



Policy Number: 315 – Hate Crimes
Effective Date: June 10, 2020
Revision Date: June 10, 2020
Approved By: Denis Otterness, Chief of Police

315.1 PURPOSE AND SCOPE

The purpose of this policy is to provide members of the Montana State University Billings Police Department (Department) with guidelines for identifying and investigating incidents and crimes that may be motivated by hatred or other bias.

315.1.1 DEFINITIONS

Definitions related to this policy include:

Hate crime - A crime motivated by prejudice based on the actual or perceived race, color, creed, religion, national origin, gender, sexual orientation, gender identity or disability of the victim or the victim's involvement in civil rights or human rights activities.

315.2 POLICY

This Department recognizes and places a high priority on the rights of all individuals guaranteed under the state and federal constitution and incorporated in state and federal law.

315.3 PREVENTION AND PREPARATION

While it is recognized that not all crime can be prevented, this Department is committed to taking a proactive approach to preventing and preparing for likely hate crimes by:

- a. Making an affirmative effort to establish contact with persons and groups within the community who are likely targets of hate crimes, and forming networks that address prevention and response.
- b. Providing victim assistance and community follow-up or identifying available resources to do so.
- c. Educating community and civic groups about hate crime laws.

315.4 INVESTIGATIONS

Whenever any member of this Department receives a report of a suspected hate crime, or other activity that reasonably appears to involve a potential hate crime, the following should occur:

- a. Assigned officers should promptly contact the victim, witness or reporting party to investigate the matter further, as circumstances may dictate.

- b. A supervisor should be notified of the circumstances as soon as practicable.
- c. Once the in-progress aspect of any such situation has been stabilized (e.g., treatment of victims or arrest of suspects at the scene), the assigned officers should take reasonable steps to preserve evidence that establishes a possible hate crime.
- d. Based upon available information, officers should take appropriate action to mitigate further injury or damage to potential victims or the community.
- e. Depending on the situation, the assigned officer(s) or supervisor may request assistance from other resources (i.e. mutual aid).
- f. The assigned officer(s) should interview available witnesses, victims and others to determine what circumstances, if any, indicate that the situation may involve a hate crime.
- g. The assigned officer(s) should make reasonable efforts to assist the victim by providing available information on local assistance programs and organizations.
- h. The assigned officer(s) should include all available evidence indicating the likelihood of a hate crime in the relevant reports.
- i. The assigned officer(s) and supervisor should take reasonable steps to ensure that any such situation does not escalate further and should provide information to the victim regarding legal aid (i.e. Temporary Order of Protection).

315.4.1 INVESTIGATIVE FOLLOW-UP RESPONSIBILITIES

If a hate crime case is assigned for follow-up, the assigned officer will be responsible for:

- a. Coordinating further investigation with appropriate prosecutors and other appropriate law enforcement agencies.
- b. Maintaining contact with the victim and other involved individuals, as needed.
- c. Maintaining statistical data and tracking of suspected hate crimes, as indicated or required by state law.

315.5 TRAINING

All members of this Department should receive regular training on hate crime recognition and proper investigation.