

Hate Crime Investigations Considerations

336.1 HATE CRIME INVESTIGATIONS CONSIDERATIONS

Agency Content

- (a) During your investigation, look for possible signs that the incident may be a hate crime:
1. The motivation of the perpetrator or lack of motive.
 2. Statements made by the perpetrator.
 3. The presence of multiple perpetrators.
 4. The display of offensive symbols, words or acts.
 5. Was any hate literature found in the possession of the suspect?
 6. Is the victim the only person of a particular group at a park or facility?
 7. Is the victim from a different racial, ethnic, religious group than the perpetrator?
 8. The absence of any motive. The brutal nature of a particular incident could denote a hate crime, particularly when the perpetrator and victim don't know each other.
 9. The perpetrator's perception of the victim, whether accurate or not.
 10. The date, time or circumstances of the occurrence, such as on a religious holiday, or an event occurring at a gathering of a group of people affiliated by ethnicity, religion, sexual orientation, etc.
 11. Multiple incidents occurring in a short time period and all the victims were of the same identifiable group.
 12. Were the real intentions of the perpetrator racial, color, religious or ethnic oriented, or were there other reasons such as pranks, unrelated vandalism, or a dispute arising out of a non-bias related disagreement?
 13. Incident occurred in proximity to an establishment that could be associated with one of the protected classes.
 14. The perpetrator targeted a particular portion of the victim's body; i.e. Sikh victims forcibly having his hair cut, or a victim targeted for his/her sexual orientation being attacked near or around his or her genitalia.
 15. The victim's perception that he/she was selected because they are a member of an identifiable group.
- (b) The mere mention of a bias remark does not make an incident bias motivated, just as the absence of a remark does not make an incident without bias. Even the mere perception that the incident may be motivated by bias shall necessitate a notification to a patrol supervisor.
- (c) Be cognizant of dual motivation by some suspects. Example: A suspect may be looking to commit robberies but specifically targets elderly victims.

Auburn Police Department

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- (d) Note that an attack against a transgender victim could be covered under sexual orientation or gender.