



**HATE CRIMES, HATE INCIDENTS, AND RELATED INCIDENTS MOTIVATED BY BIAS OR HATE**



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<b>CALEA:</b>			

**I. PURPOSE**

This directive:

- A. outlines the preliminary investigation, reporting, and notification procedures for hate crimes, hate incidents, or other incidents motivated by bias or hate, consistent with the revision to Chicago's Hate Crime Ordinance (MCC 2-120-518), including defining a hate incident and revised reporting requirements..
- B. provides information regarding annual statistical reporting in relation to such incidents.
- C. outlines tactics for proactive hate crimes prevention.
- D. continues the responsibilities for training and statistical data reporting.
- E. revises the investigative responsibilities for hate crimes, hate incidents, or other incidents motivated by bias or hate.

**II. STATUTES AND ORDINANCES**

- A. **720 ILCS 5/12-7.1 (Hate Crime)** – Criminal acts motivated by the actual or perceived race, color, creed, religion, ancestry, gender, sexual orientation, physical or mental disability, or national origin of another individual or group of individuals.

**NOTE:** "Sexual orientation" is defined as actual or perceived heterosexuality, homosexuality, bisexuality, or gender-related identity, whether or not traditionally associated with the person's designated sex at birth. "Sexual orientation" does not include a physical or sexual attraction to a minor by an adult (720 ILCS 5/12-7/1(d); 775 ILCS 5/1-103(O-1)).

- B. **Municipal Code of Chicago**

- 1. **Hate crime** – means any action in violation of Section 8-4-020 or 8-4-085 of this Code or of Section 12-7.1 of the Illinois Criminal Code of 2012, 720 ILCS 5/12-7.1. (MCC 2-120-518(a)(2))

**NOTE:** **Hate Crime** – Criminal acts motivated by any antipathy, animosity, or hostility based upon, the actual or perceived race, color, sex, religion, national origin, age, ancestry, sexual orientation, active or prior military status, or mental or physical disability of another individual or group of individuals. (MCC 8-4-085)

2. **Hate incident** – means: (i) a hate crime; or (ii) a non-criminal hostile expression of action that may be motivated by bias against another person's actual or perceived identity or status, including, but not limited to actual or perceived race, color, sex, gender identity, age, religion, disability, national origin, ancestry, or sexual orientation. The term shall include, but is not limited to, non-criminal incidents of hateful graffiti or vandalism, derogatory insults, name-calling, or gestures; bullying; the use of identity or status-based slurs or pejoratives; verbal, online, or written abuse or harassment; and the placement of hateful or offensive material in public view. (MCC 2-120-518(a)(3))
3. **Graffiti** – has the meaning ascribed to that term in Section 7-28-065 of the Municipal Code of Chicago.

### III. HATE CRIMES AND OTHER INCIDENTS MOTIVATED BY BIAS OR HATE

- A. Any Department member responding to or investigating an incident which involves an alleged hate crime, hate incident, or other incident motivated by bias or hate will:
  1. interact with the victim or person reporting the incident in an fair, unbiased, and respectful manner, including, treating all persons involved with dignity, courtesy, and respect, and, to the extent possible, making reasonable efforts to respect the privacy of the victim.
  2. communicate in a professional and respectful manner, focusing on using a respectful tone, conveying a sense of concern, providing the victim a voice, and acknowledging any confusion or uncertainty the victim.
  3. provide for the appropriate police services, including a neutral and impartial investigation of the incident, regardless of the allegation or the victim's race, gender, color, creed, religion, ancestry, sexual orientation, physical or mental disability, or national origin of another individual or group of individuals.
  4. continue to adhere to the policies for fair, unbiased, and respectful behavior as outlined in other Department directives, including but not limited to:
    - a. ["Protection of Human Rights."](#)
    - b. ["Interactions with Transgender, Intersex, and Gender Nonconforming \(TIGN\) Individuals."](#)
    - c. ["Interactions with Persons with Limited English Proficiency."](#)
    - d. ["People with Disabilities."](#)
    - e. ["Responding to Incidents Involving Citizenship Status."](#)
- B. A sworn Department member who encounters or is assigned to conduct a preliminary investigation which involves an alleged hate crime, hate incident, or other incident motivated by bias or hate will:
  1. notify:
    - a. his or her immediate field supervisor at the beginning of the preliminary investigation.
    - b. the watch operations lieutenant in the district of occurrence.
    - c. the appropriate Bureau of Detectives Area.
    - d. the Hate Crimes team of the Office of Equity and Engagement, between 0800 hours to 1700 hours or Crime Prevention and Information Center (CPIC) during all other times.

