

JACKSONVILLE POLICE DEPARTMENT

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HATE CRIMES INVESTIGATIONS

PURPOSE: To give guidelines for officers to investigate hate crimes.

POLICY: It is the policy of this Department to safeguard the state and federal rights of all individuals regardless of their race, religion, ethnic background or sexual orientation. Any acts or threats of violence, property damage, harassment, intimidation or other crimes designed to infringe upon these rights are viewed very seriously by this Department and will be given high priority. This Department will use every resource to rapidly and decisively identify the perpetrators, arrest them, and pursue vigorous enforcement action. Recognizing the particular fears and distress typically suffered by victims of these crimes, minimization of the potential acts of reprisal and escalation of violence will act to reduce the potential far-reaching negative consequences of these acts on the community and the Department. Particular attention shall be given to addressing the security and related concerns of the immediate victims as well as their families and others affected by the crime.

DEFINITIONS:

- I. HATE CRIME: Any unlawful action designed to frighten, harm, injure, intimidate or harass an individual, in whole or in part, because of a bias motivation against the actual or perceived race, religion, ethnic background, or sexual orientation of the victim.
- II. RACE: A group of persons who possess common physical characteristics (i.e. color of skin, eyes and/or hair, facial features, etc.) genetically transmitted by descent and heredity that distinguish them as a distinct division of mankind (i.e. Asians, African Americans, etc.)
- III. ETHNIC GROUP: A group of persons of the same race or national origin who share common or similar traits, languages, customs and traditions (i.e. Hispanics, Arabs, etc.)
- IV. RELIGIOUS GROUP: Any persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being (i.e. Catholics, Jews, Protestants, atheists, etc.)
- V. SEXUAL ORIENTATION: A sexual attraction toward, and responsiveness to, members of one's own sex or members of the opposite sex.

PROCEDURES:

- I. INITIAL OFFICER RESPONSE PROCEDURES
When an officer at the scene of an incident believes that it may have been motivated by racial, religious, ethnic, or sexual orientation (RRES) bias, the officer shall take any preliminary actions necessary, such as:
 - A. Restoring order to the crime scene and taking any necessary actions to gain control of the situation;
 - B. Identifying any injured parties and taking steps to provide medical assistance;
 - C. Determining whether any perpetrators are present and, if so, taking appropriate enforcement measures;

- D. Summoning the shift commander to the scene;
- E. Protecting the crime scene; and
- F. Identifying any witnesses or others who have knowledge of the crime.

II. SUPERVISOR'S RESPONSIBILITIES

The Shift Commander will confer with the initial responding officer, take measures to ensure that all necessary preliminary actions have been taken, and inform the on-call Detective of the crime. The Shift Commander shall request any appropriate additional personnel necessary to accomplish the following:

- A. Provide immediate assistance to the victim, such as:
 - 1. Expressing empathy for the victim and showing a sincere interest in his well-being;
 - 2. Expressing the Department's official position on the importance of these cases, the measures that will be taken to apprehend the perpetrators, and the officers' and Department's interest in the victim's well-being;
 - 3. Allowing the victim a period in which to ventilate his immediate concerns and express his feelings;
 - 4. Assisting the victim in identifying and contacting individuals or agencies that may provide support and assistance. These may include family members or close acquaintances, family clergy, departmental chaplain, and/or community service agencies that provide shelter, food, clothing, child care or other related services; and
 - 5. Provide security and precautionary advice to the victim and arranging any additional security that may be required for the protection of the victim.
- B. Conduct a standard preliminary investigation to include preliminary interviews of the victim and any witnesses to the incident; and
- C. Ensure that all relevant facts are documented on an incident and/or arrest report and make an initial determination as to whether the incident should be classified as a RRES offense.

III. INVESTIGATOR'S RESPONSIBILITIES

Investigative personnel assigned to alleged RRES incidents shall be responsible for the following:

- A. When responding to the scene of an alleged RRES incident, investigators shall assume control of the follow-up investigation. This includes:
 - 1. Assuring 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 (i.e., 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. Conducting a comprehensive interview with all victims and witnesses at the scene, or as soon as possible thereafter, and canvassing the neighborhood for additional personal sources of information;
 - 3. Notifying other appropriate personnel in the chain of command, depending on the nature and seriousness of the offense, and its potential inflammatory and related impact on the community;
 - 4. Working closely with the Prosecutor's office to ensure that a legally adequate case is developed for prosecution;
 - 5. Coordinating the investigation with Department, State, and regional intelligence operations. These sources shall provide the investigative officer with an analysis of patterns, organized groups and suspects potentially involved in the offense;
 - 6. Coordinating the investigation with other units of the Department and with outside agencies where appropriate;