

LOS ANGELES POLICE DEPARTMENT



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ERIC GARCETTI

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U.S. Senate Committee on the Judiciary

Hearing on Combating the Rise in Hate Crimes

Testimony of LAPD Detective Orlando Martinez

March 8, 2022

I want to personally thank Chair Durbin, Ranking Member Grassley, and members of the Committee for the privilege of contributing this report on our efforts to combat the rise in hate crimes.

I have been a sworn police officer for over 27 years, and am currently assigned to the prestigious Robbery-Homicide Division of the LAPD. I have been a detective for more than 20 years, during which I investigated murders for over 15 years. I have spent the past several years analyzing and investigating hate crimes in the City of Los Angeles. I have authored training for law enforcement and community groups; conducted and overseen hate crime and hate incident investigations; and assisted the California Commission on Peace Officer Standards and Training (POST), which sets minimum selection and training standards for California law enforcement, completed a Hate Crime Model Policy and training videos. I have been awarded the Anti-Defamation League Helene and Joseph Sherwood Prize for Combating Hate and been recognized by the Center for the Study of Hate and Extremism for excellence in my efforts during the fight against hate.

HATE CRIME AND HATE INCIDENT DEFINED:

A bias-motivated crime, or "hate crime," is a criminal offense motivated in whole or in part by the actual or perceived legally protected characteristic of another, such as race, nationality, ethnicity, religion, disability, immigration status, sexual orientation, gender and gender identity, or association with one of these legally protected characteristics. A hate crime includes any willful act that by force or threat of force injures, intimidates, interferes with, oppresses, or threatens any other person in the free exercise or enjoyment of any legal right(s) or privilege(s) or defaces, damages or destroys the real or personal property of any other person or entity for the purpose of intimidating or interfering with the free exercise or enjoyment of any legal right(s) or privilege(s), because of the actual or perceived characteristics of the victim, or the victim's association with a person or entity covered by these protected characteristics.

The term "hate" can be misleading. When used in a hate crime law, the word "hate" does not mean rage, anger, or general dislike. In this context "hate" means bias against people or groups with specific characteristics that are defined by the law. This can be a preexisting negative attitude toward actual or perceived characteristics, such as hatred, animosity, resentment, revulsion, contempt, unreasonable fear, paranoia, callousness, thrill-seeking, desire for social

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dominance, desire for social bonding with those of one’s “own kind,” a dislike of persons who arouse fear or guilt, a perception that persons with these characteristics are inferior and therefore “deserving victims,” a fear of persons whose visible traits are perceived as being disturbing to others, or resentment of those who need, demand, or receive alternative educational, physical, or social accommodations, or a perception of the vulnerability of the victim due to the victim being perceived as being weak, worthless, or fair game because of a protected characteristic.

Although, there is no legal definition of a hate incident, it is commonly referred to as any non-criminal act, including words, directed against a person(s) based on that person’s actual or perceived legally protected characteristic. Hate incidents are differentiated from hate crimes because they do not violate criminal law. Rather, such incidents are generally protected free speech under the First Amendment to the United States Constitution.

INCREASE IN HATE CRIMES:

Reported hate crimes have risen across the nation including in Los Angeles. In 2021 there was a 71% increase in reported hate crimes citywide compared to 2020. Hate crimes are commonly thought of as stand-alone crimes committed by white supremacists or white nationalists against communities of color. In Los Angeles, this is not the case. Most hate crimes are normal criminal offenses committed against residents, by other residents, with elements of bias motivation occurring during the criminal act. (e.g., vandalism motivated by bias). Victims rarely call emergency services and report they have been the victim of a hate crime or bias-motivated event. Victims report criminal acts against them, or if they feel unsafe or witness something they believe needs police response. Officers respond, conduct their investigations, and document the elements of bias motivation against a legally protected characteristic.

Bias Motivated Crimes	2016	2017	2018	2019	2020	2021	6 yr. % chg
	230	257	290	339	359	615	+167%
Bias							
Gender	9	24	17	23	32	30	+233%
Disability	0	0	0	2	2	3	not calculable
Race	109	116	152	156	185	348	+219%
Sub-bias Anti-AAPI	7	7	9	7	15	41	+486%
Religion	51	46	52	91	63	102	+100%
Sexual Orientation	61	71	71	67	77	132	+116%

LAPD reported hate crime statistics 2016-2021

The end-of-year totals for hate incidents citywide were 452 in 2021 compared to 199 in 2020. This represents an increase of 127% from the prior year. The Department completes an investigative report for non-criminal hate incidents which assists tracking bias-motivated events across the city. Although these reports do not document criminal activity, they assist the Department to be proactive when a “hotspot” is identified and officers can deploy community liaison officers, extra patrol, and coordinate with outside groups to prevent problems before they become criminal in nature (This reporting structure is similar to the California Domestic Violence Incident Report which documents instances of domestic disputes that have not risen to the level of a criminal offense). These hate incident reports can also eventually be used as evidence to establish bias during court proceedings to assist and prove the elements needed to obtain a criminal conviction.

Most law enforcement agencies do not complete hate incident reports citing first amendment concerns and non-criminal conduct. However, law enforcement agencies complete multiple non-criminal reports such as traffic accident reports, lost and found property reports and missing persons reports that do not conflict with their policies and practices.

This increase in reported hate crimes and hate incidents is mostly attributed to improved Department training for its' workforce focusing on recognizing bias motivation during preliminary investigations and improved community education on their rights as residents of Los Angeles.

DEPARTMENT HATE CRIME MODEL:

The Department has prioritized training its workforce in recognizing bias motivating events and conducting preliminary investigations in a victim centered approach. The victim-centered approach prioritizes focusing on assisting the victim in the moment rather than chasing the culprit. Recognizing the fact that hate crimes not only affect the victim, but an entire community sharing the same protected characteristics, our officers' primary focus is ensuring victims receive the information and care needed to overcome this heinous act they have suffered. These victims have been targeted for features that they cannot change or control, and the fear of being the next target may spread throughout their community.

The Department has decided to categorize all crimes with evidence of any bias motivation as hate crimes, no matter whether the bias shown is "a substantial factor" in the officers' opinion. Each hate crime investigation is also prioritized as a "Category 1" investigation, which gives specific time frames in which to contact the victim and conduct investigative follow ups. Patrol cars are also dispatched to hate crime radio calls as "urgent." The case will be reported as a hate crime to the Department of Justice and presented as such for charges to the local or federal prosecutors. This in turn demonstrates to the public that the Department believes victims, takes hate crimes investigations seriously, ensures the appropriate resources are dedicated to the investigations, and connects the victims with the most useful victim services for their situation.

Officers also ensure victims receive Department-created brochures and are directed the to the Department's website for information on how to contact relevant non-governmental organizations (NGOs) connected to their communities that can provide much needed non-law enforcement support. Over the past two years, the Department updated its hate crime policy and forms, conducted multiple separate training sessions on hate crime investigations for each of its approximately 9,000 sworn members and issued a best practices bulletin for the sworn and civilian staff.

The Department was unable to find any consistent State or National law enforcement training programs for hate crime investigations directed at line officers, detectives, intelligence analysts or supervisors. Most offered training programs dealt with white supremacy, white nationalists, and homegrown extremists. Most bias-motivated crimes occur between strangers on the street and the suspects do not show any outward or obvious bias before the incident. In the city of Los Angeles, most suspects in bias-motivated crime and hate incidents belong to minority groups and commit simple and aggravated assaults, vandalisms, and make criminal threats.

The Department created our training programs from the ground up and now conduct quarterly hate crime training for multiple Los Angeles area agencies. On March 1, 2022, the Department conducted its 2022 first quarter hate crimes training which was attended by eight different local law enforcement agencies from Los Angeles and surrounding counties.

The Department has also focused on community outreach and partnerships. We conduct community meetings with the public, alongside NGOs, to teach residents best practices on what to do should they witness or be a victim of a hate crime. Information on what to expect during the investigative steps, court process, available victim services and application processes are shared. The model of being transparent and open builds trust with our communities and in turn helps to combat the issue of underreporting of hate crimes in the city.

The Department also applied for and received a federal grant focused on the rise of anti-Asian American Pacific Islander (AAPI) bias-motivated crimes in the city of Los Angeles. The grant is focused on the AAPI communities of Los Angeles, such as Koreatown, Little Tokyo, Chinatown, Thai Town, and Filipinotown and is scheduled to translate Department documents into native languages, conduct community meetings with certified translators, and educate the public. The grant funds will also be used to connect with the most vulnerable of the AAPI communities, such as the elderly, disabled persons, and those without language or technological skills to research hate crime resource information, in order to provide them with information and connect them with service providers.

FEDERAL AND LOCAL PARTNERSHIPS:

In 2019, during the investigation of a hate crime involving a member of a white nationalist group, I connected with the Federal Bureau of Investigation (FBI) Civil Rights Squad for assistance with information gathering. This successful joint investigation led to the creation of the Los Angeles Area Hate Crimes Task Force (LAHCTF). The LAHCTF is currently comprised of seven Los Angeles County law enforcement agencies and shares information, best practices, and resources during hate crime investigations.

