

	LANE COUNTY SHERIFF'S OFFICE POLICY	Number: G.O. 7.18
		Issue Date: November 29, 2022
		Revision Date:
CHAPTER: Patrol		
SUBJECT: Bias Crimes		Related Laws: ORS 166.155, ORS 166.165

POLICY: The Lane County Sheriff's Office takes an active role to protect all residents and visitors against intimidation and harassment based upon bias and prejudice. Members of the Sheriff's Office will promptly and thoroughly investigate all incidents that are suspected bias crimes.

DEFINITIONS:

Bias Crimes: are incidents where the offender's motivation for committing the offense is based on an offender's perception of the victim's perceived race, color, religion, national origin, sexual orientation, disability, or gender identity. Bias crime is the commission, attempted commission or alleged commission of an offense described in Oregon Revised Statutes (ORS) 166.155 or ORS 166.165.

Victim category/status: include race, religion, ethnicity/national origin, sexual orientation, disability, gender identity. Gender Identity means an individual's appearance, expression, or behavior, regardless of whether their appearance, expression, or behavior differs from that associated with the gender assigned to the individual at birth.

PROCEDURE:

I. Bias Crime Reporting

Factors to consider in making the determination whether an incident is a bias crime are:

- A. The motivation of the perpetrator, expressed in statements to the victim or to the officer (e.g., the use of slurs, statements such as "We don't want people like that around here.")
- B. A reasonable belief by the victim that the act was based on bias or prejudice.
- C. Physical evidence, such as display of a noose, swastikas, burning crosses, and the initials KKK, gang terms, symbols, slang terms, initials, and names which indicate bias or prejudice.

- D. The date and time of the occurrence (e.g., incidents connected to a holiday such as Martin Luther King Day, Chinese New Year, Christmas, Hanukkah.)
- E. Observations at the scene of the incident (and common-sense review of the incident), including:
 - 1. groups involved in the incident
 - 2. manner and means of the attack
 - 3. recurring pattern of similar incidents in the same area or against the same victim (or group of victims.)

II. Deputy Responsibility

- A. Respond to all incidents involving bias crimes and pursue investigative and enforcement action, including locating witnesses and learn additional information.
- B. Respond with professional sensitivity to the feelings, fears, and needs of the victim and witnesses, to help determine if this is a bias crime.
- C. Refrain from language that tends to denigrate any victim of a bias crime. Deputies may have to use a particularly hateful term (e.g., a name the victim was called) in their report and may have to say the word to confirm it for inclusion in their report, but this must be done with great sensitivity. As with victims of sexual assault, Deputies need to remember the emotional cost for the victim.
- D. Preserve the scene and gather evidence. Photograph (when appropriate) injury to persons, property damage, and any item(s) significant to the case.
- E. Notify on duty supervisor. The supervisor will then notify command staff.
- F. Reports involving bias crimes must be completed prior to the end of shift.