**NOTE:** When available, the Hate Crimes team will support the efforts of the preliminary investigation by assisting in the identification of acts that could constitute elements of a hate crime.

2. consistent with the Department directive titled "[Preliminary Investigations](#)," conduct a complete and comprehensive preliminary investigation, including but not limited to:
  - a. interact with the victim or person reporting the crime consistent with the policies outlined in Item III-A of this directive.

**NOTE:** When necessary, Department members will ensure interpretation services are provided consistent with the Department directive titled "[Interactions with Persons with Limited English Proficiency](#)."
  - b. immediately request appropriate medical aid for any injured person. Department members will provide appropriate medical care consistent with the member's training.
  - c. take appropriate action to stop the crime, if still in progress, including arresting the offender if still on or near the scene and probable cause for an arrest exists.
  - d. locate and identify a crime scene or any physical evidence, including any available hate literature, bias-based objects, and sources of electronic evidence (e.g., video, electronic messages). The responding member will:
    - (1) protect and preserve the crime scene for the collection and processing of evidence as outlined in the Department directive titled "[Crime Scene Protection and Processing](#)."
    - (2) if there is visible injury to the victim or physical evidence of the crime that requires processing (e.g., photographs of graffiti or hate symbols), notify their supervisor of the injury or evidence and request the assignment of an evidence technician. If responding to a graffiti incident and a Department evidence technician is unavailable to respond in a timely manner, the responding sworn Department member conducting the preliminary investigation will photographically document the graffiti using a Department-issued digital camera or electronic communication device. Any pictures of graffiti taken with a Department-issued digital camera or electronic communication device that has evidentiary value to substantiate a hate incident will be:
      - (a) forwarded via email to the District Community Policing Office who will ensure that the images are attached to any City Service Request for graffiti removal created for or associated with the incident.
      - (b) be inventoried in accordance with the Department directive titled "[Processing Property Under Department Control](#)."
  - e. locate, identify, and interview the victim and available witnesses, obtain a description of the offender(s) and, when appropriate, alert other police units by sending a flash message of the offender's description and offense.
  - f. attempt to determine any motive or intent of the act which can be deemed an expression of animosity, contempt, or bias based upon the race, gender, color, creed, religion, ancestry, sexual orientation, physical or mental disability, or national origin of another individual or group of individuals.
  - g. attempt to identify prior hate crimes, hate incidents, or other incidents motivated by bias or hate in the same area or against the same victim.
3. complete the appropriate incident report, fully describing the details of the incident and indicate "HATE CRIME RELATED," in the designated field of the CASE: Incident application. The report will thoroughly document and establish the elements of the alleged crime, including:

- a. the actions of the offender that demonstrate motivation for the criminal act based on bias against the victim's actual or perceived legally protected class, including physical acts, statements made, and language used.
  - b. identifying the victim, offender, witnesses, and, when available, the person who called the Office of Emergency Management and Communications (OEMC).
  - c. any injuries to the victim or offender, including if medical attention was offered to the victim (if appropriate) and whether or not the victim accepted medical attention.
  - d. describing the physical behavior and condition of the victim and offender.
  - e. any statements made to the reporting member by the victim, offender, or witnesses.
  - f. previous encounters or relationships between the victim and offender.
  - g. the condition and description of the crime scene, including the content of any graffiti encountered.
  - h. the identification of any motive or intent of the act which can be deemed an expression of animosity, contempt, or bias based upon the race, gender, color, creed, religion, ancestry, sexual orientation, physical or mental disability, or national origin of another individual or group of individuals.
  - i. the identification of any prior hate crimes, hate incidents, or other incidents motivated by bias or hate in the same area or against the same victim, including any previously reported incidents and the associated RD number, when available.
  - j. documenting any other pertinent information which may assist in the documentation and collection of additional evidence and support the successful prosecution of any associated criminal proceedings.
4. enter all notifications to investigative and command Department units in the "Notifications" section of the case report.
  5. provide the victim with the appropriate:
    - a. written victim information notices consistent with the Department directive titled "[Crime Victim Assistance](#),"
    - b. information, including the contact information, on the Department units responsible for the follow-up investigation of the incident, and
    - c. referrals to any known available Department, City of Chicago, or other social service assistance, that is available to support the victim, including but not limited to:
      - (1) the Department's Hate Crimes team, and
      - (2) the City of Chicago Commission on Human Relations via 311 or the [Hate Crime Victim's Assistance website](#) which contains public information on hate crime response such as a Hate Crime Fact Sheet and Hate Crimes Brochure.