The LAHCTF has had several successful investigations which led to state and federal charges and out-of-state arrests in Hawaii, Alaska and Colorado for hate crimes committed in the Los Angeles area of responsibility, including:

- Multiple gang-related arrests for attempted murder and other charges against the transgender community during an extortion investigation;
- Multiple suspects convicted on federal hate crimes violations for anti-Azeri crimes during the Armenian/Azerbaijani conflict where suspects entered and ransacked a restaurant; and,
- Multiple suspects arrested for aggravated assault, criminal threats, and other charges during the Palestinian and Israeli conflict where suspects passing in a caravan attacked a group of diners seated at an outdoor restaurant.

Although the standards for proving the elements of bias motivation for federal and state courts differ, the LAHCTF, United States Attorney's Office for the Central District of California and the Los Angeles County District Attorney's offices have open communications on which level to best proceed on each case. The federal standard for proving bias motivation is "but for," meaning that the crime must have been committed because of the bias against the protected

characteristic. If the crime would have been committed anyway without the bias motivation, it would not fall under the federal statutory definition. The California state standard is a “substantial factor,” meaning the bias motivation was in whole or only part of the motivation.

CONCLUSION:

Although hate crimes and hate incidents continue to rise across the country and in Los Angeles, the increased reporting is a sign that residents’ trust in their local and federal law enforcement agencies to handle and investigated these crimes seriously is increasing. Studies have shown that hate crimes are severely underreported and each instance of law enforcement responding effectively and compassionately will spread throughout the underserved communities building that necessary bond of cooperation needed to protect that and the next victim. It is difficult for agencies to be proactive against suspects who hold certain hidden beliefs, but correctly classifying hate crimes, documenting hate incidents and using the data to formulate effective responses to prevent future incidents of hate will benefit not only the police agencies, but the communities they serve.

Respectfully,

ORLANDO MARTINEZ, Detective
Los Angeles Police Department
Robbery-Homicide Division
Hate Crime Coordinator

OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 26

December 15, 2021

APPROVED BY THE BOARD OF POLICE COMMISSIONERS ON December 14, 2021

SUBJECT: REPORTING INCIDENTS MOTIVATED BY HATRED OR PREJUDICE – REVISED; HATE CRIME/INCIDENT GUIDELINES FIELD NOTEBOOK DIVIDER, FORM 18.44.00 – REVISED; HATE CRIME RESOURCE PAMPHLET, FORM 15.91.00; AND, HATE CRIME RESOURCE PAMPHLET, FORM 15.91.01 – REVISED; HATE CRIME SUPPLEMENTAL REPORT, FORM 03.01.05 – REVISED; HATE CRIME/HATE INCIDENT END-OF-THE MONTH REPORT CHECKLIST, FORM 03.01.06 – REVISED; AND, HATE CRIME/HATE INCIDENT DETECTIVE REPORT REVIEW/CRITERIA CHECKLIST, FORM 03.01.08 – REVISED

PURPOSE: This Order revises Department Manual Section 4/203.25, *Reporting Incidents Motivated by Hatred or Prejudice* as well as various hate crime forms, consistent with revisions to California Penal Code Section 422.87 and pursuant to California Assembly Bills 600 and 57. Assembly Bill 600 expands the definition of nationality with respect to a hate crime to include a person's actual or perceived immigration status. Similarly, Assembly Bill 57 expands religious biased hate crimes to include targeted attacks on symbols of importance or articles considered of spiritual significance in a particular religion.

PROCEDURE:

- I. REPORTING INCIDENTS MOTIVATED BY HATRED OR PREJUDICE – REVISED.** Department Manual Section 4/203.25, *Reporting Incidents Motivated by Hatred or Prejudice*, has been revised. Attached is the revised Department Manual section with the revisions in italics.
 - II. HATE CRIME/INCIDENT GUIDELINES FIELD NOTEBOOK DIVIDER, FORM 18.44.00 – REVISED.** The *Hate Crime/Incident Guidelines Filed Notebook Divider*, Form 18.44.00, has been revised. It is the revised form with the revisions in italics.
 - III. HATE CRIME RESOURCE PAMPHLET, FORM 15.91.00; AND, HATE CRIME RESOURCE PAMPHLET, FORM 15.91.01 – REVISED.** The *Hate Crime Resource Pamphlet*, Form 15.91.00 (English), and *Hate Crime Resource Pamphlet*, Form 15.91.01 (Spanish), have been revised and are attached.
 - IV. HATE CRIME SUPPLEMENTAL REPORT, FORM 03.01.05 – REVISED.** The *Hate Crime Supplemental Report*, Form 03.01.05, has been revised and is attached with the revisions.
 - V. HATE CRIME/HATE INCIDENT END-OF-THE-MONTH REPORT CHECKLIST, FORM 03.01.06 – REVISED.** The *Hate Crime/Hate Incident End-of-The-Month Report Checklist*, Form 03.01.06, has been revised. It is attached with the revisions in italics.
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VI. HATE CRIME/HATE INCIDENT DETECTIVE REPORT REVIEW/CRITERIA CHECKLIST, FORM 03.01.08 – REVISED. *The Hate Crime/Hate Incident Detective Report Review/Criteria Checklist, Form 03.01.08, has been revised. It is attached with the revisions indicated in italics.*

FORM AVAILABILITY: The above forms are available in E-Forms on the Department's Local Area Network (LAN) and are attached for immediate use and duplication. All other versions of the aforementioned revised forms shall be marked "obsolete" and placed into the divisional recycling bin.

AMENDMENTS: This Order amends Section 4/203.25 of the Department Manual.

AUDIT RESPONSIBILITY: The Commanding Officer, Audit Division, shall review this directive and determine whether an audit or inspection shall be conducted in accordance with Department Manual Section 0/080.30.



MICHEL R. MOORE
Chief of Police

Attachments

DISTRIBUTION "D"

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203.25 REPORTING INCIDENTS MOTIVATED BY HATRED OR PREJUDICE.

It is the policy of the Department to safeguard the rights of all individuals irrespective of their race or ethnicity, nationality, *immigration status*, religion, sexual orientation, gender, gender identity or gender expression, disability (whether temporary, permanent, congenital, and no matter how it is acquired), and/or association with a person or group with one or more of these actual or perceived characteristics. Any acts or threats of violence motivated by hate or bias, including property damage, harassment, intimidation, or other crimes shall be viewed very seriously and given high priority.

Hate Crime-Defined. A hate crime is any criminal act or attempted criminal act directed against a person(s), public agency or private institution based in whole or in part on the victim's actual or perceived race or ethnicity, nationality, religion, sexual orientation, disability, *or* gender; or, because the agency or institution is identified or associated with a person, or group of an identifiable or perceived race *or ethnicity*, nationality, religion, sexual orientation, disability, *or* gender.

A "bias" is a pre-existing negative attitude toward actual or perceived characteristics referenced in California Penal Code Section 422.55 (see characteristics from Hate Crime Definition above). Depending on the circumstances of each case, bias motivation may include, but is not limited to, hatred, animosity, *discriminatory selection of victims (i.e., targeting)*, resentment, revulsion, contempt, unreasonable fear, paranoia, callousness, thrill-seeking, desire for social dominance, desire for social bonding with those of one's "own kind," or a perception of the vulnerability of the victim due to the victim's perceived protected characteristic, or association with a person who has an actual or perceived characteristic, including – but not limited to – disability or gender.

A hate crime includes any willful act that by force or threat of force:

- Injures, intimidates, interferes with, oppresses, or threatens any other person in the free exercise or enjoyment of any legal right(s) or privilege(s); or,
- Defaces, damages or destroys the real or personal property of any other person *or entity* for the purpose of intimidating or interfering with the free exercise or enjoyment of any legal right(s) or privilege(s), in whole or in part because of one or more of the actual or perceived characteristics of the victim, or the victim's association with a person as listed in subdivision (a) of Section 422.55 (see characteristics from Hate Crime Definition above).

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Statutory Definitions. California Penal Code Section 422.56 further defines the below characteristics and circumstances:

‘Victim’ includes but is not limited to, a person, individual, family, group, entity, community center, educational facility, office, meeting hall, place of worship, private institution, public agency, library, or other victim or intended victim of the offense.

‘Association with a person or group with [the] actual or perceived characteristics,’ includes advocacy for, identification with, or being on the property owned, rented by, or adjacent to the individual, family, community center, educational facility, office, meeting hall, place of worship, private institution, public agency, library, or other entity, group, or person which has, or is identified with the persons who have the characteristics targeted.

‘In whole or in part because of’ means that the bias motivation must be a cause in fact of the offense, whether or not other causes also exist. When multiple concurrent motives exist, the prohibited bias must be a substantial factor in bringing about the particular result. There is no requirement that the bias be a main factor, or that the crime would not have been committed but for the actual or perceived characteristic. This subdivision does not constitute a change in, but is declaratory of, existing law under *In re M.S.* (1995) 10 Cal. 698 and *People v. Superior Court (Aishman)* (1995) 10 Cal 735.

