g., painted words or signs on a wall) the owner of the property shall be contacted to remove such material as soon as possible and the officer shall follow-up to ensure that this is accomplished in a timely manner.
2. Conduct a comprehensive interview with all victims and witnesses at the scene, or as soon as possible thereafter, and canvass the neighborhood for additional sources of information.
3. Notify other appropriate personnel, depending on the nature and seriousness of the offense, and its potential inflammatory and related impact on the community.
4. Work closely with the Commonwealth's Attorney's Office to ensure that a legally adequate case is developed for prosecution.
5. Coordinate the investigation with state and regional intelligence operations agencies.
6. Coordinate the investigation with other units of the police department and with outside agencies where appropriate.
7. Personnel shall take the lead role in providing information to crime victim(s) concerning the Victim Witness Program administered by the Office of the Commonwealth's Attorney and the ongoing status of the criminal investigation.

E. Community Resources Section (CRS) Responsibilities

1. The CRS Commander shall review all case reports involving hate crimes with the Patrol Section Commanders and perform or direct the performance of the following:
 - a. Establish communication with the investigator assigned to the case in order to provide regular updates to the victim(s) and/or the community on the status of the case.
 - b. Meet with neighborhood groups, residents in impacted communities and other identified groups to allay fears, relay the department's concerns over and response to this and related incidents, reduce the potential for counter-violence and provide safety, security and crime prevention information.
 - c. Provide direct and referral assistance to the victim and their family.
 - d. Conduct public meetings on hate crime threats and violence in general as it relates to specific incidents.
 - e. Establish a liaison with formal organizations and leaders.
 - f. Expand, where appropriate, existing preventive programs such as anti-hate seminars for school children.

- F. Support Management Section (SMS) Responsibilities – A copy of all hate crime related case reports shall be forwarded to the Commander of SMS. If the SMS Commander determines the incident meets the definition of a hate crime as defined in VA Code § 52-8.5. *Reporting hate crimes.*, the supervisor of the Administrative Support Unit will be directed to complete and submit [Virginia State Police form SP-47](#).