
 <p>Cambridge Police Department</p>	POLICY & PROCEDURES		No. 505.1
	Subject/Title: Hate Crimes and/or Incidents		
	Issuing Authority: 	Issue Date: May 15, 2019	Effective Date: May 15, 2019
	Dr. Branville G. Bard, Jr. Police Commissioner	Review Date: April 26, 2019	Rescinds: Policy # 505
References/ Attachments: 501 CMR 4.00; Cambridge Municipal Code Chapter 2.76; Gov Baker Hate Crime Recommendations 11/6/2017	Accreditation Standards:		

I. PURPOSE:

This policy is designed to assist officers to identify and respond to crimes which are motivated, in whole or in part, by hatred or bias against an individual based on his or her race, color, religion, national origin, ethnicity, sexual orientation, disability, or gender, and to define appropriate steps for assisting victims and apprehending suspects.

II. POLICY:

The Cambridge Police Department is committed to safeguarding the state and federal civil rights of all individuals irrespective of their race, color, religion, national origin, ethnicity, disability, sexual orientation, or gender, and to aggressively investigate any reported acts or threats of violence, property damage, harassment, intimidation, or other crimes that appear motivated by bias against or hatred of a particular group. Toward that end, officers of this department will fully investigate, document, and respond to all allegations of bias or hate-motivated crime. The Cambridge Police Department shall designate a **“Civil Rights Officer”**. The Civil Rights Officer shall be the Deputy Superintendent that commands the Procedural Justice Section. (See Pg. 10 of this policy for the responsibilities of the Civil Rights Officer). Additionally, a Deputy Civil Rights Officer will be assigned to the Procedural Justice Section and will support the Deputy Superintendent in the critical functions of department operations and management systems key to ensuring that hate crimes data is transparently reported and easily accessible to affirm the public’s confidence in the Department’s response to hate crime incidents.

III. GENERAL CONSIDERATIONS AND GUIDELINES:

A successful law enforcement response to hate crimes requires a close partnership with targeted communities. A relationship of trust and cooperation between the police and these communities is essential to combat the violent expression of racism and bigotry, reduce community fear, and deter bias-related incidents. Citizens of all backgrounds must feel encouraged to come forward whenever a hate crime occurs and must have confidence that the police will handle these matters with appropriate seriousness,

concern, and sensitivity. In order to effectively combat hate crimes, all persons need to view the police as allies in the fight against hate violence.

Hate crimes are viewed very seriously by this Department and will be given the highest priority. The Department will use every available resource to rapidly and decisively identify the perpetrators, arrest them, and take vigorous enforcement action. Hate crimes not only adversely affect the quality of life for its victims, but also creates a very negative impact on the community as a whole. The failure of law enforcement to respond appropriately to hate crimes can sour productive and cordial relationships with affected groups within the community. Likewise, if a community demonstrates even the slightest tolerance for hate crimes, it risks developing a reputation that runs counter to the many good qualities it may actually possess. How a community responds to hate crimes speaks directly to the quality of life within that community.

Victims of hate crimes may experience unique trauma and distress. In the larger community, hate crimes create fears of reprisal and escalation of violence, and may create far-reaching negative consequences in the targeted community. This Department will be particularly alert to the security and safety concerns of the immediate victims, as well as the concerns of their families, neighbors, and other members of the community affected by the crime.

IV. DEFINITIONS:

- A. **Advocacy Organization:** Any non-profit group which represents or serves constituencies targeted in hate crimes motivated by the forms of bias enumerated in 501 CMR 4.02(3), or which gathers information relating to the incidence, circumstances, patterns, causes, or nature of hate crimes or incidents or any specific type(s) of hate crimes or incidents.

- B. **Bias Indicators:** Objective facts, circumstances, or patterns attending a criminal act which, standing alone or in conjunction with other facts or circumstances, suggest that the offender's actions were motivated, in whole or in part, by any form of bias enumerated in 501 CMR 4.02.