‘Gender’ means sex and includes a person’s gender identity and gender *expression*.

‘*Gender expression*’ means a person’s related appearance and behavior whether or not stereotypically associated with the person’s assigned sex at birth.

‘Nationality’ includes country of origin, *immigration status, including* citizenship, and national origin.

‘Race or ethnicity’ includes ancestry, color, and ethnic background.

‘Religion’ includes all aspects of religious belief, observance and practice and includes agnosticism and atheism.

‘Sexual orientation’ means heterosexuality, homosexuality, or bisexuality.

‘Disability’ includes mental or physical disability, *as defined in Section 12926 of the Government Code*, regardless of whether said disability is temporary, permanent, congenital, or acquired by heredity, accident, injury, advanced age, or illness.

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Hate Incident-Defined. A hate incident is any non-criminal act including words directed against a person(s) based on that person's actual or perceived race *or ethnicity*, nationality, religion, sexual orientation, disability, *or* gender that is not punishable under the California Penal Code or Federal law. Hate incidents are differentiated from hate crimes because they do not violate criminal law. Rather, such incidents are generally protected free speech under the First Amendment to the United States Constitution.

Hate incidents include, but are not limited to, epithets, distribution of hate material in public places, posting of hate material that does not result in property damage, and the display of hate material on one's own property. However, if over an extended period of time a person directs numerous bigoted, biased or prejudiced statements to the same person, such a pattern of conduct could rise to the level of unlawful criminal harassment or stalking under certain State laws, including but not limited to California Penal Code Section 646.9 - Stalking.

In compliance with California Penal Code Section 422.87, officers shall specifically evaluate the following when investigating a crime or incident of suspected disability-bias:

- Whether there is any indication that the suspect was motivated by hostility or other bias, occasioned by factors such as, but not limited to, dislike of persons who arouse fear or guilt, a perception that persons with disabilities are inferior and therefore "deserving victims," a fear of persons whose visible traits are perceived as being disturbing to others, or resentment of those who need, demand, or receive alternative educational, physical, or social accommodations.
- Whether there is any indication that the suspect perceived the victim to be vulnerable and, if so, if this perception is grounded, in whole or in part, in anti-disability bias. This includes, but is not limited to, if a suspect targets a person with a particular perceived disability while avoiding other vulnerable-appearing persons such as inebriated persons or persons with perceived disabilities different than those of the victim, those circumstances could be evidence that the suspect's motivations included bias against persons with the perceived disability of the victim and that the crime shall therefore be reported as a suspected hate crime and not a mere crime of opportunity.

In compliance with California Penal Code Section 422.87, when investigating a crime or incident of suspected religious-bias, officers shall specifically evaluate whether there were targeted attacks on, or biased references to symbols of importance or articles considered of spiritual significance in a particular religion. Examples of religions and such symbols and articles include, but are not limited to:

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- *In Buddhism, statues of the Buddha;*
- *In Christianity, crosses;*
- *In Hinduism, forehead markings, known as bindis and tilaks, Aum/Om symbols, and images of deities known as murtis;*
- *In Islam, hijabs;*
- *In Judaism, Stars of David, menorahs, and yarmulke; and,*
- *In Sikhism, turbans, head coverings, and unshorn hair, including beards.*

The general underreporting of hate crimes, especially anti-disability and anti-gender crimes is an identified issue in California. Underreporting is caused by victims not reporting hate crimes or hate incidents due to a number of factors, including fear of reprisal and the belief that law enforcement will not properly investigate them. The Department recognizes the prevalence of underreporting of hate crimes in the City, and its commitment to vigilantly identify, document, investigate and pursue prosecution of hate crimes is one of its strategic enforcement goals.

The bias motivation, or “Hatred or Prejudice” need not be the main, sole or a major factor when classifying a crime or incident to be motivated by Hatred or Prejudice. Department personnel will classify reports as motivated by Hatred or Prejudice when evidence of such motivation, whether direct or circumstantial, is present.

Employee’s Responsibilities. A Department employee, either civilian or sworn, who becomes aware of a crime or incident motivated by hatred or prejudice shall:

- Investigate the crime or incident in a timely manner directly, or by way of notification to the appropriate personnel, entity and/or agency if:
 - *The employee is personally involved in the incident; or,*
 - *The employee is made aware of the incident while off duty;*
- Notify the watch commander of the Area of occurrence;
- Notify Department Operations Center (DOC), Communications Division and document the notification in the related report;
- Complete the appropriate incident, crime or arrest report(s) and check the “MOTIVATED BY HATRED/PREJUDICE” box. If the incident does not constitute a specific crime, the Investigative Report (IR), Form 03.01.00, shall be titled “Hate Incident;”
- Complete the Hate Crime Supplemental Report, Form 03.01.05;
- Complete the Request for Confidentiality of Information, Form 03.02.00 (not required for Hate **Incidents**);

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- Provide the victim with a Hate Crime Resource Pamphlet, Form 15.91.00, and a Marsy's Law pamphlet; *and,*
- *Ensure that every available resource, including but not limited to, language interpreters, Crisis Response Teams, information on local advocacy groups, etc., is provided to victims of Hate Crimes and Hate Incidents. Department employees shall also be guided by Training Bulletin Volume XLIX, Issue 12 dated November 2020 and titled, "Foreign Language Interpreters and Resources," when an individual speaks a foreign language.*

Investigation by Field Units. Field units assigned to calls or discovering crimes or incidents motivated by hatred or prejudice shall:

- Investigate the crime or incident and take appropriate action;
- Telephonically notify the watch commander of the crime or incident;
- Request a field supervisor to their location;
- Complete an IR and/or Arrest Report, Form 05.02.00, on all crimes or incidents motivated by hatred or prejudice and check the "MOTIVATED BY HATRED/PREJUDICE" box;

Note: An IR shall be completed whenever an officer becomes aware of any incident, whether criminal or non-criminal, which meets the criteria of an incident motivated by hatred or prejudice. The unwillingness of the victim related to an incident motivated by hatred or prejudice to sign a report, or the absence of a victim to the incident, does not exempt officers from the requirement to complete an IR regarding the incident.

- Complete the Hate Crime Supplemental Report and attach it as the last two pages of the IR and/or Arrest Report;
- Complete the Request for Confidentiality of Information (not required for Hate **Incidents**); and,
- Provide the victim with a Hate Crime Resource Pamphlet, and a Marsy's Law pamphlet.

If the circumstances of an incident do not provide the *corpus delicti* of a specific crime, officers shall complete a short form IR titled "Hate Incident." In cases where there is no specific crime, officers shall not list persons possibly responsible for the incident as suspects, rather such persons shall be listed in the "Involved Persons" section of the IR.

Note: Absent reasonable suspicion of a crime, officers do not have the legal authority to detain persons involved in a hate incident, where the individual is exercising his or her constitutional right to free speech.

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Note: When investigating a crime, officers should remain mindful that there are, at times, individuals who call the police and make false or ill-informed claims of misconduct about persons they dislike or are biased against (e.g., ethnic and religious minorities, *immigrants*, disabled individuals, homeless people). California Assembly Bill 1775 (enacted on September 30, 2020), reiterates the Ralph Civil Rights Act of 1976, whereby it not only prohibits, but also assesses civil and criminal penalties for instances when an individual knowingly and willfully threatens to notify, contacts, or files a false claim with law enforcement personnel in furtherance of his or her bias(es) against another.

Therefore, Department personnel must be vigilant in their investigations with presumptive victims and witnesses, so as not to engage in bias-motivated detentions, interrogations or arrests. As in all situations, officers are reminded to act professionally and accurately evaluate the facts and risks of each individual case. A biased individual who makes a report to the police can generate accusatory claims by police and outraged denials of wrongdoing by the accused – all of which can lead to unjust outcomes.

Watch Commander's Responsibilities. Upon notification that a crime or incident motivated by hatred or prejudice has occurred, the watch commander shall:

- Direct a sergeant to immediately respond to the scene of a crime or incident motivated by hatred, such as where there is major property damage involved, injury to a victim, or vandalism to a house of worship;
- Notify the DOC, for inclusion of the crime or incident in the Chief of Police 24-Hour Occurrence Log;
- Notify Criminal Conspiracy Section (CCS), Major Crimes Division (MCD) of any incident involving a place of worship;
- Review all reports for completeness and accuracy (e.g., hate crime vs. hate incident):
 - Ensure that the "MOTIVATED BY HATRED/PREJUDICE" box is checked;
 - Ensure that the Hate Crime Supplemental Report is completed;
 - Ensure that the reporting officers have completed the Request for Confidentiality of Information, where appropriate; and,
 - Ensure that the victim has been provided a Hate Crime Resource Pamphlet, and a California Attorney General's Office Marsy's Law Resource pamphlet.
- Make an entry regarding the matter in the Watch Commander's Daily Report, Form 15.80.00;

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- Forward a copy of the Watch Commander's Daily Report entry along with a copy of the Sergeant's Daily Report, Form 15.48.00, documenting the contact with the victim to the Area Hate Crime Coordinator;
- Cause the reports to be distributed as soon as possible via the Records Unit, but no later than the end of watch;
- Forward a copy of the report to the DOC; and,
- Notify the Community Relations Office (CRO) to liaison with the affected community in the Area.

