



SYKESVILLE POLICE DEPARTMENT
Racial, Religious and Ethnic Incident Investigations
General Order 6-14 Effective: 08/04/17
Authorized By: *Michael A. Spaulding* Chief of Police

I. PURPOSE

To provide the procedures for the investigation of racial, religious and ethnic incidents.

II. POLICY

The Sykesville Police Department shall properly investigate all reported incidents related to racial, religious or ethnic crimes or complaints.

III. PROCEDURES

A. Racial, Religious, and Ethnic Incident Investigations

Violence and extremism against religious, racial, and ethnic groups infringes upon the rights, and well-being of the entire community. Police Department personnel will take immediate action to investigate such activity, enforce related state laws, and notify appropriate agencies of such incidents.

B. A racial, religious, and/or ethnic (RRE) incident, for the purpose of this General Order, shall be:

1. Any suspected or confirmed act of prejudice, hate or violence directed against any individual, group, organization, or institution because of their background or belief.
2. Any reported act which appears or is perceived by the victim(s) to have been motivated all or in part by race, religion, ethnic background or belief.

NOTE: To be considered a racial, religious or ethnic incident, the act does not have to be considered a violation of any federal, state or local law.

C. All racial, religious, and ethnic incidents must be classified as one of the following:

1. Verified: To be classified as a racial, religious or ethnic incident, either or both of the following conditions must be met:
 - a. The act must have been motivated by race, religious or ethnic prejudices; and/or
 - b. The act or incident is perceived by the victim as being motivated by racial, religious, or ethnic prejudices.

2. Unverified: Those acts or incidents where the evidence is conflicting, incomplete, inconclusive, and/or insufficient to be considered as a verified RRE.
 3. Unfounded: Acts or incidents that racial, religious, and ethnic prejudices were not a motivating factor; or the reported act or incident never occurred (a false report).
- D. If the incident cannot be determined to have been caused or created as a result of any other type of problem, the incident shall be considered a verified racial, religious or ethnic incident.
- E. Officers shall investigate fully any criminal and/or non-criminal offenses brought to their attention that are motivated by religious, racial or ethnic prejudice. All religious, racial and/or ethnic incidents shall be reported to the Maryland State Police.
- F. The Sykesville Police Department will perform the following tasks:
1. Conduct initial and follow-up investigations of racial, religious, and ethnic incidents.
 2. Prepare reports on racial, religious, and ethnic incidents and provide copies of such reports to the Maryland State Police.
 3. Analyze bias incidents and determine trends.
 4. Maintain liaison with the State's Attorney, the State Police, the Network of Neighbors and Federal enforcement agencies.
 5. Maintain contact with community and civic organizations.
 6. Train all personnel in the implementation of racial, religious, and ethnic incident policies and procedures.
 7. Establish contact persons at appropriate agencies in Carroll County or the Town of Sykesville to arrange for the removal of graffiti as soon as possible, i.e., Public Works, County Highway Department, Carroll County School Board.
- G. The following criteria will be used in determining if an incident is of racial, religious or ethnic nature and is covered by this order. Some incidents may not clearly fit a specific definition. Such incidents will be reported and handled as racial, religious, and ethnic incidents; verification subject to investigation.

1. Damaging Property of Religious Entity (Criminal Law Article § 10-302)

A person may not deface, damage, or destroy, or attempt to deface, damage, or destroy, personal or real property that is owned, leased, or used by a religious entity or for any religious purpose including:

- a. a place of worship;
- b. a cemetery;
- c. a religious school, educational facility, or community center; and
- d. the grounds adjacent to them.

2. Obstructing Exercise of Religious Belief (Criminal Law Article § 10-303)

A person may not, by force or threat of force, obstruct or attempt to obstruct another in the free exercise of that person's religious beliefs.

3. Harassment of Certain Classes of Persons; Destruction of Property (Criminal Law Article § 10-304)

Because of another's race, color, religious beliefs, sexual orientation, gender, disability, or national origin, or because another is homeless, a person may not:

- a. commit a crime or attempt to commit a crime against that person;
- b. damage the real or personal property of that person;
- c. deface, damage, or destroy, or attempt to deface, damage, or destroy the real or personal property of that person; or
- d. burn or attempt to burn an object on the real or personal property of that person; or

4. Damage to Property of Certain Classes of Persons or Groups (Criminal Law Article § 10-305)

A person may not deface, damage, or destroy, attempt to deface, damage, or destroy, burn or attempt to burn an object on, or damage the real or personal property connected to a building that is publicly or privately owned, leased, or used, including a cemetery, library, meeting hall, recreation center, or school:

