



California State University, Los Angeles
Department of Public Safety

NUMBER: I-26 APPROVED: _____
Gregory D. King, Chief of Police

EFFECTIVE: May 1, 2007

SUPERSEDES: 1/26/2004 Reviewed/Revised: May 1, 2010

SUBJECT: **Hate Crimes and Incidents**

I. PURPOSE:

To provide policy and procedure for dealing with hate crimes and related incidents.

II. POLICY:

The University Police will take a proactive role in promoting peace and harmony within the community, and in ensuring that rights guaranteed by state laws and the U.S. Constitution are protected for all citizens regardless of their race, color, gender, ethnicity, or religion or sexual orientation. When violence, intimidation, threats or other harassment infringes upon such rights, the department will use every necessary resource to rapidly and decisively identify the perpetrators, arrest them, and place them before the court.

All acts of violence or threats will be viewed as serious, and the investigations will be given priority attention. Such acts may generate fear and concern among victims and the public, and have the potential of recurring, thus escalating and possibly causing counter-violence.

III. DEFINITIONS:

Hostility Based Incident. An incident, which is an act or threatened or attempted act, by any person or group of persons against the person or property of another individual or group, that may in any way constitute an expression of racial, ethnic, religion, gender, or sexual orientation. This includes threatening telephone calls, hate mail, physical assaults, vandalism, cross burnings, or destruction of their religious symbols, and fire bombing. Some incidents may not clearly fit a specific definition. In those cases, a common sense approach must be used. If an incident appears to be an incident of racial, religious, or ethnic bias, it shall be investigated as such. Verification can be made during the investigation.

IV. PROCEDURES:

A. Officers must recognize that single incidents such as vandalism or threats may initially appear as less serious when viewed in the larger content of all crime.

- B. Incident reports should be reviewed for patterns of incidents occurring at either the same location or directed at a particular individual or group. Very often what may begin as a minor incident escalates into a more serious crime.
- C. It shall be the policy of this department to bring the investigative and enforcement elements into quick action following any and all reported or observed incidents of racial, religious, or ethnic hatred. There is to be special emphasis placed on victim assistance and community cooperation in order to reduce victim/community trauma and fear. It shall be remembered that the actions taken by this agency in dealing with the incidents of racial, religion, gender, sexual orientation, ethnic bias are visible signs of concern and commitment on the part of the University and the Police Department.
- D. The proper investigation of hate incidents is the responsibility of all University Police Officers. Each officer must be sensitive to the feelings, needs, and fears that may be present in the community as a result of incidents of this nature.
- E. When an officer on a scene makes a determination that an incident is of a racial, religious, or ethnic bias, the following procedures are activated. To achieve a thorough investigation and a sensitive response to the victims and community, responsibilities are as follows.
 - 1. When ever any incident, as described above, comes to the attention of a department member the incident will immediately be reported to the watch commander.
 - 2. Investigating officers shall:
 - a. Respond in a sensitive way to the feelings and needs of the victim(s);
 - b. Preserve the crime scene and evidence;
 - c. Immediately take all investigative and enforcement action;
 - d. Notify the Investigations supervisor or investigator on duty; and
 - e. Make a follow-up visit to ensure the victim that the police are doing everything possible to eliminate the fear factor and apprehend the suspect(s).
 - 3. The watch commander will:
 - a. Respond immediately to the scene of all incidents;
 - b. Ensure the crime scene and evidence is protected;
 - c. Ensure that investigative personnel are notified;
 - d. Make notifications to the on-duty Command Officer and Chief of Police;
 - e. Ensure that scene is processed and evidence is collected;
 - f. Visit the victims as soon as possible, ensuring them that the investigation will be actively pursued; and
 - g. Notify dispatch as soon as possible as to conditions found.
- F. All hate crimes and incidents will be documented on a crime report (ARMS). The report will be titles as a "Hate Incident."

- G. The reporting officer will also complete a “California State University Hate/Violence Occurrence Report” form.
 - H. Generally, the specific violation of the law will be charged, such as assault, malicious mischief, etc.
 - 1. If elements of Section 422.6 are present, it may be charged as an additional offense.
 - 2. Section 422.7 may also be used, which makes a misdemeanor crime a felony (“wobbler”).
 - 3. Section 422.75 indicates additional penalties for hate motivated crimes.
 - I. Administrative Action.
 - 1. Upon receiving a report classified as a hate crime/incident, the Command Staff will have a copy of the report sent to the Chief of Police.
 - 2. The Chief of Police will make necessary University administration notifications.
 - 3. The Records supervisor will report occurrences to the Chancellor’s Office by attaching a copy of the “California State University Hate/Violence Occurrence Report” form to the monthly statistical report.
- V. APPENDICES: None.