- C. **Bias Motive:** Hatred, hostility, or negative attitudes towards, or prejudice against any group or individual on account of race, religion, ethnicity, handicap, gender, or sexual orientation, which is a contributing factor, in whole or in part, to the commission of a criminal act. A bias motive can be inferred from the presence of one or more bias indicators. The specific form of bias covered by the Hate Crime Reporting Act are:

1. *Racial/Ethnic/National Bias:*

- Anti-Black
- Anti-White
- Anti-Asian
- Anti-Hispanic
- Anti-Arab
- Anti-Other Racial/Ethnic/National Group

2. *Racial/Ethnic/National Group:*

- Religious Bias
- Anti-Jewish
- Anti – Catholic
- Anti – Protestant
- Anti – Islamic (Muslim)
- Anti – Other Religion

3. *Sexual Orientation Bias:*

- Anti – Gay (male)
- Anti – Lesbian (Female)
- Anti – Other Sexual Orientation

4. *Handicap Bias:*

- Anti – Person with AIDS
- Anti – Physically Disabled
- Anti – Mentally Disabled (i.e., mental illness, mental retardation)

5. *Gender Bias:*

- Anti – Male
- Anti – Female
- Anti-Transgender (as further defined by the Governor's Task Force on Hate Crimes).

Anti-Transgender Bias is hatred, hostility, or prejudice towards a person who, in dress, speech, and general appearance, visibly:

(a) “identifies” with the gender opposite to his or her biological or birth gender; or

(b) does not conform to conventional gender role expectations for his or her biological or birth gender. Bias is usually attributed to the circumstance of traditional gender role conventions being openly violated.

This bias constitutes gender bias because a “transgender person” is

regarded differently and less favorably than would a person of the opposite biological sex, for engaging in similar conduct.

Note: A bias motive may also consist of intent to interfere with, disrupt, or deprive another person (s) of his/her constitutional rights by threats, intimidation, harassment, or coercion. *See* M.G.L. c. 265, § 37.

Please note that the definitions and terms used under Section C are in accordance with the language and guidelines set under 501 CMR 4.00.

D. Hate Crime:

1. Any criminal act to which a bias motive is evident as a contributing factor, or
2. Any act which constitutes a violation of:
 - M.G.L. c. 265, § 37 (violation of civil rights)
 - M.G.L. c. 265, § 39 (assault and battery for purpose of intimidation)
 - M.G.L. c. 266, § 127A (destruction of place of worship)
 - M.G.L. c. 272, § 92A (public accommodation statute)

E. Hate Incident: Any act, whether consisting of conduct, speech or expression, to which a bias motive is evident as contributing factor, without regard for whether the act constitutes a crime.

F. Hate Group: An organization, formal or informal, which promotes bias, animosity, hostility, or malice against persons belonging to a racial, religious, ethnic/national origin, handicap, sexual orientation, or gender group (e.g., the Ku Klux Klan, American Nazi Party, etc.).

G. Hate Crime Report: An account of a hate crime from a law enforcement source received or collected by the Crime Reporting Unit.

H. Hate Incident Report: An account of a hate incident from a civil rights agency or advocacy organization received or collected by the Crime Reporting Unit.

V. BIAS INDICATORS:

Before an offense can be reported as a suspected bias-related/hate crime, sufficient objective facts must be present to lead a reasonable and prudent person to conclude that the offender's action was motivated, in whole or in part, by bias or hate. The following criteria can assist law enforcement officers in determining whether a particular crime should be classified as a hate crime. These criteria are not all inclusive and each case must be examined on its own facts and circumstances. Common sense judgment should also be applied in determining whether a crime should be classified as a hate crime. While one fact may be conclusive, the following factors, particularly when combined, may support a finding of bias/hate:

