

Hate Crimes

315.1 PURPOSE AND SCOPE

The purpose of this policy is to provide members of this department with guidelines for identifying and investigating incidents and crimes that may be motivated by hatred or other bias.

315.1.1 DEFINITIONS

Definitions related to this policy include:

Hate crime - A crime motivated by prejudice based on the actual or perceived race, color, religion, gender, sexual orientation, gender identity, disability or national origin of the victim.

315.2 POLICY

The Kalamazoo Department of Public Safety recognizes and places a high priority on the rights of all individuals guaranteed under the state and federal constitution and incorporated in state and federal law.

315.3 PREVENTION AND PREPARATION

While it is recognized that not all crime can be prevented, this department is committed to taking a proactive approach to preventing and preparing for likely hate crimes by:

- (a) Making an affirmative effort to establish contact with persons and groups within the community who are likely targets of hate crimes, and forming networks that address prevention and response.
- (b) Providing victim assistance and community follow-up or identifying available resources to do so.
- (c) Educating community and civic groups about hate crime laws.

315.4 INVESTIGATIONS

Whenever any member of this department receives a report of a suspected hate crime or other activity that reasonably appears to involve a potential hate crime, the following should occur:

- (a) Assigned public safety officers should promptly contact the victim, witness or reporting party to investigate the matter further, as circumstances may dictate.
- (b) A supervisor should be notified of the circumstances as soon as practicable.
- (c) Once the in-progress aspect of any such situation has been stabilized (e.g., treatment of victims or arrest of suspects at the scene), the assigned public safety officers should take reasonable steps to preserve evidence that establishes a possible hate crime.
- (d) Based upon available information, public safety officers should take appropriate action to mitigate further injury or damage to potential victims or the community.

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- (e) Depending on the situation, the assigned public safety officers or supervisor may request assistance from investigators or other resources.
- (f) The assigned public safety officers should interview available witnesses, victims and others to determine what circumstances, if any, indicate that the situation may involve a hate crime.
- (g) The assigned public safety officers should make reasonable efforts to assist the victim by providing available information on local assistance programs and organizations as required by the Victim and Witness Assistance Policy.
- (h) The assigned public safety officers should include all available evidence indicating the likelihood of a hate crime in the relevant reports. All related reports should be clearly marked "Hate Crime."
- (i) The assigned public safety officers and supervisor should take reasonable steps to ensure that any such situation does not escalate further and should provide information to the victim regarding legal aid and obtaining a personal protective order through the courts.

315.4.1 CRIMINAL INVESTIGATIONS DIVISION RESPONSIBILITIES

If a hate crime case is assigned to the Criminal Investigations Division, the assigned investigator will be responsible for:

- (a) Coordinating further investigation with the Prosecutor's Office and other appropriate law enforcement agencies.
- (b) Maintaining contact with the victim and other involved individuals, as needed.
- (c) Maintaining statistical data and tracking of suspected hate crimes, as indicated or required by state law.

315.5 TRAINING

All members of this department should receive training on hate crime recognition and investigation.