



Effective: 07/19/1999
Last Revised: 09/15/2019

CSU FULLERTON POLICE DEPARTMENT GENERAL ORDER NUMBER 6-8

HATE CRIMES

SUBJECT: Hate crimes

PURPOSE: During the past few years there have been an ever-increasing number of crimes motivated by hatred for racial, religious, and sexual groups. Due to the unique nature of these crimes, an ad hoc task force made up of police agencies throughout Southern California has recommended the following investigative procedures. The Chief of Police has adopted these procedures as Department policy.

POLICY: It shall be the policy of this Department to document and thoroughly investigate any hate incidents and hate crimes that occur in its jurisdiction.

PROCEDURE:

I. Definitions:

A. **Hate Crime:** Per CPC 422.55(a) "Hate crime" means a criminal act committed, in whole or in part, because of one or more of the following actual or perceived characteristics of the victim:

- (1) Disability.
- (2) Gender.
- (3) Nationality.
- (4) Race or ethnicity.
- (5) Religion.
- (6) Sexual orientation.
- (7) Association with a person or group with one or more of these actual or perceived characteristics.

(b) "Hate crime" includes, but is not limited to, a violation of Penal Code Section 422.6.

B. **Hate Incident:** Any non-criminal conduct that is motivated by hatred or bigotry and directed at any individual, residence or house of worship, institution or business expressly because of the victim's (person or institution) real or perceived race, nationality, religion, sexual orientation, gender, mental disability, or physical disability. Hate incidents also include conduct directed against an individual or group because of their association or advocacy on behalf of a member or members of a protected class.

II. Responsibilities

A. **Dispatcher(s):**

1. When you are dispatched to a disturbance or possible criminal incident call comes in, obtain a thorough description of the event and attempt to ascertain the cause. In the absence of any clear motives, or if the incident appears to be of a racial, religious or similar nature (i.e., swastika, epithets), leading questions should be asked in a sensitive manner to elicit such information.
2. If the incident is an obvious hate crime or seems to have components of it, reassure the victim of the Department's concern over such incidents and intention to help.
3. Notify the responding officer(s) that it is a hate crime so that they can act accordingly.
4. If response time will be lengthy, every effort should be made to emphasize to the victim the high priority of this incident.

B. Responding Officer(s):

1. Give priority to the needs and feelings of the victim(s). Reassure the victim(s), especially concerning threats to their safety or the unlikelihood of a reoccurrence, but do not set up a special relationship.
2. Determine whether the incident meets hate crime criteria.
3. Preserve the crime scene and evidence carefully.
4. Ask the victim about possible suspects. Encourage them to express their feelings, which may yield useful information about motives, potential perpetrators, etc.
5. Ask the victim and other parties present if they are aware of any other incidents in the area.
6. Before leaving the area, look around the area for other incidents if the crime was one of vandalism or graffiti.
7. Notify field supervisor and investigative personnel
8. Complete a thorough written report. (Education Code Section 67380 (b) (2) requires a written record of a non-criminal act of hate violence to include a description of the act, victim characteristics, and offender characteristics, if known.)

C. Investigating Officer(s):

1. Contact the victim and personally express concern on behalf of the Department and the university as soon as possible.
2. Attempt to elicit additional motive and perpetrator information from the victim. Recap all available information and provide reassurance of police concern and commitment to combating hate crime.
3. Photograph and process the crime scene.
4. Gather and take custody of any related evidence.
5. Maintain all reports of racially and religiously targeted incidents.
6. Contact appropriate state and or local law enforcement agencies for assistance with serious cases.
7. Maintain liaison with federal, state and local agencies for intelligence information exchange.

8. Keep the arresting officer and Command Staff informed of the status of the case as necessary.

D. Field Supervisor:

1. Respond immediately to the scene of all incidents.
2. Ensure that the crime scene is protected.
3. Ensure that investigative personnel have been notified.
4. Notify the Command Staff if the incident is serious.

E. Chief of Police:

1. The Chief of Police or her/his designee will make notification to the President/Vice President and Public Affairs.
2. Review field reports and periodically, reinforce the agency's concern with hate crimes.
3. When a perpetrator is apprehended, urge prosecuting agencies to pursue the case.

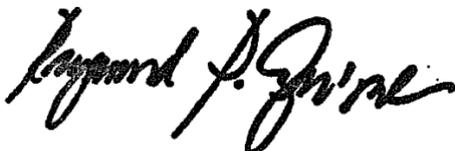
III. Investigative Procedures

- A. Officers must recognize that single incidents such as vandalism or threats may initially appear as less serious when viewed in the larger context of all crime. 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.
- B. University Police must bring the investigative and enforcement elements of the police Department 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 or fear. It must be remembered that the actions taken by this Department in dealing with the incidents of racial, religion, gender, sexual orientation, and ethnic bias are visible signs of concern and commitment to the community on the part of the CSUF University Police Department.
- C. The proper investigation of hate incidents is the responsibility of all CSUF 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.

REVIEWED BY:

P. Launi

APPROVED:



Raymund Aguirre
Chief of Police