- A. Differences between Individuals/Groups:** The offender and the victim were of different racial, religious, ethnic/national origin, handicap, and gender or sexual orientation groups. For example, the victim was black and the offenders were white.
- B. Incident Coupled with Bias Statements/Gestures:** Bias-related oral comments, written statements, or gestures were made by the offender that indicates his/her bias. For example, the offender shouted a racial or anti-gay epithet at the victim or made an abusive or pejorative reference based on gender.
- C. Bias-Related Drawings or Markings:** Bias-related drawings, markings, symbols, or graffiti were left at the crime scene. For example, a swastika was painted on the door of a synagogue.
- D. Bias Symbol or Rituals:** Certain objects, items, or things which indicate bias were used (e.g., the offenders wore white sheets and white hoods) or were left behind by the offender(s) (e.g., a burning cross was left in front of the victim's residence).
- E. Bias Related to Location of Residence:** The victim is a member of a racial, religious, ethnic/national origin, handicap, gender or sexual orientation group that is overwhelmingly outnumbered by members of another group in the area where the victim lives or works and the incident took place.
- F. Bias Incidents Based on Location:** The victim was visiting a location where previous hate crimes had been committed against other members of his/her racial, religious, ethnic/national origin, handicap, gender or sexual orientation group, and where tensions remain high against his/her group.

- G. Patterns of Past Hate Crimes:** Several incidents have occurred in the same locality, at or about the same time, and the victims are all of the same racial, religious, ethnic/national origin, handicap, gender or sexual orientation group.
- H. Perceptions of the Victim/Witness:** Victims or witnesses perceive that the incident was motivated by bias.
- I. Victim was Engaged in Group Activity:** The victim was engaged in activities promoting a racial, religious, ethnic/national origin, handicap, gender or sexual orientation group. For example, the victim is a member of the NAACP, participated in gay rights demonstrations, etc.
- J. Incident Coincides with Day of Observance:** The incident coincided with a holiday relating to, or on a date of particular significance to a racial, religious, ethnic/national origin, handicap, gender or sexual orientation group (e.g., Martin Luther King Day, Rosh Hashanah, Gay/Lesbian Pride Day, etc).
- K. Previous Incidents of Bias Acts:** The offender was previously involved in a similar bias crime or is a member of, or associates with, a hate group.
- L. Hate Group Claims Responsibility:** There were indications that a hate group was involved. For example, a hate group claimed responsibility for the crime or was active in the neighborhood.
- M. Known Animosity between Groups:** A historically established animosity exists between the victim's ethnic/national/religious group and the offender's ethnic/national/religious group.
- N. Victim is Member of Advocacy Group:** The victim, although not a member of the targeted racial, religious, ethnic/national origin, handicap, gender or sexual orientation group, is a member of an advocacy group supporting the precepts of the victim group, or is friendly with members of a victim group.
- O. Victim was Near Location of Associated Activities:** The victim was in or near an area or place commonly associated with or frequented by a particular racial, religious, ethnic/national origin, handicap, gender or sexual orientation group (e.g., a gay bar).

- P. No Other Motive for Crime:** There was no clear economic motive for an assault and battery.
- Q. Victim’s Relationship to Targeted Group:** The victim was in the company of, or married to, a member of a targeted group.
- R. Victim has Received Previous Warnings:** The victim has received harassing mail or phone calls or has been the victim of verbal abuse based on his/her affiliation with a targeted group.
- S. Perception of Victim:** The victim was perceivable by the offender as violating or breaking from role conventions or stereotypes, or working in non-traditional employment.
- T. Type of Crime:** The crime involved extreme mutilation, cruelty, or brutality.
- U. Previous Restraining Orders:** The offender has been subject to M.G.L. c. 209A restraining orders against two or more different women.
- V. Offender History:** The offender has a history of previous crimes with a similar modus operandi, and there have been multiple victims of the same racial, religious, ethnic/national origin, and handicap, gender or sexual orientation group.

