

THURMONT POLICE DEPARTMENT

GENERAL ORDER

Date Issued: June 4, 2021

Effective Date: June 4, 2021

Order No: Chapter 2.24

Authority: Chief of Police

Gregory L. Eycler

Manual Page No:

Subject: *Hate Bias Incident Reporting*

Replaces Page No:

Accreditation Standard:

Distribution: **ALL**

Amends:

Number of Pages: 5

Related Documents:

Rescinds: New Policy

This Directive is for internal use only, and other than as contraindicated here this Directive does not create or enlarge this Department's, governmental entity's, any of this Department's officers, and/or any other entities' civil, criminal, and/or other accountability in any way. This Directive is not to be construed as the creation of a standard of safety or care in any sense, with respect to any complaint, demand for settlement, or any other form of grievance, litigation, and/or other action. Deviations from this Directive, if substantiated, can only form the basis for intra-Departmental administrative action(s) (including discipline and/or termination).

I. PURPOSE

The purpose of this policy is to establish guidelines for identifying and investigating Hate Crimes and Bias Incidents, assisting targeted or victimized individuals and communities, and to provide a procedure for documenting Hate Bias Crimes in accordance with Maryland Uniform Crime Reporting.

II. POLICY

This agency shall employ all necessary resources and vigorous law enforcement action to identify and investigate Hate Crimes / Bias Incidents and to support the prosecution of perpetrators. It is the policy of the Thurmont Police Department to accurately document and report all Hate Crimes / Bias Incidents through detailed Incident Reports and Uniform Crime Reporting.

III. DEFINITIONS

Bias: A performed negative opinion or attitude toward a person or a group of persons based on their race, religion, ethnicity, sexual orientation, disability, homeless, gender, or gender identity.

Hate / Bias Crime: A committed criminal offense that is motivated, in whole or in part, by the offender’s bias(es) against a race, religion, ethnicity, sexual orientation, disability, homeless, gender, or gender identity.

Hate Group: An organization whose primary purpose is to promote animosity, hostility, and malice against persons of or with a race, religion, ethnicity, sexual orientation, disability, homeless, gender or gender identity group which differs from that of the members or the organization, e.g., Ku Klux Klan, American Nazi Party.

(Note: There are numerous definitions in the Maryland Supplementary Hate Bias Incident Handbook for the purpose of Uniform Crime Reporting, which primarily apply to the administrator assigned to enter this information.)

Incident Classifications Definitions:

Verified Incident: An incident committed against a person or property where the investigation leads a reasonable and prudent person to conclude that the offender’s actions were motivated, in whole or in part, by their bias against a person’s race/ethnicity/ancestry, religion, sexual orientation, disability, gender, gender identity, or homeless status.

Inconclusive Incident: An incident where the evidence is conflicting, incomplete, or otherwise insufficient to classify as verified.

Unfounded Incident: An incident in which the evidence or investigation definitively indicates that it was not motivated by bias against a person’s race/ethnicity/ancestry/religion, sexual orientation, disability, gender, gender identity, or homeless status, or that the incident did not occur.

IV. POLICY / PROCEDURE

A. Officers shall conduct a thorough, prompt, and complete investigation in all suspected hate crimes and assist the prosecutor. Evidence related to all hate incidents should be thoroughly documented.

1. Initial Response: The safety and well-being of victims is paramount when responding to incidents involving hate crimes, as is the security and preservation of the crime scene. Coordination between the responding officer(s) and investigator(s) is also important as the information gathered during initial response can impact case solvability.

a. Ensure the victim is safe. Obtain medical attention if necessary.

b. Ensure the victim has access to support; family, friends, and community service agencies.

- c. Collect evidence that may indicate the commission of a hate crime, such as:
 - (1) Physical evidence, for example: hate literature, spray paint cans, and symbolic objects used by hate groups, such as swastikas and crosses.
 - (2) Digital evidence, such as texts, social media posts, emails, blog posts, websites, etc...
 - (3) Language used by the perpetrator, such as words used immediately before, during, or following the incident.
- d. Notify and brief a supervisor on actions taken thus far.
- e. Ensure statements made by suspects are documented or recorded. Capture exact language where possible.
- f. Document any injuries and the emotional state of the victim(s).
- g. Identify prior hate or improper bias-motivated occurrences in the immediate area or against the same victim or target.

2. Supervisory Responsibilities:

- a. Notify the Deputy Chief of Police.
- b. Determine whether additional personnel or resources are needed.
- c. Take all specific steps necessary to ensure that the incident does not escalate.
- d. Supervise the preliminary investigation.
- e. Have the physical remains of the incident removed by the property owner or agent after the necessary crime scene processing. This included, but is not limited to, encouraging property owners or agents to restore the scene to its original state.
- f. Ensure the victim has been connected with appropriate support services.
- g. Make an initial determination as to whether the incident shall be classified as a hate crime or bias incident for crime-reporting purposes.
- h. Re-contact the victim for a follow-up at least one (1) time.

3. Prior to the end of the tour for duty the Officer or Supervisor will:
 - a. Ensure that information about the incident is provided to the oncoming shift.
 - b. Arrange for any needed increase in patrols in the area of the incident.
 - c. Ensure that the completed report is forwarded to the Deputy Chief of Police.
 - d. Contact the appropriate agency contact person for graffiti removal, etc.
4. The Deputy Chief of Police will:
 - a. Assign responsibility for follow-up investigation to the initial responding officer, or determined if investigation should be forwarded to the Detective.
 - b. Ensure that written reports detailing any follow-up investigations are completed every ten (10) days.
 - c. Determine final disposition and determination on the investigation, i.e., closed, inactive, verified, unverified, unfounded, etc.
5. The Administrative Staff will:
 - a. Collect and track all hate crime data
 - b. Provide the Maryland State Police with the statistical data required on all Hate Crime / Bias Incidents as prescribed by state law.
 - c. Maintain data and submit a monthly report on all hate crime occurrences to the FBI via Uniform Crime Reporting.
 - d. Ensure data is analyzed for trends and risk assessment.

V. TRAINING

The Thurmont Police Department will ensure that all employees, including non-sworn staff, who interact with the community are provided with initial and ongoing training to include, but not limited to:

- a. Know what constitutes a hate crime and / or bias incident
- b. Recognize indications of a hate crime and / or bias incident

- c. Procedures for interacting with victims and witnesses of hate crimes and / or bias incidents.
- d. The impact of hate crimes on victims and the importance of investigations
- e. Officers will receive In-Service Training on this topic as mandated by MPCTC.

DOCUMENT DATES:

Attachment:

Amended Date:

Review Date:

Review Date:

Review Date:

Rescinds: New Policy

Order Written By: Lt. P.A. Droneburg

Order Edited and Approved By: Chief Gregory L. Eyer

Accreditation Standards Included in this Order

CHAPTER