Records Unit's Responsibilities. Upon receipt of a crime or incident report in which the suspect's actions were motivated by hatred or prejudice, Area Records Unit personnel shall:

- Enter the information into the Consolidated Crime Analysis Database (CCAD);
- Ensure that the appropriate crime code for a hate crime report/arrest, or a hate incident has been correctly denoted;
- Denote the appropriate corresponding Modus Operandi (MO) code of 0903 in CCAD for hate crime reports and arrests;
- Denote the crime code of 999 with an MO code of 0921 for Hate Incident reports;
- Denote the appropriate corresponding Bias and Sub Bias MO codes; and,
- Distribute the report(s) as soon as possible, but no later than 24 hours after the report is taken. In addition to the established distribution, an extra copy of the IR and Arrest Report shall be distributed to:
 - 1 – Detective Bureau;
 - 1 – CCS, MCD;
 - 1 – *Public Engagement Section (PES), Office of Operations*; and,
 - 1 – Hate Crimes Coordinator's investigative designee, Robbery-Homicide Division (RHD).

Area Crime and Community Intelligence Center Responsibilities. *Area Crime and Community Intelligence Center* personnel shall:

- Review all area crime, arrest and follow-up reports to determine whether any incidents were motivated by hatred or prejudice;
- Verify that the information entered into CCAD for any incident motivated by hatred or prejudice is accurate;
- Ensure the appropriate crime code as well as the corresponding MO code for a hate crime report/arrest, or a hate incident has been correctly denoted in CCAD;

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- Ensure the appropriate enhancement MO Codes for Victim Targeted and Bias have been correctly denoted in CCAD;
- *Notify the assigned investigator to complete a Follow-Up Report, reclassifying the case as a Hate Crime or Hate Incident if needed;*
- Provide Crime Analysis Mapping System (CAMS) browser on hate crime report/arrest or a hate incident to the area Hate Crime Coordinator; and,
- Verify that all hate crimes and hate incidents are accurately reflected on the area COMPSTAT report based on date of occurrence.

Detective's Responsibilities. A detective assigned to investigate a crime or incident motivated by hatred or prejudice shall:

- Contact the victim within 10 calendar days of the crime or incident and assure the victim of the Department's commitment to identifying the suspect and obtain follow-up information;
- Provide the Department Hate Crime Coordinator or his or her designee with a copy of all reports related to the incident within 10 calendar days of completion;
- Enter the report information including the victim, suspect and location information into the Department of Justice database;
- If the crime/incident being investigated is determined to not have been motivated by hatred and/or prejudice, complete a Follow-up Investigation, Form 3.14.00, correcting/removing the CCAD MO code related to the hate crime or hate incident;
- Document any additional information on a Follow-up Investigation, and complete the follow-up within 10 calendar days;
- Present all felony hate crime investigations in which the suspect is identified to the Los Angeles County District Attorney's Organized Crime *Division*, Hate Crime Section and, as appropriate, to the Civil Rights Division, Department of Justice (DOJ), for filing consideration; and,
- Present all misdemeanor hate crime investigations in which the suspect is identified to the Special Trials Unit, Office of the Los Angeles City Attorney, and as appropriate, to the Civil Rights Liaison, Office of the United States Attorney.

Area Hate Crime Coordinator's Responsibilities. The Commanding Officer, Area Detective Division, is the Hate Crime Coordinator (HCC) for his or her command and shall:

- Assign a specific detective supervisor to coordinate the investigation of all hate crimes and incidents for the Area;
-

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- Ensure that a specific detective is assigned to investigate each crime or incident and that an appropriate response is provided to each victim including, but not limited to, compliance with the mandated 10 calendar day follow-up;
- Ensure that each crime or incident is entered into the CCAD properly;
- Ensure that all hate crimes are entered into the Hate Crime Analysis Evaluation System DOJ database (i.e., HATE database) at the end of the month;
- Ensure that all hate crimes and hate incidents are placed on the COMPSTAT Profile;
- Prepare a detailed monthly summary of all hate crimes or incidents on an Intradepartmental Correspondence, Form 15.02.00, and forward the report to the commanding officer, RHD, via the Area commanding officer, within 10 calendar days of the following month. The Intradepartmental Correspondence shall include the number of hate crimes and/or hate incidents for the month, CCAD print outs for the hate crimes and hate incidents, and a DOJ Bias Motivation (Table 1) printout for the current month. Unredacted and redacted copies of each hate crime and hate incidents shall be attached to the Intradepartmental Correspondence, including investigative reports, arrest reports, follow-up reports, confidentiality reports, Detective Case Tracking System (DCTS) notes and Watch Commander's Daily Reports. These reports shall be delivered, faxed and/or emailed to the RHD Hate Crimes Coordinator (HCC); and,
- Ensure the case has been entered into the DOJ database for each case in their command.

Note: The Area HCC shall be responsible for entering all incidents which occur in their Area into the DOJ system regardless of the investigating entity for the incident.

Note: Upon receipt of a Follow-up Investigation or investigative determination indicating that a previously reported incident has been determined to not, in fact, have been motivated by hatred or prejudice, that incident **shall not** be included in the Area's reporting statistics. The MO code 0921 and 0903 shall be removed from the CCAD.

Area Detective Commanding Officer Responsibilities. *Area Detective Commanding Officers (CO) shall ensure that misdemeanor and felony Hate Crime arrests and IRs are assigned to the appropriate table for investigation, follow-up and filing. Area Filing Teams shall not route misdemeanor Hate Crime arrests directly to the City Attorney's Office (CAO); misdemeanor arrests shall be assigned to an investigator for follow-up and filing. Area Detective CO's shall also ensure:*

- *All Hate Crime investigations and arrests (misdemeanor and felony) shall be assigned to and handled by the corresponding table detectives;*
- *All Hate Crime investigations (misdemeanor and felony) shall be presented to the District Attorney's (DA) Office, Hate Crimes Section for filing consideration. Should the DA's*

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Office refer the case to the CAO, officers shall re-present the case to the CAO's Special Trials Unit for filing consideration; and,

- *The Area Hate Crime Coordinator has been notified and provided with copies should a report be reclassified to, or from, a Hate Crime.*

Area Commanding Officer's Responsibilities. The Area commanding officer shall:

- Use all available resources in responding to community needs in combating hate crimes and incidents; and,
- Review and forward the monthly summary of hate crimes or incidents to the bureau commanding officer within two business days of receiving the monthly summary.

Bureau Commanding Officer's Responsibilities. The bureau commanding officer shall:

- Review each subordinate command's monthly summary of hate crimes or incidents;
- Forward a copy of the monthly summaries to Detective Bureau (DB), CCS, MCD, and RHD within two business days of receiving the reports; and,
- Initiate a semi-annual inspection to verify the accuracy of each monthly hate crime summary submitted by subordinate commands and forward a copy of the audit to DB.

Department Hate Crime Coordinator. The Department HCC is the Commanding Officer of Detective Bureau, or his or her designee.

Department Hate Crime Coordinator's Responsibilities. The Chief of Police has directed the Department HCC to ensure the Department produces and disseminates a Hate Crime Brochure as required by California Penal Code Section 422.87(a)(8) and to ensure that all officers are trained to distribute the brochure to all suspected hate crime victims and all other interested persons. In addition, the Department HCC designee shall:

- Provide a quarterly hate crime report to the CO of Detective Bureau *and the Department Diversity, Equity and Inclusion Officer (DEIO)*;
 - Provide copies of reports and documents to any agencies working in partnership with the Department via a Memorandum of Understanding (MOU);
 - Provide quarterly training for all Area HCCs;
 - Ensure all hate crime cases are entered into the DOJ hate crime database;
 - Ensure that copies of all hate crime reports are forwarded to DOJ; and,
 - Liaise between Department training entities to ensure hate crime training accuracy and uniformity.
-

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Public Engagement Section, Office of Operations Responsibilities. *Public Engagement Section* shall:

- Continually meet with the public to build and strengthen relationships with the community;
- *Liaise with the DEIO;*
- Liaise and engage with each communities' most vulnerable individuals to hate crimes (especially anti-disability and anti-gender hate crimes) and the groups representing those communities, and in-turn inform the Department about the issues and concerns specific to those communities;
- Provide the public with information regarding Department policy and enforcement efforts;
- Provide the public with information regarding safety, security, and crime prevention; and,
- Provide the public with cultural diversity training.

In the aftermath of a hate crime or hate incident, *PES* shall work constructively with segments of the larger community, who have also been impacted. Their focus in those circumstances shall be to: reduce fear, stem possible retaliation, prevent additional hate crimes and encourage any other previously victimized individuals to come forward and report such incidents.