VI. INDICATORS OF A POSSIBLE HATE CRIME INCIDENT:

In attempting to determine whether a particular crime or incident should be classified as a Hate Crime/Incident, the responding officers should evaluate the presence of the following factors:

- An Act, threat, or attempt:
 1. That constitutes an expression of hostility toward members of a particular racial, religious, ethnic, handicap, gender or sexual orientation group; or
 2. That is intended injure, intimidate, interfere with or oppress any person or group in the free exercise or enjoyment of any right or privilege secured to him by the constitution or laws of the Commonwealth or the United States;
 3. And committed by an individual or a group.
- The crime/incident involves:

1. Telephone calls, writings or oral statements¹ that contain slurs or epithets against a particular racial, religious, ethnic/national origin, handicap, gender or sexual orientation group ;
2. Assaults or vandalism attributable to the victim's race, religious, national origin or ethnicity, handicap, gender or sexual orientation group; or
3. Symbolic gestures, drawings, markings, or graffiti with racial, religious, ethnic/national origin, handicap, gender or sexual orientation connotations.

VII. PRELIMINARY INVESTIGATIVE EFFORTS:

A. Responsibilities of Initial Investigating Officer: It is the responsibility of each officer to be alert to the fact that a criminal offense may have been directed at an individual, private property, or public property for motives based upon prejudice or discrimination of a person or group's particular race, religion, ethnic background, handicap, gender or sexual orientation group. Hate Crime Incidents may generate fear and concern among victims and the community. These incidents have the potential of reoccurring, escalating and possibly causing counter violence. Therefore, Hate Crime Incidents require a thorough and comprehensive response on the part of all sworn officers charged with the investigation of such incidents.

1. If an officer either suspects or confirms that an incident was the result of discrimination or bias, that officer will immediately notify her/her supervisor.
2. The officer will begin to conduct a thorough and complete preliminary investigation which shall include:
 - a. The identification of all persons who may have witnessed or be acquainted with the circumstances of the incident.
 - b. The identification and apprehension of the actor (s) who committed such an offense, based upon sufficient probable cause.
 - c. Any information which may be obtained concerning suspects, including possible motives for the act, person (s) and /or property targeted in the act, how targeted, means of the attack, time of incident, characteristics of the incident, and information provided by the victim or other witnesses.
 - d. All investigating officers must be sensitive and responsive to the victim's concerns for safety, and the psychological affects that are associated with victimization.

¹ It is important to note that not every use of a slur or epithet will make an incident rise to the level of a hate crime. Officers and supervisors must evaluate all the circumstances of the incident, including the use of slurs or epithets, to determine whether bias or hostility toward a particular group was the motivating factor in the crime.

3. Assure that the crime scene is properly protected, preserved, and processed, and ensure that all physical evidence of the incident is photographed, collected, labeled, and submitted according to the Department's Property and Evidence procedures. 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 once it has been photographed.
4. Include all pertinent details of the investigation in a typed incident report, classifying the report as a "Hate Crime by means of _____." The report must include all the facts and information gathered that support the conclusion that the act was prompted or motivated by bias.
5. All investigating officers have a duty to respect the dignity and integrity of the victim.

B. Responsibilities of the Supervisor: Because of the complexity of hate crimes, and the need to reach a swift resolution for any incident that may be based upon prejudice and discrimination, it is imperative that all such investigations be properly supervised.

1. Once a supervisor has been notified of a suspected Hate Crime Incident, that supervisor (or shift commander, if a supervisor is unavailable) shall respond to the crime scene to be fully briefed by the investigating officer, and to supervise the investigation. Additionally, the supervisor should notify the Civil Rights Officer and provide a briefing as to the circumstances in order determine whether the incident has met the threshold of a hate crime.
2. It will be incumbent upon the supervisor to determine if a detective (or designated Civil Rights Officer) should be immediately dispatched to continue with the investigation at that point in time. The supervisor should keep in mind that photographs of the victim and/or the scene may be extremely beneficial to the investigation.
3. The supervisor shall be mindful that bias-related incidents have a tendency to escalate or create a great sense of alarm to victims and the public, and therefore, he/she shall take every precaution to ensure that an escalation of hostilities or retaliatory violence does not occur. Such precautions may include immediately increasing patrols throughout the affected area, assigning an officer to protect the scene and/or victim or witnesses, and referral to the Family and Social Justice Section.

