

KANSAS CITY, KANSAS POLICE

GENERAL ORDER

SUBJECT: Hate Crimes

ORDER NUMBER: 40.15

ISSUED DATE: 05/01/2009

EFFECTIVE DATE: 05/08/2009

RESCINDS: 40.15 Issued 12/23/98

REFERENCE: CALEA Ch.45,Ch.55

CROSS REFERENCE:

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I. PURPOSE

This policy is designed to assist employees in identifying crimes motivated by bias toward an individual's race, religion, ethnic background, and/or sexual orientation and to define appropriate steps for assisting victims and apprehending suspects.

II. POLICY

A. It is the policy of this department to safeguard the state and federal rights of all individuals irrespective of their race, religion, ethnic background, or sexual orientation. Any acts or threats of violence, property damage, harassment, intimidation, or other crimes designed to infringe upon these rights are viewed very seriously by this agency and will be given high priority. This agency will use every necessary resource rapidly and decisively to identify the perpetrators, arrest them, and take vigorous enforcement action.

B. Also, recognizing the particular fears and distress typically suffered by victims of these crimes, the potential for reprisal and escalation of violence, and the possible far-reaching negative consequences of these acts on the community and the agency, particular attention shall be given to address the security and related concerns of the immediate victims as well as their families and others affected by the crime.

III. DEFINITIONS

A. Hate Crimes: Any unlawful action designed to frighten, harm, injure, intimidate, or harass an individual, in whole or in part, because of a bias motivation against the actual or perceived race, religion, ethnic background, or sexual orientation of the victim.

B. Race: A group of persons who possess common physical characteristics (color of skin, eyes or hair, facial features, etc.) genetically transmitted by descent and heredity that

distinguish them as a distinct division of humankind (Asians, blacks, whites, etc.).

C. Ethnic Group: A group of persons of the same race or national origin who share common or similar traits, languages, customs and traditions (Arabs, Hispanics, etc.).

D. Religious Group: Any persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being (Catholics, Jews, Protestants, atheists, etc.).

E. Sexual Orientation: A sexual attraction toward, and responsiveness to, members of one's own sex or members of the opposite sex (gays, lesbians, heterosexuals, etc.).

IV. INITIAL RESPONSE PROCEDURES

A. When an officer at the scene of an incident believes that it may have been motivated by racial, religious, ethnic, or sexual orientation bias (RRES), the officer shall take any preliminary actions necessary, such as:

1. Determining whether any perpetrators are present and, if so, taking appropriate enforcement measures;
2. Restoring order to the crime scene and taking any necessary actions to gain control of the situation;
3. Identifying any injured parties and taking steps to provide medical assistance;
4. Identifying any witnesses or others who have knowledge of the crime;
5. Protecting the crime scene; and
6. Summoning a field supervisor to the scene.

V. SUPERVISOR'S RESPONSIBILITIES

A. The supervisor shall confer with the initial responding officer, take measures to ensure that all necessary preliminary actions have been taken, and inform his/her superior of the criminal act. The supervisor shall utilize any appropriate additional personnel or resources to ensure that the preliminary investigation is properly conducted and all necessary responsibilities are met.

B. Immediate victim assistance, such as:

1. Expressing empathy for the victim and showing a sincere interest in his/her well being;
2. Expressing the Department's official position on the importance of these cases, the measures that will be taken to apprehend the perpetrators, and the officers' and department's interest in the victim's well-being.

3. Allowing the victim a period in which to ventilate his/her immediate concerns and express their feelings;
 4. Assisting the victim in identifying and contacting individuals or agencies that may provide support and assistance. These may include family members or close acquaintances, family clergyman or departmental chaplain, and community service agencies that provide shelter, food, clothing, child care or other related services; and
 5. Ensure that the victim is informed of security precautions and if necessary arrange for any additional security that may be required for protection of the victim (increased patrol of neighborhood, etc.)
- C. Ensure that a standard preliminary investigation is conducted.
- D. Ensure that all relevant facts are documented on the appropriate reports and make an initial determination as to whether the incident should be classified as an RRES offense.
- E. If there is potential photographic or other evidence, the supervisor will request that the CSI Unit respond.
- F. The supervisor will notify a detective who will respond to the scene if available.

VI. INVESTIGATOR'S RESPONSIBILITIES

- A. Investigative personnel assigned to alleged RRES incidents will respond to the scene and assume control of the follow-up investigation. This includes:
1. Assuring the scene is properly protected, preserved and processed, and all physical evidence of the incident is removed as soon as possible. If evidence of an inflammatory nature cannot be physically removed (e.g., painted words or signs on a wall) the owner of the property shall be contacted to remove such material as soon as possible and the officer shall follow-up to ensure that this is accomplished in a timely manner;
 2. Conducting a comprehensive interview with all victims and witnesses at the scene, or as soon as possible thereafter, and canvassing the neighborhood for additional sources of information;
 3. Notifying other appropriate personnel in the chain of command, depending on the nature and seriousness of the offense, and its potential inflammatory and related impact on the community;
 4. Working closely with the prosecutor's office to ensure that a legally adequate case is developed for prosecution;
 5. Coordinating the investigation with agency, state and regional intelligence operations. These sources shall provide the investigating detective with an analysis of any patterns, organized groups, and suspects potentially involved in the offense;
 6. Coordinating the investigation with the Crime Scene Investigation Unit and other units of the department and with outside agencies where appropriate.
- B. Follow-up Victim Assistance. Unit commanders within the Criminal Investigation Bureau will work with the District

Attorney's Office in providing ongoing assistance to the crime victim to include:

1. Contacting the victim periodically to determine whether he or she is receiving adequate and appropriate assistance; and
2. Providing ongoing information to the crime victim about the status of the criminal investigation.

VII. COMMUNITY RELATIONS AND HATE CRIME PREVENTION

- A. RRES crimes are viewed in the community not only as crimes against the targeted victim, but also as a crime against the victim's racial, religious, ethnic or sexual orientation group as a whole. Working constructively with segments of this larger audience after such incidents is essential to help reduce fears, stem possible retaliation, help prevent additional RRES incidents and encourage any other previously victimized individuals to step forward and report those crimes. Towards this end, this agency's community relations function, or officers so assigned, shall:
1. Meet with neighborhood groups, residents in target communities, and other identified groups to allay fears, relay this agency's concern over and response to this and related incidents, reduce the potential for counter-violence and provide safety, security, and crime prevention information;
 2. Conduct public meetings on RRES threats and violence in general, and as it relates to specific incidents;
 3. Establish liaison with formal organizations and leaders; and
 4. Expand, where appropriate, existing preventive programs such as anti-hate seminars for school children.