Department Operations Center's Responsibilities. The *Department Operations Center* (DOC) shall:

- Ensure notification has been made to MCD for all hate crimes or incidents involving a place of worship;
- Document all hate crimes and hate incidents in the Chief of Police 24-Hour Occurrence Log;
- Notify the Department HCC or his or her designee and forward a copy of the report to him or her; *and,*
- *Notify the DEIO or his or her designee and forward a copy of the report to him or her.*

Professional Standards Bureau's Responsibilities. Professional Standards Bureau shall:

- Assume primary investigative responsibility of all criminal complaints against sworn personnel alleging a hate crime under Color of Authority *while on duty, or occurring within the city limits -- on or off duty;*
-

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- Audit complaints against Department personnel for instances of alleged biased policing and alleged criminal misconduct under Color of Authority pursuant to California Penal Code Sections 149 and 422.6, or Title 18 United States Code Section 242; and,
- Notify the Chief of Police, Inspector General's Office and Los Angeles City or District Attorneys' Offices of all complaints of alleged hate crimes under Color of Authority by sworn personnel.

Training Bureau's Responsibilities. Training Bureau is responsible for providing Department personnel with training pertaining to the distribution of the Hate Crimes Resource Pamphlet. Through the Department's Learning Management System (LMS) and in conjunction with the Commission on Peace Officer Standards and Training's (POST) continuing education requirements, personnel are also regularly provided training on State, Federal and Department policy as they relate to hate crime investigations.

HATE CRIME/INCIDENT GUIDELINES

FIELD NOTEBOOK DIVIDER

These guidelines shall be followed for investigations of Hate Crimes and Hate Incidents.

DEFINITIONS:

HATE CRIME

A Hate Crime is any criminal act or attempted criminal act rooted in bias *and* directed against a person(s), public agency or private institution based in whole or in part on the victim's actual or perceived race, ethnicity, nationality, immigration status, religion, sexual orientation, disability, gender, gender identity or gender expression or because the agency or institution is identified or associated with a person or group of an identifiable or perceived race, nationality, immigration status, religion, sexual orientation, disability, gender, gender identity or gender expression. A Hate Crime includes an act which results in injury, however slight; a verbal threat of violence which apparently can be carried out; an act which results in property damage; and property damage or other criminal act(s) directed against a public or private agency.

HATE INCIDENT

A Hate Incident is any non-criminal act including words directed against a person(s) based on that person's actual or perceived race, nationality, immigration status, religion, sexual orientation, disability, gender, gender expression or gender identity that is not punishable under the California Penal Code or federal law. Hatred incidents are differentiated from hate crimes because they do not violate criminal or civil law. Rather, such incidents are generally protected free speech under the First Amendment to the U.S. Constitution.

Hate Incidents include, but are not limited to, epithets, distribution of hate material in public places, posting of hate material that does not result in property damage, and the display of *hate* material on one's own property. However, if over an extended period of time a person directs numerous bigoted, biased or prejudiced statements to the same person, such a pattern of conduct could rise to the level of unlawful criminal harassment or stalking under certain state laws.

I. ARRIVAL AT SCENE

- * Determine location/condition of victim;
- * Obtain medical treatment as needed;
- * Determine if suspect is still at scene;
- * Locate and identify witnesses;
- * Request witnesses remain for questioning; and,
- * Determine if a Hate Crime or Hate Incident has occurred.

II. INVESTIGATIVE REPORT, FORM 03.01.00

- * Investigate the crime or incident in a timely manner;
- * Interview victims/witnesses separately;

- * Notify the watch commander, Area of occurrence;
- * Notify the Department Operations Center (DOC), Communications Division at (213) 484-6700 for inclusion of the crime or incident in the Chief of Police 24-hour occurrence log and document the notification in the related report;
- * Complete the appropriate crime or arrest report(s) and check the "MOTIVATED BY HATRED/PREJUDICE" box;
- * Complete the Request for Confidentiality of Information, Form 03.02.00 (not required for Hate Incidents);
- * Complete the Hate Crime Supplemental Report, Form 03.01.05, and attach it to the IR and/or Arrest Report as the last two pages of the report;
- * If the incident does not constitute a specific crime, the IR shall be titled "Hate Incident;"
- * Collect all evidence including that which verifies motive; and,
- * Provide support/resources for the victim (Marsy's Law pamphlet and Hate Crimes Victim Pamphlet).

III. INTERVIEW VICTIMS/WITNESSES

- * Interview victims/witnesses separately;
- * Establish the elements of the crime and other details relating to who, what, when, where, why and how; and,
- * Questions to consider:
 - ✓ Do you (victim/witness) perceive the action of the offender to be motivated by bias or bigotry (regardless of the victim's actual inclusion in that protected group), why?
 - ✓ Do you think you were targeted, why?
 - ✓ Who do you think is responsible, why?
 - ✓ Were there any offensive symbols, words or acts associated with hate groups used?
 - ✓ Were any biased references made to religious symbols of importance or articles of spiritual significance in the religion?
 - ✓ Are you the only member (or one of a few) of a protected characteristic who lives in the area?
 - ✓ Have there been any prior incidents?
 - ✓ Has there been any recent public activity that would make you (victim) a target?
 - ✓ Did the suspect carry any literature regarding a particular group?
 - ✓ Did the incident occur on a holiday or day of significance to the victim's or offender's group?
 - ✓ Did the suspect have tattoos or clothing that stand out in your mind?

HATE CRIME/INCIDENT GUIDELINES

FIELD NOTEBOOK DIVIDER

These guidelines shall be followed for investigations of Hate Crimes and Hate Incidents.

Note: Victims may be reluctant to be identified with a protected group. Witnesses may fear retaliation and therefore feel fearful or hesitant to get involved.

IV. IF SUSPECT IS TAKEN INTO CUSTODY

- * Prevent communication between suspect and victim/witnesses;
- * Record spontaneous statements made by the suspect (many times hate crime suspects will be proud of their actions and anxious to talk) including statements made prior, during, and after the incident;
- * Administer Admonition of Rights; and,
- * Questions to consider (only after Admonition of Rights):
 - ✓ Why did you pick this person?
 - ✓ How do you feel about this person/group?
 - ✓ Did you go looking for this person or group?
 - ✓ Did you select the victim at random?
 - ✓ Do you belong to a group or organization?
 - ✓ Are any others involved in the crime?
 - ✓ Do they have a mission or agenda directed toward this person or a particular group?

V. EVIDENCE

- * Photograph any evidence that substantiates the motive, e.g., hate graffiti, cross burning, swastikas, suspect's attire, tattoos, etc;
- * Recover weapons and book or photograph; and,
- * Identify, retrieve or photograph other evidence, e.g., bloody clothing, destroyed property, hate material, suspect's attire if appropriate.

VI. COMPLETING CRIME REPORT

- * Complete a Request for Confidentiality of Information, Form 03.02.00;
- * Title the report according to the criminal violation and add "HATE CRIME" to the title, e.g., BATTERY/HATE CRIME;
- * Check the "MOTIVATED BY HATRED/ PREJUDICE" box in the MO section;
- * Complete the Hate Crime Supplemental Report, Form 03.01.05, and attach it to the IR and/or Arrest Report as the last two pages of the report;
- * Notify the DOC telephone (213) 484-6700 and enter the name of the person contacted in the notification box;
- * Ensure that elements of all involved crimes are included in the report; and,
- * Document the following in the narrative:
 - ✓ Motivation or the lack of motivation;
 - ✓ Any photographs that were taken;
 - ✓ MT obtained;
 - ✓ If the victim and suspect(s) are members or perceived as members of different groups;

- ✓ Describe the manner and means of attack;
- ✓ Describe any relevant ongoing neighborhood events; and,
- ✓ Statements or activities prior to and following incident.

Note: In crime reports, Penal Code Section 422.6 or 422.7 will be identified as additional offenses. The underlying crime (i.e., battery, vandalism, assault) should be listed as the main offense.

VII. COMPLETING INCIDENT REPORT (NON-CRIMINAL INVESTIGATIONS)

- * Officers shall complete an IR titled "HATE INCIDENT";
- * Include the motivation of the suspect;
- * Check the "MOTIVATED BY HATRED/PREJUDICE" box in the MO section;
- * Complete the Hate Crime Supplemental Report, Form 03.01.05, and attach it to the IR and/or Arrest Report as the last two pages of the report; and,
- * List persons possibly responsible for the incident in the "INVOLVED PERSONS" section of the IR as "witnesses".

Note: The unwillingness of the victim of an incident motivated by hatred or prejudice to sign a report, or the absence of a victim to an incident, does not exempt officers from the requirement to complete an IR, Form 03.01.00.

VIII. FOLLOW-UP INVESTIGATIONS

Watch Commander

- * Direct a sergeant to immediately respond to the scene of a major crime or incident motivated by hatred such as major property damage involved, injury to victim, or vandalism to a house of worship;
- * Review all reports for completeness, including the notification to *the DOC* and cause the reports to be distributed as soon as possible, but no later than the end of watch;
- * Ensure that the correct crime code as well as MO code 0903 for hate crime and 999 non-crime and MO code 0921 are denoted on the report and placed into the Consolidated Crime Analysis Database (CCAD);
- * Make an entry regarding the matter in the Watch Commander's Daily Report, Form 15.80.00; Forward a copy of the Watch Commander's Daily Report entry along with a copy of the Sergeant's log documenting the contact with the victim to the Community Police Station Hate Crime Coordinator; *and*,
- * Forward a copy of the report to the DOC.