4. It shall be the responsibility of the supervisor to ensure that the Police Commissioner, through the appropriate Chain of Command, is notified of any confirmed or suspected Hate Crime Incident.
5. Determine if the District Attorney's office should be contacted at the preliminary stages of the investigation to assist with charging decisions.
6. 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 Hate Crime.

C. Responsibilities of the Shift Commander: The shift commander shall serve as the coordinating officer in any suspected or confirmed Hate Crime Incident. The shift commander shall oversee and ensure that all required protocols are carried out in an appropriate manner, considering the potential gravity of each case.

1. Ensure that all appropriate notifications are made, including a notation on the Shift Briefing email.
2. The officer assigned to review reports shall be alert for any factors that suggest that the incident was targeted at a person, private property, or public property due to bias, prejudice, or discrimination.
3. All cases having been identified as a Hate Crime Incident shall be clearly identified as such, and flagged so that the reports may be forwarded when transcribed. All Hate Crime Incident reports will have copies emailed to the following offices:
 - Police Commissioner
 - Superintendents of Operations and Support Services
 - Civil Rights Officer
 - Family and Social Justice Section Deputy Superintendent
 - Crime Analysis Unit Deputy Superintendent
 - Criminal Investigations Section Deputy Superintendent

VIII. FOLLOW-UP INVESTIGATIVE & REPORTING PROCEDURES:

A. Responsibilities of the Civil Rights Officer: Victims of Hate Crime Incidents, like other victims of crime, tend to experience emotional stress as a result of their victimization. The special nature of hate crimes, including an increased feeling of threat or personal violation, may heighten this stress for a victim. Whenever possible, the department's designated Civil Rights Officer will be assigned as the point person on Hate Crime Incident cases. The Civil Rights Officer's function would be to serve as a community liaison and to participate in appropriate community outreach, to review incident reports for potential hate crimes and to

serve as a resource for the community on any issue related to hate crimes. The Civil Rights Officer will also work closely with the Crime Analysis Unit to ensure that hate crimes data is transparently reported, publically available, and easily accessible to the public ensuring the public's confidence in our response to hate crime incidents. To ensure the uniform and accurate reporting of data, Hate Crime data will continue to be entered through National Incident Based Reporting System (NIBRS). Also the Civil Rights Officer should be prepared to report all Hate Crime data through a designated portal to be developed by the EOPSS. Crime Analysis will continue to have a dedicated summary page of all Hate Crime data made available as part of the CPD Annual Report.

The Civil Rights Officer shall work closely with the Deputy Superintendent of the Criminal Investigations Section to ensure prompt case assignment of a detective for follow up and timely victim contact to support and aid a victim's recovery.

B. Responsibilities of the Investigator assigned:

1. The investigator assigned to a Hate Crime Incident investigation shall be responsible for reporting on the progress of the case to her/her immediate supervisor on a regular basis.
 - The assigned investigator will determine the primary elements of the incident and obtain information to complete the date elements of the Uniform Crime Report's Supplementary Hate Crime Incident Offense Report. Primary elements of the investigation include:
 - Persons Targeted
 - Objects Targeted
 - Time & Dates Involved
 - Means of Attack
 - How Targeted
 - Trademarks Involved
2. Assist the victim(s) or witness (es) in obtaining appropriate support services, if necessary.
3. The investigator assigned to the Hate Crime Incident investigation shall be sensitive to the safety concerns of the victim (s) and witnesses, and arrange for appropriate security measures to be implemented to protect persons and property.
4. Work closely with the District Attorney's office to ensure that the case is adequately developed for prosecution and appropriately charged.
5. Coordinate the investigation with other appropriate law enforcement agencies in an effort to obtain an analysis of any discernible patterns, organized groups, and/or suspects potentially involved in the offense.

