




Clayton County Police Department PROCEDURES

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| Subject HATE CRIMES | | Procedure # D14 | |
| Authorizing Signature  | Effective 11-16-2021 | <input type="checkbox"/> New <input checked="" type="checkbox"/> Amended <input type="checkbox"/> Rescinds (see below) | Total Pages 5 |

I. PURPOSE

The purpose of this policy is to establish proper procedures for investigating incidents exhibiting characteristics of hate crimes.

II. POLICY

The policy of this Department is to bring the investigative and enforcement elements of the Department into quick action following any and all reported or observed incidents that may be a hate crime. There shall be special emphasis placed on victim assistance and community cooperation. The actions taken by this Department in dealing with said incidents are visible signs of commitment to the community by the County government and the Department. The proper investigation of a possible hate crime is the responsibility of all sworn personnel.

III. DEFINITIONS

Hate Crime: A criminal offense against a person, group or property, motivated in whole or in part, by an offender's bias towards the actual or perceived race, gender, religion, color, sex, sexual orientation, national origin, mental disability, or physical disability, of that person, group or the owner or occupant of that property.

Bias: Prejudice in favor of, or against, one thing, person, or group compared with another.

IV. PROCEDURES

When an officer on the scene makes a determination that the incident constitutes a hate crime certain procedures are activated. To conduct thorough investigations and a sensitive response to the victims and community, the procedures shall be as follows:

A. Whenever an incident is determined to be a hate crime, as defined by this procedure, the reporting officer will immediately notify his or her on-duty supervisor.

B. Investigative Procedures:

1. Evidence shall be secured, protected, collected and preserved in accordance with departmental procedure *E6: Crime Scene Investigations (CSI)*.

2. Photographs shall be taken of the following:

a. Any and all property damage caused as a result of the incident; and

b. Any and all injuries suffered by all involved parties as a result of the incident.

The County Photographer should be utilized for incidents involving felony property damage, serious injuries, and/or crime scenes requiring a large amount of photographs.

An officer or his/her supervisor's camera should be utilized for incidents involving misdemeanor property damage, minor injuries, and/or crime scenes requiring only a small amount of photographs.

C. Incident Report

1. Whenever an officer of this Department investigates an incident of a crime in which it appears that the suspect and/or offender intentionally selected any victim or group of victims or any property as the object of the offense because of such victim's or group of victims' actual or perceived race, color, religion, national origin, sex, sexual orientation, gender, mental disability, or physical disability, whether or not an arrest is made, the officer shall complete an *Incident Report* containing the following information:

a. Name of the parties;

b. Relationship of the parties;

- c. Sex and gender of the parties;
 - d. Race of the parties;
 - e. Religion of the parties;
 - f. Dates of birth of the parties;
 - g. Time, place, and date of the incident;
 - h. Whether there is evidence to indicate that the incident occurred because of a person's actual or perceived attributes as specified in this policy section (C.1.);
 - i. Type and extent of the alleged violation;
 - j. Existence of any objects or symbols associated with the terrorizing of persons based upon actual or perceived race, religion, or sex;
 - k. Number and types of weapons (detailed descriptions) involved, if any;
 - l. Existence of any prior difficulties between the parties;
 - m. Type of police action taken in disposition of case;
 - n. Whether the victim was apprised of available remedies and services;
and
 - o. Any other information the officer deems pertinent.
2. A confidential *Supplemental-Persons Report(s)* shall be utilized to document the following:
- a. As much identifying information and/or detailed descriptions as possible on the suspect, which may include, but is not limited to the following: first, middle and last name, alias name(s), street name(s), race or national origin, sex, date of birth (DOB) or approximate age, height or approximate height, weight or estimated weight, build (heavy set, muscular, average, slim, etc.), hair color and/or bald, hair length and/or hair style, facial hair, eye color, eyewear, distinctive facial features, tattoos, scars or any other distinguishing marks, clothing description, jewelry, speech (accent, articulate, uneducated, use of slang), voice (pitch, tone, rasp, lisp), current address and/or former addresses, phone number(s), social media account(s) and name(s), driver's license or identification number and state, vehicle license

plate number, vehicle type and/or description(s), direction of travel (DOT), gait (slow, fast, limp), current employer and/or former employers, current occupation and/or former occupations, current work address and/or former work addresses, type of religion, name(s) and/or addresses of relatives, relationship to the victim and/or other parties, involvement of organized hate groups or their members, and any other useful and/or relevant information. Such identification information shall be marked as *Suspect Information* on the *Supplemental-Persons Report*.

b. Additional or confidential parties involved in an incident. Such identification information shall be marked as *Other Confidential* on the *Supplemental-Persons Report*.

c. Any additional narrative or pertinent information about parties involved and/or relationship of parties involved.

d. Any other information deemed as confidential.

3. Upon completion and submission, the *Incident Report* and/or *Supplemental-Persons Report(s)* shall be reviewed and/or approved by the concerned, on-duty supervisor.

4. For additional information regarding the initiation, completion, review, correction and approval of all departmental reports and forms, please refer to departmental procedure *D9: Field Reporting*.

D. The concerned, on-duty supervisor shall perform the following:

1. Notify an on-duty or on-call supervisor from the Criminal Investigations Division (CID) of the incident.

2. Notify an on-duty or on-call Public Information Officer (PIO).

3. Notify the concerned Precinct Commander of the following information:

a. The details and circumstances of the incident.

b. Arrests, if applicable; and

c. Any ongoing situation and/or exigent circumstances demanding the immediate attention of the Department.

d. Any other information that may be deemed pertinent.

4. Complete a *Command Notification Incident Detail Sheet* and send the completed form, via County email to the Command Staff, CID, Public Information Unit and any other involved or “need to know” personnel.

E. Criminal Investigation Division (CID) Responsibilities

1. When a case is assigned to CID, the assigned detective will be responsible for following up on the reported hate crime by:
 - a. Maintaining contact with the victim and other involved individuals, as needed.
 - b. Attempting to both identify and charge any persons responsible for the crime.
 - c. Notifying his or her supervisor of relevant updates and/or concerns.
 - d. Coordinating with surrounding law enforcement agencies to assess patterns of hate crimes and determine if organized hate groups are involved.
 - e. Coordinating further investigation with the County District Attorney's Office and/or Solicitor's Office.
 - f. Submitting the CID Case File for supervisory review and/or approval.

F. State Hate Crime Reporting

The *Targeted Investigations through Analysis of Networks (TITAN) Unit* shall collect data on hate crime offenses and submit this information through the Uniform Crime Reporting (UCR) program at regular intervals.

G. Federal Hate Crime Reporting

The Titan Unit shall include hate crime data reporting within the National Incident Based Reporting System (NIBRS). NIBRS is responsible for the collection of data to be reported to the FBI. NIBRS shall collect, organize, to complete monthly reports.

V. CANCELLATION

This procedure amends and supersedes standard operating procedure *D14: Hate Crimes*, dated April 1, 2014.