

	TYPE OF DIRECTIVE LINE PROCEDURE	NUMBER LP-50-24
	SUBJECT REPORTING HATE CRIMES	EFFECTIVE DATE 04/15/24
	REFERENCE CODE OF VIRGINIA	RESCINDS LP-50-20

POLICY

The individual rights of every citizen are constitutionally protected. As such, the Police Division will strive to protect the rights of all citizens in Henrico County by investigating any individuals and/or groups who commit biased-motivated and hate-motivated acts.

DEFINITION

For the purpose of this directive, a hate crime is defined as (Code of Virginia §52-8.5):

1. A criminal act committed against a person or his property with the specific intent of instilling fear or intimidation in the individual against whom the act is perpetrated because of race, religion, gender, disability, gender identity, sexual orientation, or ethnic or national origin or that is committed for the purpose of restraining that person from exercising his rights under the Constitution or laws of the Commonwealth or of the United States,
2. Any illegal act directed against any persons or their property because of those persons' race, religion, gender, disability, gender identity, sexual orientation or ethnic or national origin, and
3. All other incidents, as determined by law-enforcement authorities, intended to intimidate or harass any individual or group because of race, religion, gender, disability, gender identity, sexual orientation, or ethnic or national origin.

PROCEDURE

INVESTIGATION AND RESPONSE

- I.* When an officer encounters an incident, act, or information which may be considered a hate crime, as defined above, the officer shall document the incident on an ICR and utilize the applicable bias-motivated description code.
- II.* Follow-up investigation shall be the responsibility of the appropriate section, as dictated by the ICR Builder Manual (Follow-Up Responsibility section). Crimes that are committed with a bias-motivating factor may be investigated in the same manner as crimes without a bias-motivating factor. The added indicator of bias merely provides for enhanced penalties upon conviction for certain offenses.

For example: a simple assault typically would be assigned to the affected Patrol Bureau for follow-up investigation. If the investigation reveals a bias-motivated factor, then the Patrol Bureau could continue to keep the investigation and seek appropriate charges with the bias motivation noted on the warrant.

- III.* Reporting of hate crimes to the Virginia State Police (VSP) is mandated by the Code of Virginia.

REPORTING HATE CRIMES LP-50-24

The Division complies with this statutory requirement by reporting NIBRS IBR data for bias-motivated crimes from the Criminal Records Unit to VSP. VSP is the central repository for the collection and analysis of information regarding hate crimes and individuals and/or groups carrying out such acts.

By Order of:

Eric D. English
Chief of Police