HATE CRIME/INCIDENT GUIDELINES FIELD NOTEBOOK DIVIDER

These guidelines shall be followed for investigations of Hate Crimes and Hate Incidents.

Area Detectives

- * Contact the victim within 10 calendar days of the crime or incident and assure the victim of the Department's interest in identifying the suspect and obtain follow-up information;
- * Document any additional information on a Follow-up Investigation, Form 03.14.00;
- * Present all felony hate crime investigations in which the suspect is identified to the District Attorney Hate Crime Unit and, as appropriate, to the Office of the United States Attorney, Civil Rights Liaison for filing consideration;
- * Present all misdemeanor hate crime investigations in which the suspect is identified to the Special *Trials Unit*, Office of the City Attorney, and as appropriate, to the Office of the United States Attorney, Civil Rights Liaison;
- * Contact appropriate Victim Impact Program Coordinator if applicable per Operations Notice No. 2, dated 5/14/2002; and,
- * Provide the command's Hate Crime Coordinator with a copy of all reports related to the incident within 10 working days of completion. This includes all reclassified reports. Ensure that if a case is deemed to not be a Hate Crime then the MO code (0903 Hate Crime) shall be removed from the CCAD.

POLICY STATEMENTS:

The City of Los Angeles values the great diversity of its people and recognizes that a threat against any portion of our community is truly a threat against our diverse way of life. Acts or threats of violence motivated by hatred or prejudice are serious acts, often vicious in nature, which tear at the fabric of our community. These occurrences generate fear and concern among victims as well as the entire community and have the potential of recurring, escalating and possibly causing counter-violence.

It is the policy of the Los Angeles Police Department to ensure that the rights of all people, as guaranteed by the Constitutions of the United States and the State of California, are protected. Among those constitutional guarantees is the right of all people to live without fear of attack by or threat from an individual or group due to hatred or prejudice. An act or a threat of violence motivated by hatred or prejudice threatens this constitutional guarantee and generates fear and concern among victims and the public. When any act motivated by hatred or prejudice occurs, the Department will ensure that it is dealt with on a priority basis and use every necessary legal resource to rapidly and decisively identify the suspects and bring them to justice.

**Los Angeles Police Department
HATE CRIME SUPPLEMENTAL REPORT**

BKG # _____

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DR # _____

VICTIM	<p align="center">Victim Type:</p> <input type="checkbox"/> Individual Legal name: (Last, First) _____ Other Names used (AKA): _____ <input type="checkbox"/> (Optional) Transgender/Non-Binary/Gender Non-conforming. <input type="checkbox"/> School, business or organization Name: _____ Type: _____ Address: _____ <input type="checkbox"/> Faith-based organization Name: _____ Faith: _____ Address: _____	<p align="center">Target of Crime (Check all that apply):</p> <input type="checkbox"/> Person <input type="checkbox"/> Private property <input type="checkbox"/> Public property <input type="checkbox"/> Other: _____ <p align="center">Nature of Crime (Check all that apply):</p> <input type="checkbox"/> Bodily injury <input type="checkbox"/> Threat of violence <input type="checkbox"/> Property damage Property damage - estimated value: _____ <input type="checkbox"/> Other crime: _____
---------------	---	--

BIAS	<p align="center">Type of Bias: (Check all characteristics that apply):</p> <input type="checkbox"/> Disability <input type="checkbox"/> Gender <input type="checkbox"/> Gender identity/expression <input type="checkbox"/> Sexual orientation <input type="checkbox"/> Race <input type="checkbox"/> Ethnicity <input type="checkbox"/> Nationality <input type="checkbox"/> Immigration status <input type="checkbox"/> Religion <input type="checkbox"/> Significant day of offense (e.g., 9/11, holy days) <input type="checkbox"/> Association with: _____ Specify disability (be specific): _____	<p align="center">Actual or Perceived Bias - Victim's Statement</p> <input type="checkbox"/> Actual bias [Victim actually has the indicated characteristic(s)]. <input type="checkbox"/> Perceived bias [Suspect believed victim had the indicated characteristic(s)]. If perceived, explain the circumstances in narrative portion of Report. <hr/> <p align="center">Reason for Bias:</p> Do you feel you were targeted based on one of these characteristics? <input type="checkbox"/> Yes <input type="checkbox"/> No Explain in narrative portion of Report. Do you know what motivated the suspect to commit this crime? <input type="checkbox"/> Yes <input type="checkbox"/> No Explain in narrative portion of Report. Do you feel you were targeted because you associated yourself with an individual or a group? <input type="checkbox"/> Yes <input type="checkbox"/> No Explain in narrative portion of Report. Are there indicators the suspect is affiliated with a Hate Group (i.e., literature/tattoos)? <input type="checkbox"/> Yes <input type="checkbox"/> No Describe in narrative portion of Report. Are there Indicators the suspect is affiliated with a criminal street gang? <input type="checkbox"/> Yes <input type="checkbox"/> No Describe in narrative portion of Report.
	<p align="center">Bias Indicators (Check all that apply):</p> <input type="checkbox"/> Hate speech <input type="checkbox"/> Acts/gestures <input type="checkbox"/> Property damage <input type="checkbox"/> Symbol used <input type="checkbox"/> Written/electronic communication <input type="checkbox"/> Graffiti/spray paint <input type="checkbox"/> Other: _____ Describe with exact detail in narrative portion of Report.	

HISTORY	<p align="center">Relationship Between Suspect & Victim:</p> Suspect known to victim? <input type="checkbox"/> Yes <input type="checkbox"/> No Nature of relationship: _____ Length of relationship: _____ If Yes, describe in narrative portion of Report.	<input type="checkbox"/> Prior reported incidents with suspect? Total # _____ <input type="checkbox"/> Prior unreported incidents with suspect? Total # _____ Restraining orders? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, describe in narrative portion of Report. Type of order: _____ Order/Case #: _____
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WEAPONS	Weapon(s) used during incident? <input type="checkbox"/> Yes <input type="checkbox"/> No Type: _____
	Weapon(s) booked as evidence? <input type="checkbox"/> Yes <input type="checkbox"/> No
	Automated Firearms System (AFS) Inquiry attached to Report? <input type="checkbox"/> Yes <input type="checkbox"/> No

**Los Angeles Police Department
HATE CRIME SUPPLEMENTAL REPORT**

BKG # _____

Page _____ of _____

DR # _____

EVIDENCE	Witnesses present during incident? <input type="checkbox"/> Yes <input type="checkbox"/> No		Statements taken? <input type="checkbox"/> Yes <input type="checkbox"/> No	
	Evidence collected? <input type="checkbox"/> Yes <input type="checkbox"/> No	Recordings: <input type="checkbox"/> Video <input type="checkbox"/> Audio <input type="checkbox"/> Booked		
	Photos taken? <input type="checkbox"/> Yes <input type="checkbox"/> No	Suspect identified: <input type="checkbox"/> Field ID <input type="checkbox"/> By photo		
	Total # of photos: _____ D #: _____	<input type="checkbox"/> Known to victim		
Taken by: _____		Serial #: _____		

OBSERVATIONS	<u>VICTIM</u>		<u>SUSPECT</u>	
	<input type="checkbox"/> Tattoos <input type="checkbox"/> Shaking <input type="checkbox"/> Unresponsive <input type="checkbox"/> Crying <input type="checkbox"/> Scared <input type="checkbox"/> Angry <input type="checkbox"/> Fearful <input type="checkbox"/> Calm <input type="checkbox"/> Agitated <input type="checkbox"/> Nervous <input type="checkbox"/> Threatening <input type="checkbox"/> Apologetic <input type="checkbox"/> Other observations: _____	<input type="checkbox"/> Tattoos <input type="checkbox"/> Shaking <input type="checkbox"/> Unresponsive <input type="checkbox"/> Crying <input type="checkbox"/> Scared <input type="checkbox"/> Angry <input type="checkbox"/> Fearful <input type="checkbox"/> Calm <input type="checkbox"/> Agitated <input type="checkbox"/> Nervous <input type="checkbox"/> Threatening <input type="checkbox"/> Apologetic <input type="checkbox"/> Other observations: _____		

ADDITIONAL QUESTIONS (Explain all boxes marked "Yes" in narrative portion of report):

Has suspect ever threatened you?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Has suspect ever harmed you?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Does suspect possess or have access to a firearm?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Are you afraid for your safety?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Do you have any other information that may be helpful?	<input type="checkbox"/> Yes	<input type="checkbox"/> No

Resources offered at scene: Yes No Type: _____

MEDICAL	<u>Victim</u>	<u>Suspect</u>	Paramedics at scene? <input type="checkbox"/> Yes <input type="checkbox"/> No Unit #: _____
	<input type="checkbox"/>	<input type="checkbox"/>	Name(s)/ID #: _____
	<input type="checkbox"/>	<input type="checkbox"/>	Hospital: _____
	<input type="checkbox"/>	<input type="checkbox"/>	Jail Dispensary: _____
Declined medical treatment Will seek own medical treatment Received medical treatment		Physician/Doctor: _____	
Authorization to Release Medical Information, Form 05.03.00, signed? <input type="checkbox"/> Yes <input type="checkbox"/> No		Patient #: _____	