**NOTE:**

The reporting member will refrain from discussing specific details of any follow-up investigation to be conducted by the Department. Any questions about the specific details of the investigation will be referred to the appropriate investigative unit.

6. submit the case report and any related documents to their field supervisor upon completion.
- C. Field supervisors notified of an alleged hate crime, hate incident, or other incident motivated by bias or hate will:

1. acknowledge notification of the incident and document the notification on their Supervisor's Management Log ([CPD-11.455](#)).
2. when either a crime scene is identified or the victim has sustained an injury, respond to the scene of the incident, when available.

**NOTE:** Additionally, the notified supervisor will respond when circumstances exist that would necessitate a supervisory response or the assignment of additional personnel to protect and manage the incident scene.

3. ensure a complete and comprehensive preliminary investigation is conducted consistent with the requirements of II-B-2 of this directive.
  4. review, and when appropriate approve, the submitted case report consistent with the requirements of II-B-3 of this directive.
  5. ensure that the notifications required in Item III-B-1 of this directive and any other appropriate notifications are made (e.g., Communications Division for newsworthy occurrences) consistent with the requirements of other appropriate Department directives.
  6. determine, based on the reported incident and any other identified previously reported hate crimes, hate incidents, or other incidents motivated by bias or hate in the same area or against the same victim, whether additional Department resources or immediate efforts are required to ensure public safety (e.g., special attention at the location of the incident).
  7. notify CPIC and the watch operations lieutenant in the district of occurrence, by telephone, providing all available information on the crime and a summary of police actions taken at the scene.
  8. ensure a copy of the approved case report and any other related documents are forwarded to the district commander and the following entities:
    - a. the watch operations lieutenant in the district of occurrence.
    - b. CPIC.
    - c. the Hate Crimes team of the Office of Equity and Engagement.
    - d. the appropriate Bureau of Detectives Area.
- D. The notified watch operations lieutenant will review, and when appropriate approve, the submitted case report consistent with the requirements of Item III-B-3 of this directive.
- E. When the Alternate Response Section (ARS) receives a request from a community members to complete a case report for a graffiti incident that may constitute a hate crime or hate incident, ARS will:
1. ensure any appropriate Department case report is created and submitted consistent with the Department directive titled "[Alternate Response Section Procedures](#)."
  2. ensure any appropriate City Service Requests are created and processed consistent with the Department directive titled "[Community Concerns and City Service Requests](#)."
  3. notify the community member that any photographs of the graffiti can be provided to the Department via email at: 376Graffiti@chicagopolice.org.
  4. ensure that any photographs of the graffiti provided by the reporting community member are attached to any City Service Request for graffiti removal created for or associated with the incident.

#### IV. INCIDENT INVESTIGATION

- A. The Chief, Bureau of Detectives, will ensure that Community Alerts and Area Crime Patterns are developed, processed and disseminated using established procedures.

- B. The Area Detectives supervisor who is notified of a hate crime, hate incident, or other incident motivated by bias or hate will assign a detective to conduct a timely and comprehensive follow-up investigation. The assigned detective will:
1. confer with the assigned field supervisor and the watch operations lieutenant in the district of occurrence.
  2. conduct a comprehensive follow-up investigation, consistent with the established Area Detective procedures, including documenting and fully describing the details of the investigation on the appropriate Supplementary Report or other appropriate Area Detectives report.
  3. ensure a bias-motivation for the incident is identified and documented in the investigative reports and other appropriate Department reporting applications, for investigations of documented hate crimes, hate incidents, or other incidents motivated by bias or hate.
  4. when deemed appropriate or necessary, consult with the Hate Crimes team as a resource for the investigation of the hate or bias elements of the incident or the Department efforts to assist the victim or alleviate any community concerns.
- C. The Hate Crimes team supervisor who is notified of a hate crime, hate incident, or other incident motivated by bias or hate will assign a Hate Crimes team member to:
1. when deemed appropriate and necessary, consult with the assigned detective to provide any information obtained through victim services that might impact the follow-up investigation or the Department efforts to assist the victim or alleviate any community concerns.
  2. contact, or make reasonable efforts to contact, victims of a hate crime, hate incident, or other incident motivated by bias or hate on a regular basis to keep them informed of any support services or other resources that are offered by the Department or available in the community.
  3. review the incident and determine, based on the reported incident and any other identified previously reported hate crimes, hate incidents, or other incidents motivated by bias or hate in the same area or against the same victim, whether additional Department resources or efforts are necessary to assist the victim or in an effort to alleviate any community concerns.
  4. provide the relevant information concerning the alleged hate crime, hate incident, or other incident motivated by bias or hate to the appropriate City agencies consistent with the Municipal Code of Chicago.
- D. The member(s) from the Area Detectives tasked with the investigation of any hate crime, hate incident, or other incident motivated by bias or hate will be responsible for keeping the victims of incident informed with progress of the investigation.
- NOTE:** The member(s) from the Area Detectives will contact, or make reasonable efforts to contact, victims on a regular basis to request any additional follow-up information or to provide any appropriate investigation status information.
- E. City Service Requests reported by the public for **hate incidents or the removal of graffiti that may constitute a hate crime or hate incident** will be monitored, reviewed, and processed by the Hate Crimes Unit, Office of Community Policing, consistent with the Department directive titled "[Community Concerns and City Service Requests](#)." If the City Service Request:
1. **does not require a field investigation**, a supervisor from the Hate Crimes Unit will process the service request consistent with the Department directive titled "[Community Concerns and City Service Requests](#)."
  2. **requires a field investigation**, a supervisor from the Hate Crimes Unit will notify the district of occurrence, who will respond to the incident consistent with the procedures outlined in this directive and the Department directive titled "[Community Concerns and City Service Requests](#)." The notified District community policing sergeants will:

- a. access the 311 system daily during each tour of duty and retrieve new City Service Requests for graffiti removal reported by the public for incidents that may constitute a hate crime or hate incident.
- b. disseminate any City Service Requests for graffiti removal reported by the public for incidents that may constitute a hate crime or hate incident to the appropriate district personnel for investigation. The assigned district personnel will:
  - (1) conduct a complete and comprehensive preliminary investigation consistent with Item III of this directive,
  - (2) indicate a written explanation of the preliminary investigation and action taken in the bottom half of the City Service Request, and
  - (3) submit the City Service Request and a copy of any associated Department reports completed for the incident to the community policing sergeant.
- c. review the completed City Service Request to ensure that acceptable and sufficient actions were attempted or accomplished and:
  - (1) process the request appropriately consistent with the Department directive titled "[Community Concerns and City Service Requests.](#)"
  - (2) make any additional required notifications about the incident.
  - (3) ensure that any images captured using a Department-issued digital camera or electronic communication device documenting the graffiti are attached to any City Service Request for graffiti removal created for or associated with the incident.

## V. COMMUNITY RESOURCES AND ENGAGEMENT

- A. Beat Community Meetings will provide an opportunity for members of the community and Department personnel to:
  1. exchange information and review official Department statistics, crime prevention materials, and beat activity information;
  2. identify, discuss, and address emerging and chronic crime and disorder problems, (e.g. hate crimes, robbery, burglary, vehicular hijacking);
  3. utilize the problem-solving model to develop comprehensive strategies to combat identified crime and disorder problems.
  4. discuss and address previous and newly identified community concerns; and
  5. provide feedback and follow-up information on previous meeting's discussions, identified problems, and implemented strategies.
- B. Hate Crime Prevention Efforts
  1. While it is recognized that not all crimes can be prevented, the Department is committed to taking a proactive approach to preventing and preparing for likely hate crimes or hate incidents by, among other things:
    - a. establishing contact and building relationships with persons and community groups who are likely targets of hate crimes, hate incidents, or incidents motivated by bias or hate.
    - b. by working in a coordinated manner, including the Hate Crime team and the Bureau of Detectives, as advocates for victims of hate crimes, hate incidents, and other incidents motivated by bias or hate.
    - c. providing victim assistance and investigative follow-up.

2. Department members will form prevention and response networks with these community groups by following up with prior victims, speaking at beat meetings to educate residents in the community, and engage the community on the topic of hate crimes, hate incidents, and other incidents motivated by bias or hate.
- C. Additional resource information for members of the public to report or gather information about hate crimes or hate incidents:
1. Chicago Commission on Human Relations (312) 744-4874.
  2. Chicago Police Department Hate Crimes team, *Office of Equity and Engagement*: [civilrights@chicagopolice.org](mailto:civilrights@chicagopolice.org).
  3. Illinois State Police: [www.isp.state.il.us/](http://www.isp.state.il.us/).
  4. Federal Bureau of Investigation: [www.fbi.gov/about-us/cjis/ucr/hate-crime/](http://www.fbi.gov/about-us/cjis/ucr/hate-crime/).
  5. United States Department of Justice: [www.justice.gov/hatecrimes/learn-about-hate-crimes](http://www.justice.gov/hatecrimes/learn-about-hate-crimes).
- D. The City of Chicago has made available to the public a standardized intake system to allow community members to report hate incidents and submit graffiti removal requests via the 311 non-emergency service request system. This system:
1. is available at <https://311.chicago.gov/>.
  2. will collect the appropriate information regarding a hate incident and provide the community members the ability to request the appropriate City of Chicago non-emergency services, including a response from the Chicago Police Department.
  3. allows community member to report if they believe the graffiti removal request incident constitutes a hate crime or hate incident.
- E. The Department will regularly review, and if necessary revise, its policies related to hate crimes, hate incidents, and other incidents motivated by bias or hate, at minimum every two years. In reviewing or revising this policy, the Department will seek input from members of the community and community-based organizations with relevant knowledge and experience through community engagement efforts.

