

## Hate Crimes

### 311.1 PURPOSE AND SCOPE

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

#### 311.1.1 DEFINITIONS

Definitions provided here are policy definitions and do not necessarily reflect State law, and may exceed the scope and requirements of State law. Definitions related to this policy include:

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

### 311.2 POLICY

The Montgomery County Sheriff's Office recognizes and places a high priority on the rights of all individuals guaranteed under the State and federal constitution and incorporated in State and federal law.

### 311.3 PREVENTION AND PREPARATION

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

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

### 311.4 INVESTIGATION

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

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

# Montgomery County Sheriff's Office

## Policy Manual

### *Hate Crimes*

---

- (e) Depending on the situation, the assigned deputies or supervisor may request assistance from investigators or other resources.
- (f) The assigned deputies should interview available witnesses, victims and others to determine what circumstances, if any, indicate that the situation may involve a hate crime.
- (g) The assigned deputies should make reasonable efforts to assist the victim by providing available information on local assistance programs and organizations as required by the Victim and Witness Assistance Policy.
- (h) The assigned deputies should include all available evidence indicating the likelihood of a hate crime in the relevant reports. All related reports should be clearly marked "Hate Crime."
- (i) The assigned deputies and supervisor should provide information to the victim regarding legal aid (e.g., Civil-No Contact Order through the courts or District Attorney).

#### 311.4.1 INVESTIGATIONS RESPONSIBILITIES

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

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