6. Provide ongoing information to the victim about the status of the criminal investigation.
7. Contact the victim(s) periodically to determine whether he/she is receiving adequate and appropriate assistance.
8. Complete any reports necessary to comply with the statistical reporting requirements for Hate Crimes.

C Responsibilities of the Family and Social Justice Section: While not all Hate Crimes Incidents can be anticipated or prevented, crime prevention services shall be provided for each suspected or confirmed Hate Crime Incident, as appropriate. Hate Crime Incidents are not only crimes against the targeted victim, but also as a crime against the victim's racial, religious, ethnic/national origin, handicap, gender or sexual orientation group as a whole. After a hate crime incident, it is essential that the police department work constructively with segments of this larger community to help reduce fears, stem possible retaliation, help prevent the occurrence of additional Hate Crimes and/or Incidents, and encourage any other previously victimized individuals to step forward and report these crimes. Towards this end, the Family Justice Group, Social Justice Unit and Clinical Support Unit shall adhere to the following:

1. In all cases that have been identified as a Hate Crime Incident, it shall be the responsibility of the Deputy Superintendent of the Family and Social Justice Section to coordinate with the Deputy Superintendent of the Investigations Section and the primary investigator assigned the case to ensure the timely contact of the victim of such an offense and to offer services provided by the unit.
2. It shall be the responsibility of the Family and Social Justice Section to review all directives issued in connection with Hate Crime Incident Investigations and become familiar with those agencies that are designed to assist in such cases.
3. Where appropriate, it shall be the responsibility of the Family and Social Justice Section to see that the victim of a hate crime incident and his or her family are made aware of services provided by social services and related advocacy groups. Further, the assigned member of the Family and Social Justice Section will assist the social services and related advocacy groups to the extent possible.
4. As resources become available, and in those cases where it is appropriate, the assigned member (s) of the Family and Social Justice Section will coordinate with the Civil Rights Officer to provide information to community groups in

an effort to reach a greater understanding of the nature and causes of Hate Crime Incidents and the resulting impact on the victims and the community.

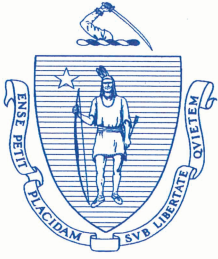
5. The assigned member (s) of the Family and Social Justice Section will also coordinate with the Civil Rights Officer to meet with neighborhood groups, residents in target communities, and other identified groups to allay fears, reaffirm the Department's commitment to respond to this and related incidents, reduce the potential for counter-violence, and provide safety, security, and crime prevention information.
6. Expand, where appropriate, existing preventative programs, such as anti-hate seminars for school children.

D. Responsibilities of the Procedural Justice Section: An important component of the Hate Crime Incident Investigation is to provide sufficient information through central coordinating agencies, so that such incidents may be clearly identified and measures are taken to preclude the risk of further injury, property, damage, and reprisals.

1. Under the Procedural Justice Section, it shall be the responsibility of the Crime Analysis Unit and the Rights & Liberties Unit to work under the supervision of the Civil Rights Officer to assess the Department's compliance with statutes, ordinances, and regulations aimed at mandating accountability and to ensure that all Hate Crimes are properly reported.
 - If additional information becomes available, an amended report or additional data or information shall be submitted to the Crime Analysis Unit.
 - All reported crimes shall be referenced and identified by the case number assigned by the police department, the time and date of the incident, and other particularized information deemed relevant by the Crime Analysis Unit and the Rights & Liberties Unit.
2. It shall be the responsibility of the Crime Analysis Unit to see that all reports that have been identified as a Hate Crime Incident are amended to reflect the appropriate classification.