Reporting Officer (Name/Rank)	Date	Serial #	Division/Detail
Reporting Officer (Name/Rank)	Date	Serial #	Division/Detail
Supervisor Approving (Name/Rank)	Date	Serial #	Division/Detail

HATE CRIME/HATE INCIDENT
END-OF-MONTH REPORT
CHECKLIST
(For use by the Area Hate Crime Coordinator)

- Intradepartmental Correspondence, Form 15.02.00, to Commanding Officer, RHD**
 - *Include the number of hate crimes and/or hate incidents.*
 - *Reconcile numbers with the CCAD numbers for hate crimes (Code 903) and hate incidents (Code 921).*
- Hate Crimes (Code 903) CCAD Printout for the Current Month**
 - *Include even if no hate crimes were reported during the month.*
- Hate Incidents (Code 921) CCAD Printout for the Current Month**
 - *Include even if no hate incidents were reported during the month.*
- Ensure LAPD Hate Crime Codes match DOJ Hate Crime Codes**
- DOJ Hate Crime System Bias Motivation (Table 1) Printout for Current Month**
- Copies of Hate Crime Report Package**
 - *Investigative Report and/or Arrest Report*
 - *Follow-up Investigative Report(s)*
 - *Victim's Request for Confidentiality of Information form*
 - *Watch Commander's Daily Report (with or without the hate crime entry)*
- Copies of Hate Incident Reports**
 - *Include Follow-up Investigation Report (if one was completed or DCTS notes).*
- Email copy of Monthly Hate Crime Report to the Hate Crimes**
Unit: *Hatecrimesunit@lapd.online*

03.01.06 (12/2021)

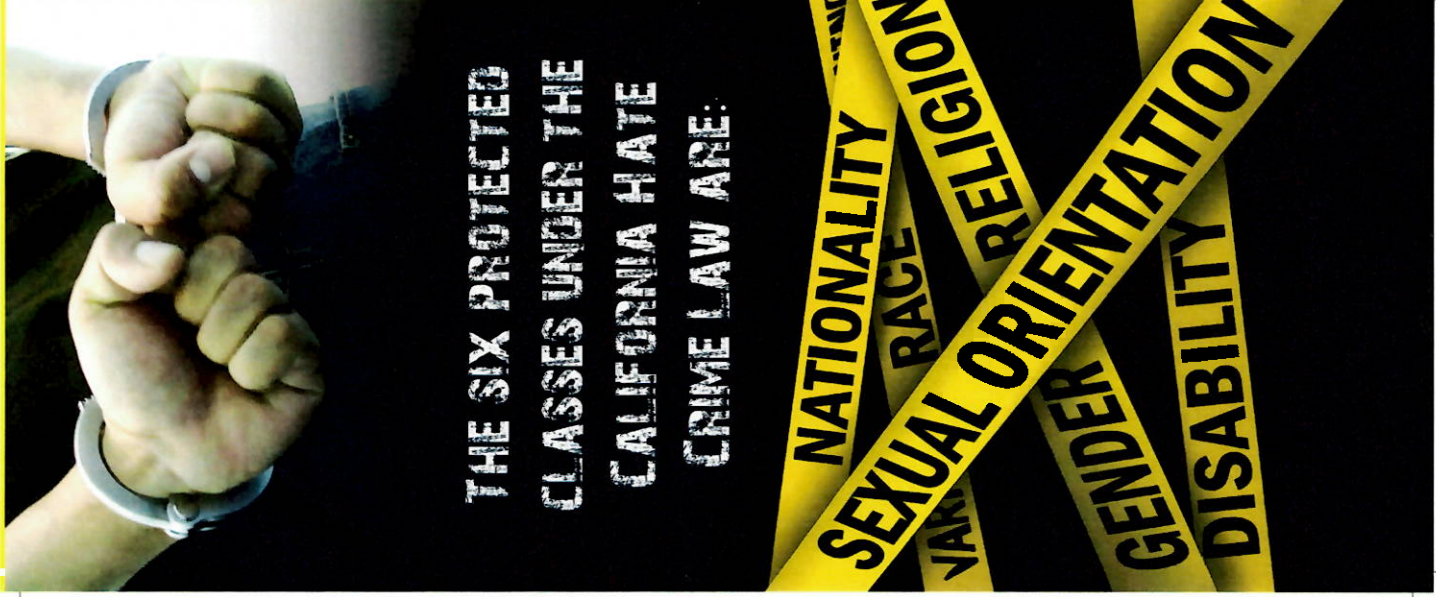
FOR REFERENCE ONLY – SEE CCAD MANUAL FOR COMPLETE CODES

When MO codes of **0903 (Hate Crime)** or **0921 (Hate Incident)** is used, additional codes for Bias and corresponding Sub-Bias code is required.

MO CODE: 0903 – Hatred/Prejudice OR 0921 – Hate Incident						
1. Crime or Incident	2057	2056	2058	2055	2053	2054
2. Bias ↓	Victim targeting based on Disability	Victim targeting based on Gender	Victim targeting based on Gender Non-Conforming	Victim targeted based on Race/Ethnicity/Nationality/Ancestry/Immigration Status	Victim targeted based on Religion	Victim targeted based on Sexual Orientation
3. Sub-Bias	<p>1505 Bias: Mental disability</p> <p>1506 Bias: Physical disability</p>	<p>1507 Bias: Anti-female</p> <p>1508 Bias: Anti-male</p>	<p>1509 Bias: Anti-Gender non-conforming</p> <p>1510 Bias: Anti-Transgender</p>	<p>1511 Bias: Anti-American Indian/Alaskan Native</p> <p>1512 Bias: Anti-Arab</p> <p>1513 Bias: Anti-Asian</p> <p>1514 Bias: Anti-Black or African American</p> <p>1515 Bias: Anti-Citizenship Status</p> <p>1516 Bias: Anti-Hispanic or Latino</p> <p>1517 Bias: Anti-Multiple Races (Group)</p> <p>1518 Bias: Anti-Native Hawaiian or Other Pacific Islander</p> <p>1519 Bias: Anti-Other Race/Ethnicity/Ancestry</p> <p>1520 Bias: Anti-White</p>	<p>1521 Bias: Anti-Atheism/Agnosticism</p> <p>1522 Bias: Anti-Buddhist</p> <p>1523 Bias: Anti-Catholic</p> <p>1524 Bias: Anti-Eastern Orthodox (Russian/Greek/Other)</p> <p>1525 Bias: Anti-Hindu</p> <p>1526 Bias: Anti-Islamic (Muslim)</p> <p>1527 Bias: Anti-Jehovah's Witness</p> <p>1528 Bias: Anti-Jewish</p> <p>1529 Bias: Anti-Mormon</p> <p>1530 Bias: Anti-Multiple Religions Group</p> <p>1531 Bias: Anti-other Christian</p> <p>1532 Bias: Anti-other Religion</p> <p>1533 Bias: Anti-Protestant</p> <p>1534 Bias: Anti-Sikh</p>	<p>1535 Bias: Anti-Bisexual</p> <p>1536 Bias: Anti-Gay (Male)</p> <p>1537 Bias: Anti-Heterosexual</p> <p>1538 Bias: Anti-Lesbian</p> <p>1539 Bias: Anti-Lesbian/Gay/Bisexual or Transgender (Mixed Group)</p>
<p><u>QUESTIONS</u></p> <p>Please contact your Divisional Hate Crime Coordinator Or Robbery Homicide Division Hate Crime Coordinator (213) 486-6840</p>						

**HATE CRIME/HATE INCIDENT
DETECTIVE REPORT REVIEW/CRITERIA
CHECKLIST**
(For use by the Investigating Detective)

DR NO.	TITLE OF REPORT		
INVESTIGATING OFFICER'S (I/O) LAST NAME/SERIAL NO.			DATE
CHECKLIST	Yes	NO	N/A
Investigative Report Titled Correctly <ul style="list-style-type: none"> > If not, complete a Follow-up Investigation Report, Form 03 14 00 and correct the report title > Forward a copy to the Hate Crimes Unit, RHD 			
"Hate Crime/Incident" Box is Checked.			
Hate Crime Resource Pamphlet Provided to Victim(s) <ul style="list-style-type: none"> > If not, I/O shall mail pamphlet to Victim(s) and document on a Form 03 14 00 > Forward copy of Form 03 14 00 to Hate Crimes Unit, RHD (213) 486-6888 > Check the appropriate box on the Request for Confidentiality Form 03 02 00 Hate Crimes only. 			
FOR HATE CRIMES ONLY			
Watch Commander Advised of Hate Crime			
DOC Notified <ul style="list-style-type: none"> > DOC shall be advised of all hate crimes > DOC will make notifications to Command Staff, as deemed appropriate. 			
Request for Confidentiality of Information Form Completed <ul style="list-style-type: none"> > If not completed I/O shall complete one and document on a Form 03 14 00 > Forward copy of Follow-up Investigation Report to Hate Crimes Unit, RHD 			
Hate Crime Documented on the Watch Commander's Daily Report, Form 15.80.00 <ul style="list-style-type: none"> > Forward copy of Watch Commander's Daily Report to Hate Crimes Unit, RHD 			
Contact or Attempts to Contact Victim within ten (10) Calendar Days Documented in Follow-up Investigation Report.			
Follow-up Investigation Report Completed within ten (10) Business Days <ul style="list-style-type: none"> > Forward copy of Form 03 14 00 to Hate Crimes Unit, RHD 			
Hate Crime (Code 903) or Hate Incident (Code 921) and Victim Targeted and Bias codes properly coded?			
Case Submitted to District Attorney Hate Crime Section or City Attorney Special Trails Unit?			
Hate Crime Report was Entered in Department of Justice (DOJ) Hate Crime Database.			