- a. because a person or group of a particular race, color, religious belief, sexual orientation, gender, disability, or national origin, or because a person or group that is homeless, has contacts or is associated with the building; or
 - b. if there is evidence that exhibits animosity against a person or group, because of the race, color, religious beliefs, sexual orientation, gender, disability, or national origin of that person or group or because that person or group is homeless.
4. In addition to the above two specific racial, religious, and ethnic criminal offenses, officers should be aware of other criminal violations which may be committed in relation to a racial, religious or ethnic incidents and pursue criminal charges as appropriate.
5. The following criteria shall be utilized for determining whether a reported incident is racial, religious or ethnic in nature.
 - a. Motive, or the lack of any other apparent motive for the incident.
 - b. The display of any racial, religious or ethnic offensive symbol(s), material(s), words, and or acts.
 - c. The effect on the victim.
 - d. The perception of the incident or act by the victim.
 - e. Statements(s), of suspect(s), victim(s), witness(es).
 - f. Prior history of similar incidents within the same geographical area, or against the same racial, religious and/or ethnic group or individual(s).
6. In determining if a reported incident is to be verified as racial, religious or ethnic in nature, the investigating deputy should consider the following questions:
 - a. Is the victim of a racial, religious or ethnic minority group and the suspects of another group?
 - b. Did the incident occur solely because of a racial, religious or ethnic difference between the person(s) or group(s) for reasons other than racial, religious or ethnic differences?
 - c. Is the victim the only racial, religious or ethnic group member, or one of a few group members, in the neighborhood affected?

- d. Did the victim recently move to the area? Is the victim acquainted with neighbors and/or local community groups?
 - e. If multiple incidents occur within a general time frame, are all of the victims of one racial, religious or ethnic group?
 - f. Has the victim been associated with any recent or past racial, religious or ethnic activities relating to their racial, religious or ethnic beliefs against any particular person, group, or class of people?
 - g. Have there been any prior or recent news coverage of events similar in nature?
 - h. What was the manner and method of the attack (e.g., color of paint, spelling, grammar, symbols or signs used, etc.), and is it similar to other documented incidents?
 - i. Has the victim had past or repeated attacks of a similar nature?
 - j. Is the name of an organized hate group such as the Klu Klux Klan, the American Nazi Party, or the Adolph Defense League indicated in any papers or literature associated with the incident?
 - k. Is there a correlation between the incident to holidays or special events (e.g., Halloween, Christmas, Hanukkah, school activities, traditional rivalries, etc.)?
7. If any hate group, known or suspected, is indicated in the incident, the investigating officer should note and obtain as evidence if possible the following:
- a. Any literature printed or handwritten.
 - b. Any documented or suspected hate group activity in the area.
 - c. Any indication that the incident under investigation is a copy act or syndrome.
 - d. Suspected hate group members actually participating, or was the group's name used as a fear or scare tactic?

H. Emergency Communications Center Dispatcher Responsibilities

1. A patrol officer will be dispatched to all calls which have racial, religious, and/or ethnic overtones.
 2. Such calls shall not be handled over the Telephone Reporting System.
- I. Patrol Officer's responsibilities include determining whether an incident may be motivated by racial, religious or ethnic hatred, and will:
1. Take any reasonable investigative and/or enforcement action that may be called for.
 2. Provide assistance and support to the victim, including referrals.
 3. Immediately notify the patrol supervisor of the incident.
 4. Prepare a detailed incident report, including a full description of the racial, religious and ethnic aspects of the incident, with racial, religious, or ethnic noted at the top of the report form.
 5. Process the crime scene
 6. Submit the completed incident report before the end of the tour of duty.
 7. Conduct at least one follow up (in person) interview at the victim's residence.
- J. The on duty patrol supervisor shall respond to the scene of all racial, religious, and ethnic incidents and:
1. Determine whether additional personnel or resources are needed.
 2. Take all specific steps necessary to ensure that the incident does not escalate.
 3. Supervise the preliminary investigation.
 4. Assure the victim of the Police Department's concern and commitment to follow-up.
 5. Have the physical remains of the incident removed by the property owner or agent after the necessary crime scene processing. This includes, but is not limited to, encouraging property owners or agents to restore the scene to its original state.

6. Ensure that all reports are completed, approved, and distributed before the end of the tour of duty, directing one copy to the attention of the Chief of Police.
 7. Re-contact the victim for a follow up at least one (1) time.
- K. Prior to the end of the tour of duty the Shift Supervisor shall:
1. Ensure that information about the incident is provided to the oncoming shift supervisor.
 2. Arrange for any needed increase in patrols in the area of the incident.
 3. Ensure that the completed report is forwarded to the Chief of Police.
 4. Enter incident into the racial, religious, and ethnic log book maintained at the duty desk.
 5. Contact the appropriate agency contact person for graffiti removal, etc.

IV. CANCELLATIONS

This General Order cancels and replaces the following policies: General Order 41.2.6 (IV), entitled Nature of Response: Racial, Religious and Ethnic Incident Investigations, dated December 11, 2001.