It shall also be the responsibility of the Crime Analysis Unit, working with the Civil Rights Officer, to ensure that hate crimes data is transparently reported, publicly available, and easily accessible to the public ensuring the public's confidence in our response to hate crime incidents. To ensure the uniform and accurate reporting of data, Hate Crime data will continue to be entered through National Incident Based Reporting System (NIBRS). Also the Crime Analysis Unit should be prepared to report all Hate Crime data through a designated portal to be developed by the EOPSS. Crime Analysis shall also continue to have a

dedicated summary page of all Hate Crime data made available as part of our CPD Annual Report.



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CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

November 19, 2018

Dear Chief,

We all agree that hate crimes have no place in our Commonwealth and that we must do all we can to combat them. In support of our joint work, on November 6, 2017, I signed Executive Order Number 578 "Reaffirming and Restructuring the Governor's Task Force on Hate Crimes" to advise our administration on the best practices for combatting hate crimes and supporting citizens who are victims of hate crimes.

The task force, the members of which are copied on this letter, was charged with recommending appropriate legislation, regulations, policies and procedures to promote the full and effective cooperation and coordination among law enforcement agencies to improve the prevention, investigation and prosecution of hate crimes.

Over the past few months we have been meeting with the members of the task force to review their recommendations. Even as these meetings were taking place, there were disturbing incidents of hate crimes in Massachusetts and nationwide. While the task force continues its work, their early efforts have resulted in four recommendations which we strongly urge you to adopt as soon as possible.

First, we suggest that all law enforcement agencies designate at least one officer to serve as a point-person on hate crimes. The Civil Rights Officer's function would be to serve as a community liaison and to participate in appropriate community outreach, to review incident reports for potential hate crimes, and to serve as a resource for your agency on any issues related to hate crimes.

Second, ensuring that hate crime data is transparently reported, publicly available, and easily accessible is essential to ensuring the public's confidence in law enforcement's response to hate crime incidents. To that end, in the next three months, the Executive Office of Public Safety and Security will be completing the development of a website that will allow end-users to cross reference hate crime data across jurisdictions and time periods.

To ensure the robustness of this data, we therefore urge you to consider requiring your agency's designated Civil Rights Officer to report each criminal act that appears to be motivated by bias because of the presence of one or more bias indicators, regardless of whether hate crime or civil rights charges are referred or prosecuted. While this additional responsibility may exceed the current reporting requirements of G.L. c. 22C, § 33 and 501 CMR 4.00 et. seq., accurate statistical data on the incidence and nature of all biased based incidents must be a necessary component of any strategy to confront and overcome hate violence. Similarly, to ensure the uniform and accurate reporting of data across all jurisdictions, we encourage all law enforcement agencies that have not already done so to utilize the National Incident Based Reporting System (NIBRS) as their primary mechanism for reporting incidents of hate crime to both state and federal authorities.

Third, to assist your agency and designated Civil Rights Officers, our administration has directed the Municipal Police Training Council to prepare a specialized training for Civil Rights Officers. This comprehensive training will be made available to any designated officer, at no charge to your agency, and we encourage you to make full use of these materials. I have also asked the MPTC to develop enhanced training for new police recruits on these issues.

Fourth, the specialized training course for Civil Rights Officers is based, in large part, on the suggested best practices contained in the International Association of Chiefs of Police Model Policy (IACP) on the Investigation of Hate Crimes. Accordingly, we urge you to review this policy when considering your designation of a Civil Rights Officer and to consider adopting it as your agency's official policy with respect to hate crimes.

The relationship between local law enforcement agencies and the communities they serve is a key component to the effective prevention, investigation and prosecution of hate crimes and, most importantly, to supporting and aiding a victim's recovery. We urge you to consider adopting these four recommendations of the Hate Crimes Task Force outlined in this letter. We are grateful for the strong partnership your agency has formed with our administration over the last four years, and we look forward to continuing to work with you and other law enforcement leaders on this and many other issues.

Sincerely,



Charles D. Baker
Governor



Karyn E. Polito
Lieutenant Governor