## VI. TRAINING

- A. The Deputy Chief, Training and Support Group, will ensure that both recruits and active Department members receive training on an ongoing basis on the subject of hate crimes, hate incidents, and other incidents motivated by bias or hate through basic recruit training and in-service training curriculum, as appropriate.

**NOTE:** Sworn Department members will receive in-service training every two years on methods, strategies, and techniques for recognizing and responding to hate crimes, hate incidents, and other incidents motivated by hate.

- B. The training on hate crimes and hate incidents will include, but not be limited to:
1. methods, strategies, and techniques for recognizing and responding to hate crimes, hate incidents, and related incidents motivated by bias or hate; and
  2. procedures for processing reports and complaints pertaining to hate crimes and hate incidents made to the Department.

## VII. STATISTICAL DATA AND REPORTS

- A. The Department, in conjunction with the Office of Public Safety Administration - Information Technology (OPSA-IT), will collect and maintain the data and records related to hate crimes, hate incidents, and other incidents motivated by bias or hate reported to the Department in order to report the required information as outlined in this directive.

- B. Per MCC 2-120-518(b)(1), the Department will provide the Chicago Commission on Human Relations with relevant information concerning an alleged hate crime or hate incident committed within the City of Chicago, including the name and contact information of victims who have reported a possible hate crime or hate incident, to the extent permissible by law.
- C. The Department, through the Strategic Initiatives Division, will provide the Chicago Commission on Human Relations a statistical summary on a monthly basis that will contain:
  - 1. all alleged hate crimes, hate incidents, and other incidents motivated by bias or hate reported to the Department during the previous month, and
  - 2. aggregate information regarding the total number of hate crimes, hate incidents, and other incidents motivated by bias or hate reported to the Department by community area, bias motivation, type of incident, and disposition, to the extent known.

**NOTE:** The Strategic Initiatives Division will develop a public online statistical dashboard featuring information from this statistical summary of alleged hate crimes, hate incidents, and other incidents motivated by bias or hate reported to the Department that is updated on a monthly basis.

- D. The commanding officer, Hate Crimes team, will be responsible for compiling and publishing an annual statistical report to the Superintendent of Police on hate crimes ("Hate Crimes Report") and other incidents motivated by hate.
  - 1. The commanding officer, Hate Crimes team, will coordinate with the commanding officer, Research and Development Division, and the commanding officer, Strategic Initiatives Division, to produce relevant statistical data and other collected information on hate crimes, hate incidents, and other incidents motivated by bias or hate.
  - 2. The annual statistical report, or ("Hate Crime Report") will:
    - a. summarize reported hate crimes, hate incidents, and other incidents motivated by bias or hate during the previous calendar year;
    - b. specifically provide information regarding the total number of such incidents, citywide and per District, organized by type of crime, classification of bias motivation, and disposition of hate crimes investigation;
    - c. provide information on what constitutes a hate crime;
    - d. provide methods of reporting hate crimes; and
    - e. be forwarded to the Superintendent of Police.

## VIII. ADDITIONAL RELEVANT STATUTES AND ORDINANCES

- A. United States Codes
  - 1. 18 U.S.C. § 249: The Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act of 2009.
  - 2. 42 U.S.C. § 3631: Criminal Interference with Right to Fair Housing.
  - 3. 18 U.S.C. § 247: Damage to Religious Property, Church Arson Prevention Act
- B. Illinois Compiled Statutes
  - 1. 720 ILCS 5/12-7.1: Hate crime.
  - 2. 720 ILCS 5/8-2.1: Conspiracy against civil rights.
  - 3. 720 ILCS 5/21-1.2: Institutional vandalism.
  - 4. 720 ILCS 5/21-1.3: Criminal defacement of property.

- C. Municipal Code of Chicago
1. 2-120-518 MCC: Hate crimes.
  2. 8-4-020 MCC: Inciting riots, etc.
  3. 8-4-085 MCC: Hate crimes.

(Items indicated by *italic/double underline* were added or revised)

Authenticated by MWK

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Larry Snelling  
Superintendent of Police

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