

	<b>FREDERICKSBURG POLICE DEPARTMENT DIRECTIVES</b>	
	<b>OPERATIONS</b>	
<b>344.00</b>	<b>APPROVED:</b> <i>Brian F. Layton, Chief of Police</i>	<b>Initiated:</b> 10/01/2007
		<b>Revised:</b> 02/21/2024

## BIAS-MOTIVATED CRIMES

**344.00 – Investigative Priority** – The Fredericksburg Police Department holds that a bias-motivated crime has a greater negative impact on the community than if the crime was committed for a different motive. When a victim is selected because of his or her affiliation with a group, the fear of victimization extends beyond the individual to include other members of the targeted group. Therefore, the Police Department assigns a higher priority to the investigation of biased-motivated crimes than to similar crimes committed for other reasons.

**344.01 – Identifying Biased-Motivated Crimes** – The Police Department adopts the Uniform Crime Report definition of a bias-motivated crime as any criminal offense committed against a person, property, or society that is motivated, in whole or in part, by the offender's bias against a race, color, religion, disability, ethnicity/national origin, or sexual orientation (including gender and/or gender identity).

If an incident, from observation or complaint, appears to have the overtones of bias-motivated crime, it shall be investigated as such.

**344.02 – Investigating Officer Responsibilities** – If an officer conducting the preliminary investigation suspects that a crime may be bias-motivated, the officer will notify a supervisor. The officer will conduct the investigation in accordance with Police Directive 501.01.

**344.03 – Patrol Supervisor Responsibilities** – The patrol supervisor will respond to the scene and evaluate the circumstances. If the supervisor finds there is reasonable suspicion to believe the crime may be bias-motivated, the supervisor will notify the Watch Commander. The patrol supervisor will ensure a thorough preliminary investigation is conducted and documented in accordance with Police Directives.

**Note:** For reporting purposes, the CIC Coordinator will make the determination whether the offense meets the IBR criteria of a biased-motivated crime (see Field Reporting Guide).

**344.04 – Watch Commander Responsibilities** – The Watch Commander will respond to the scene and determine if the investigation requires a detective to respond. The Watch Commander will consider the following factors in making that determination:

- The nature and severity of the crime,
- Whether there are witnesses or suspects to be interviewed,
- The nature and volume of evidence to be processed,
- Whether the nature, location, visibility, or notoriety of the offense is likely to cause an
- immediate and significant degree of concern among the targeted group,

The Watch Commander shall call-out a detective under the following circumstances:

- Any bias-motivated offense that meets the normal detective call-out criteria established by Police Directive 500.01
- Any bias-motivated felony assault,
- Any violation of §18.2-423 Burning a cross on certain property,
- Any bias-motivated violation of §18.2-423.01 Burning an object with the intent to intimidate,
- Any violation of §18.2-423.1 Placing a swastika with the intent to intimidate,
- Any bias-motivated violation of §18.2-423.2 Displaying a noose with the intent to intimidate,
- Any violation of §18.2-485 Conspiring to incite one race to acts of violence against another.

The Watch Commander will also:

- Assess the threat to potential victims or target locations and deploy patrol resources as appropriate,
- Make the proper Command Staff notifications if required.

**344.05 – Detective Division Responsibilities** – The CIC Coordinator's responsibilities include:

- Assign the case for follow-up investigation as appropriate. Bias-motivated crimes requiring follow-up investigation should typically assigned to a detective,
- Determine whether the offense meets the IBR criteria of a biased-motivated crime,
- Notify the Detective Division Commander of any offense involving reasonable suspicion to believe the crime may be bias-motivated.

The Detective Division Commander's responsibilities include:

- Review the progress of the investigation and ensure the appropriate investigative and victim-witness resources are assigned to it,
- Request assistance from other State and Federal agencies as needed,
- Report the incident to the Superintendent of the Virginia State Police if it meets the definition of a hate crime established by Code of Virginia §52-8.5,
- Determine whether the crime meets the criteria for Federal offense and if so, coordinate with the Commonwealth's Attorney and Federal authorities to identify the optimal strategy for investigating and prosecuting the offense,
- If necessary, establish liaison with civic organizations and/or representatives from the targeted group impacted by the crime.