

Hate Crimes

318.1 PURPOSE AND SCOPE

This department recognizes and places a high priority on the rights of all individuals guaranteed under the Constitution and the laws of this state. When such rights are infringed upon by violence, threats or other harassment, this department will utilize all available resources to see that justice is served under the law. This policy provides members of this department with guidelines for identifying and investigating incidents and crimes that may be motivated by hatred or other bias.

318.2 DEFINITIONS

Definitions related to this policy include:

Hate crime - A crime motivated by prejudice based on actual or perceived race, color, religion, national origin, ethnicity, gender, sexual orientation, gender identity or expression, or disability of the victim. This includes creed, ancestry, citizenship, and immigration status (720 ILCS 5/12-7.1).

318.3 PREVENTING AND PREPARING FOR LIKELY HATE CRIMES

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

- (a) Officers should make an affirmative effort to establish contact with persons and groups within the community who are likely targets of hate crimes to form and cooperate with prevention and response networks.
- (b) Accessing assistance by community and victim groups when necessary.
- (c) Providing victim assistance and follow-up as outlined below, including community follow-up.

318.4 PROCEDURE FOR INVESTIGATING HATE CRIMES

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

- (a) (a) Officer(s) will be promptly assigned to contact the victim, witness, or reporting party to investigate the matter further as circumstances may dictate.
- (b) The Chief of Police or designee should be notified of the circumstances as soon as practical.
- (c) Once “in progress” aspects of any such situation have been stabilized (e.g., treatment of victims, apprehension of present suspects, etc.), the assigned officer(s) will take all reasonable steps to preserve available evidence that may tend to establish that a hate crime was involved.
- (d) The assigned officer(s) will interview available witnesses, victims and others to determine what circumstances, if any, indicate that the situation may involve a hate crime (a crime has occurred based on someone's biased or perceived bias listed in the definition above).

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- (e) Depending on the situation, the assigned officer(s) or supervisor may request additional assistance from detectives or other resources to further the investigation.
- (f) The assigned officer(s) will include all available evidence indicating the likelihood of a hate crime in the relevant report(s). All related reports will be clearly marked as "Hate Crimes" and, absent prior approval of a supervisor, will be completed and submitted by the assigned officer(s) before the end of the shift.
- (g) The assigned officer(s) and supervisor should take reasonable steps to ensure that any such situation does not escalate further (e.g., Possible Temporary Restraining Order through the State's Attorney or General Counsel).

318.4.1 CRIMINAL INVESTIGATIONS DIVISION RESPONSIBILITY

If a case is assigned to the Criminal Investigations Division, the assigned detective will be responsible for following up on the reported hate crime as follows:

- (a) Coordinate further investigation with the State's Attorney and other appropriate law enforcement agencies, as appropriate. Federal law also prohibits discrimination-based acts and may be considered in addition to or in lieu of state law, depending on the circumstances (18 USC § 245).
- (b) Maintain contact with the victim and other involved individuals as needed.
- (c) Ensure that the Records Manager is provided with enough information to meet the reporting requirements of 50 ILCS 709/5-12.

318.4.2 CRIMINAL INVESTIGATIONS SUPERVISOR RESPONSIBILITY

The Criminal Investigations Supervisor, or designee, is responsible for:

- (a) Ensuring all Hate Crime reports as defined under Section 12-7.1 of the Criminal Code of 2012 are forwarded to the State's Attorney for review.110 ILCS 205/9.21(a)(3)
- (b) Sharing of relevant information with campus or community stakeholders as needed, to include but not limited to: Office of Equal Opportunity and Access, Inclusive Community Response Team, University Housing, Dean of Students, and others who may provide assistance to those impacted.

318.5 TRAINING

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