The City of Los Angeles has a unique and culturally diverse population. Its residents represent nearly every culture, nationality, race, and religion on earth. This diversity has significantly contributed to making Los Angeles the vibrant and dynamic City it is today. There are people and groups who commit crimes and acts against members of specific groups. These crimes and acts are called "Hate Crimes" and "Hate Incidents." It is important to know the facts about hate crimes and hate incidents. Knowing the facts places the community in a better position to recognize hate crimes and hate incidents as a very serious community problem.

HATE CRIMES

A hate crime is any criminal act or attempt directed against a person(s), public agency, or private institution based on the victim's actual or perceived race, nationality, immigration status, religion, sexual orientation, disability, or gender or because the agency, institution or victim is identified or associated with a person or group of an identifiable race, nationality, religion, sexual orientation, disability, or gender.

Examples of hate crimes include:

- Acts that result in injury, no matter how slight the injury appears.
- Threats of violence that look like they can be carried out.
- Vandalism and other destructive acts, resulting in property damage.
- Any criminal act or attempted criminal act, including property damage, directed against public or private agencies, or a particular religion (e.g., symbols of importance or articles considered of spiritual significance).
- Harassment, including anonymous telephone calls, threatening letters, and interruptions of religious services.
- Threats made verbally, in writing, and by means of electronic communication devices which can apparently be carried out. (Electronic communication device includes, but is not limited to, telephones, cellular telephones, computers, video recorders, fax machines, or pagers.)
- Murder.

HATE INCIDENTS

A hate incident is any noncriminal act including words directed against a person(s) based on that person's actual or perceived race, nationality, religion, sexual orientation, disability, or gender.

Examples of hate incidents include:

- Epithets.
- Distribution of hate material in public places.
- Posting of hate material that does not result in property damage.
- The display of offensive material on one's own property.

WHAT CAN BE DONE?

Hate crimes and hate incidents not only affect the victim but also the community. Hate crimes and hate incidents strike at the heart of our society. Our country, constitution, and national character are based on tolerance and respect for the rights and needs of the individual. Hate crimes and hate incidents directly attack those founding principles; breeding fear, distrust, and uncertainty in the community.

Hate crimes can be prosecuted either as misdemeanors or felonies, depending on the severity of the acts committed. Hate crimes and hate incidents are tracked by the Los Angeles Police Department.

Historically, hate crimes have been under-reported; thus many are not prosecuted. Law Enforcement, the Los Angeles Police Department, and the Los Angeles City, County and U. S. Attorneys' Offices, are all committed to apprehending and prosecuting perpetrators.

RESPECT DIVERSITY!

Respect diversity at work and in your community. The more you learn and know about different cultures and traditions, the richer your life will be. Additionally, support the efforts of the community to fight hate crimes and hate incidents through programs and projects on cultural diversity, human relations, and conflict resolution. Promote the sharing of cultural events and holidays.

IF YOU HAVE KNOWLEDGE ABOUT THE PERPETRATOR OF A HATE CRIME

You are encouraged to contact the LAPD's Crime Tip Hotline. Public cooperation is often essential in solving hate crimes.

CRIME TIP HOTLINE

877-LAPD247 or 877-527-3247
800-222-TIPS (8477)
<https://www.lacrimestoppers.org/>

IF YOU ARE A VICTIM OF A HATE CRIME

Call 911 or go to the nearest LAPD Community Police Station listed on this pamphlet.

Victims of hate crimes may be eligible for assistance under California's Crime Victim Compensation Program. To qualify, you must have reported the crime to law enforcement and cooperated in the investigation of any known suspects. Additionally, you cannot have contributed to the events leading up to the crime. For information go to <http://www.vcgcb.ca.gov/> or call (800) 777-9229 or contact Los Angeles County District Attorney's Victim Assistance Program (800) 380-3811 or Los Angeles City Attorney's Office Victim Assistance Program LGBT Advocacy & Outreach (213)978-2097.

15.91.00 (12/2021)

LOS ANGELES POLICE DEPARTMENT COMMUNITY POLICE STATIONS

Area Detectives Hate Crime Coordinators

Central Area 251 E. 6th Street, Los Angeles, CA 90014	(213) 833-3750
Devonshire Area 10250 Edwanda Ave., Northridge, CA 91325	(818) 832-0609
Foothill Area 12760 Osborne St., Pacoima, CA 91331	(818) 834-3115
Harbor Area 2175 John S. Gibson Blvd. San Pedro, CA 90731	(310) 726-7900
Hollenbeck Area 2111 E. 1st Street, Los Angeles, CA 90033	(323) 342-8900
Hollywood Area 1358 N. Wilcox Ave., Los Angeles, CA 90028	(213) 972-2967
Mission Area 1121 N. Sepulveda Blvd., Mission Hills, CA 91345	(818) 838-9810
Newton Area 3400 S. Central Avenue, Los Angeles, CA 90011	(323) 846-5363
Northeast Area 3353 San Fernando Road, Los Angeles, CA 90065	(323) 561-3421
North Hollywood Area 11640 Burbank Blvd., North Hollywood, CA 91601	(818) 754-8410
Olympic Area 1130 S. Vermont, Los Angeles, CA 90006	(213) 382-6628
Pacific Area 12312 Chiver Blvd., Los Angeles, CA 90066	(310) 482-6313
Rampart Area 1401 West 6th St., Los Angeles, CA 90017	(213) 484-3450
77th Street Area 7600 S. Broadway, Los Angeles, CA 90003	(323) 786-5420
Southeast Area 145 W. 108th Street, Los Angeles, CA 90061	(213) 972-7813
Southwest Area 1546 W. Martin Luther King Blvd. Los Angeles, CA 90062	(213) 485-6570

Tonanga Area 21501 Schoenhorn St., Canoga Park, CA 91304	(818) 756-4820
Van Nuys Area 6420 Sylmar Ave., Van Nuys, CA 91401	(818) 374-0040
West Los Angeles Area 1663 Butler Ave., Los Angeles, CA 90025	(310) 444-1580
West Valley Area 19020 Vanowen St., Reseda, CA 91335	(818) 374-7730
Whshire Area 4861 W. Venice Blvd., Los Angeles, CA 90019	(213) 922-8205

RESOURCES

Government and Community Based Organizations that provide assistance to victims of hate crimes.

Los Angeles County Commission on Human Relations	(213) 738-2788
Human Services Department Human Relations Commission	(213) 978-1660
U. S. Department of Justice Community Relations Service	(213) 894-2941
Anti-Defamation League	(310) 446-8000
Asian American Advancing Justice- Los Angeles	(213) 977-7500
Coalition for Humane Immigrant Rights of Los Angeles	(213) 353-1333
L. A. Gay and Lesbian Center Muslim Public Affairs Council Hate Crimes Hotline	(800) 373-2227
National Association for the Advancement of Colored People (NAACP)	(800) 898-3558 (310) 397-1171
Simon Wiesenthal Center's Tools for Tolerance	(310) 553-9036
South Asian Network	(800) 281-8111 or (562) 403-0488

IN CASE OF EMERGENCY DIAL 911

For non-emergencies, you may contact the Los Angeles Police Department at 1-877-ASK-LAPD (1-877-275-5273) or TTY 1-877-275-5273 for the hearing impaired.

You may also obtain additional information on this subject, along with additional crime prevention tips, by visiting the Los Angeles Police Department's Web site at www.lapdonline.org and clicking on "Crime Prevention."

Should you have information regarding a criminal investigation or activity, please contact your local police station or "Crime Tips" at 1-877-LAPD247 (1-877-527-3247).

WWW.LAPDONLINE.ORG
WWW.JOINLAPD.COM



PRODUCED BY:

LOS ANGELES POLICE DEPARTMENT
Robbery-Homicide Division
100 W 1st Street, Room 584, Los Angeles, CA 90012
(213) 486-6840
hatecrimesunit@lapd.online

Community Outreach Development Division
Crime Prevention Unit
100 West First Street, Room 250, Los Angeles, CA 90012
(213) 486-6000

As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to its programs, services, and activities.

HATE CRIMES

RESOURCE PAMPHLET

