



MYRTLE BEACH POLICE DEPARTMENT

ADMINISTRATIVE REGULATIONS AND OPERATING PROCEDURES

Subject:	<i>Handling Incidents of Hate Crimes</i>	Number:	<i>212-A</i>
Effective Date:	<i>January 1, 2001</i>	Revised Date:	<i>July 13, 2020</i>
Rescinds:	<i>022 212 Handling Incident of Hate Crimes</i>	Dated:	<i>January 4, 1994 January 1, 2001</i>

Approved By:

PURPOSE

To assist employees in identifying crimes motivated by bias toward an individual's race, religion, ethnic background, gender identity, sexual orientation or inclusion in any protected group and to define appropriate steps for apprehending suspects or assisting victims.

DISCUSSION

It is the philosophy of the Myrtle Beach Police Department to safeguard the State and Federal rights of all individuals irrespective of their race, religion, ethnic background, gender identity, sexual orientation or inclusion in any protected group. 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 department and will be given high priority. The department will use every necessary resource rapidly and decisively to identify the perpetrators, arrest them and take vigorous enforcement action.

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 department, particular attention shall be given to addressing the security and related concerns of the immediate victims as well as their families and others affected by the crime.

DEFINITIONS

1. Hate Crime - 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.
2. Race - A group of persons who possess common physical characteristics (e.g., color of skin, eyes and/or hair, facial features, etc.) genetically transmitted by descent and heredity that distinguish them as a distinct division of humankind (e.g., Asians, blacks, whites, etc.).
3. Ethnic Group - A group of persons of the same race or national origin who share common or similar traits, languages, customs and traditions (e.g., Arabs, Hispanics, etc.).
4. Religious Groups - 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 (e.g., Catholics, Jews, Protestants, Atheists, etc.).
5. Sexual Orientation - A sexual attraction toward and responsiveness to members of one's own sex or members of the opposite sex (e.g., gays, lesbians, heterosexuals, etc.).
6. Gender Identity – A perception of having a particular gender, which may or may not correspond with their birth sex.

INITIAL RESPONSE PROCEDURES

1. When an officer at the scene of an incident believes that it may have been motivated by a racial, religious, ethnic, gender identity, sexual orientation or inclusion in any protected group bias, the officer shall take any preliminary actions necessary such as:
 - A. Determining whether any perpetrators are present and, if so, taking appropriate enforcement measures;
 - B. Restoring order to the crime scene and taking any necessary actions to gain control of the situation;
 - C. Identifying any injured parties and taking steps to provide medical assistance;

- D. Identifying any witnesses or others who have knowledge of the crime;
- E. Protecting the crime scene;
- F. Summoning a field supervisor (shift sergeant or corporal) to the scene;
- G. Completing any reports necessary to comply with statistical reporting requirements for hate crimes (SLED, FBI requirements).
 - 1) The SLED approved Hate Crimes Reporting Form will be completed and attached to the Uniform Crime Report (UCR) by the reporting officer. These forms will be sent to the appropriate agency via routine report transmitted by the Myrtle Beach Police Department/Records Division.

SUPERVISOR'S RESPONSIBILITY

- 1. The supervisor shall confer with the initial responding officer, take measures to ensure that all necessary preliminary actions have been taken and complete a special report on the criminal act. The supervisor shall request any appropriate additional personnel necessary to accomplish the following:
 - A. Provide immediate assistance to the crime victim, such as:
 - 1) Expressing empathy for the victim and showing a sincere interest in their well being;
 - 2) Expressing the Myrtle Beach Police Department's official position on the importance of these cases, the measures that will be taken to apprehend the perpetrators, and the officer's and department's interest in the victim's well being;
 - 3) Allowing the victim a period in which to ventilate their 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 and community service agencies that provide shelter, food, clothing, childcare or other related services;
 - 5) Providing security and precautionary advice to the victim and arranging for any additional security that may be required for protection of the victim.
 - B. Ensure that all relevant facts are documented on the incident and/or arrest report and make an initial determination as to whether the incident should be classified as a bias motivated offense.

INVESTIGATING OFFICER'S/INVESTIGATOR'S RESPONSIBILITIES

1. Investigating officers or Investigative Division personnel (if applicable) assigned to investigate the alleged bias motivated incidents shall be responsible for the following:
 - A. When responding to the scene of an alleged bias motivated incident, the police officer assigned to investigate the alleged incident will assume control of the follow-up investigation. In the event that the crime is a felony or serious misdemeanor and a member of the Investigative Section is called to assist, the Investigator will assume control of the investigation. The follow-up investigation shall include:
 - 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. Ideally, this should occur within 24 hours. 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 personal resources 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 Solicitor'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 officer with an analysis of any patterns, organized groups and suspects potentially involved in the offense;
 - 6) Coordinating the investigation with the identification of other units of the department and with outside agencies where appropriate;
 - 7) Maintaining contact with the initial responding officer (in the situation where the Investigative Section assumes responsibility for the follow-up investigation) and keeping them apprised of the status of the case;
 - 8) Making a final determination as to whether the incident should be classified as a bias motivated crime; and
 - 9) Completing any reports necessary to comply with statistical reporting requirements for hate crimes.
 - B. Investigating officers shall also take the lead role in providing ongoing assistance to the crime victim to include:

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

COMMUNITY RELATIONS/CRIME PREVENTION

1. Bias motivated 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, gender identity 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 incidents and encourage any previously victimized individuals to step forward and report those crimes. Toward this end, this department's community relations function (Crime Prevention Unit) and officers assigned to that unit shall:
 - A. Meet with neighborhood groups, residents in target communities and other identified groups to allay fears, relay this department's concern over and response to this and related incidents, reduce the potential for counter-violence and provide safety, security and crime prevention information;
 - B. Provide direct and referral assistance to the victim as it relates to specific incidents;
 - C. Conduct public meetings on bias motivated threats and violence as it relates to specific incidents;
 - D. Establish a liaison with formal organizations and leaders;
 - E. Expand, where appropriate, existing preventive programs such as anti-hate seminars for school children.