



Cover Memorandum

Hate & Bias Incident Investigations, JHPD Directive #466

Purpose of the Directive

The purpose of this Directive is to establish guidelines for Johns Hopkins Police Department (JHPD) members on how to identify, respond to, and investigate incidents and crimes that may be motivated by hate /bias and to ensure full compliance with victim referral and reporting requirements under state and federal law.

Summary of Directive Requirements

Johns Hopkins (JH) recognizes the harmful impact that hate/ bias crimes and incidents have on victims, as well as on the community at large. JH has a zero-tolerance policy for hate or bias crimes and empowers the JHPD to utilize all necessary resources to quickly identify, investigate, and respond to such crimes and incidents appropriately. Response to and investigation of any acts or threats of violence, property damage, harassment, intimidation, or other crimes or incidents motivated by hate/ bias will be given the highest priority by the JHPD.

This Directive defines a hate/bias crime and provides the elements of a hate/bias crime according to the MD Code, Criminal Law, § 10-304. In addition, this Directive identifies several factors that members should consider when determining whether an incident is to be investigated as a hate/bias crime with a focus on determining the offender's motivation.

In addition, this Directive provides proactive strategies for JHPD members to protect members of the community from hate/bias crimes and mitigate the likelihood of their occurrence. These strategies include building relationships with members of the community who could be targets of these crimes, providing meaningful victim assistance, sharing data and educating the public on hate crimes laws, and implementing appropriate training on recognizing hate group symbols and tactics.

This Directive dictates the required actions for JHPD members responding to calls for service related to hate/bias, including the immediate actions they should take when responding to a hate/bias incident (e.g., securing the victim's safety, collecting evidence) and additional investigative steps that members should take to determine whether the incident is motivated by hate/bias. This Directive also provides guidance on how to prevent further injury or damage to other potential victims, such as removing physical debris, damage, etc. that is not collected as evidence. Additionally, the Directive instructs members on the reporting requirements when responding to a hate or bias crime/ incident.

This Directive also states the required actions for supervisors, including promptly responding to the scene of hate/bias crimes and incidents, relaying required information to JHPD communications, and ensuring follow-up visits with victims are conducted to alleviate fear and intimidation. This Directive also

provides guidance to JHPD command-level staff and leaders on how to take a prominent and visible role in the response to hate/ bias crimes and incidents and in outreach efforts to victims and the community.

Finally, this Directive discusses the relevant reporting and training requirements for JHPD members. For example, members will be required to receive initial and ongoing training on recognizing and investigating hate /bias crimes and incidents, responding to victims of these crimes, and cultural competency.

Blueprint for the Policy Development Process

The draft JHPD policies (hereinafter referred to as “directives”) shared for community feedback are based on examples of 21st century best practices in public safety policy, identified through extensive benchmarking of university and municipal law enforcement agencies across the nation. Taken together, they represent a comprehensively progressive approach to policing that prioritizes equity, transparency, accountability, and community-based public safety strategies.

The JHPD’s draft directives embody approaches that community advocates and leading experts have championed locally and in law enforcement reform efforts across the nation. The draft directives have also been developed based on input received through robust community engagement in prior phases of JHPD development, including suggestions received in the legislative process as well as last fall’s Memorandum of Understanding (MOU) public comment period and feedback opportunities.

In addition, the directives were drafted to exceed the minimum requirements of the Constitution and laws of the United States and the State of Maryland, to align with the Community Safety and Strengthening Act (CSSA) and to fulfill the requirements of the MOU between the Johns Hopkins University and the Baltimore Police Department. The Hopkins community and our neighbors throughout Baltimore can help improve and strengthen these directives further through their feedback and input.

Material that was considered in the drafting of the Directive and Procedure Manual, include:

a. Publicly available policies from municipal police departments that have undergone substantial reform efforts, including: the New Orleans Police Department; Seattle Police Department; Portland Police Department; Detroit Police Department; Ferguson Police Department; and Baltimore Police Department;

b. National guidance on best practices and model policies from criminal justice reform efforts, social science research centers, and civil rights organizations, including: the Leadership Conference on Civil and Human Rights; American Civil Liberties Union (ACLU), including the ACLU of Massachusetts’s “Racially Just Policing: Model Policies for Colleges and Universities”; the International Association of Chiefs of Police (IACP); the Police Executive Research Forum (PERF); U.S. Department of Justice Office of Community Oriented Policing Services (COPS Office); The Justice Collaboratory (The JC) at Yale University Law School; and The Center for Innovation in Community Safety (CICS) at Georgetown Law School.

c. National and local higher education institutions that are based in comparable environments and make policies publicly available, including: Carnegie Mellon University; Morgan State University; Towson University; University of Chicago; University of Cincinnati; University of Maryland, Baltimore County; University of Pennsylvania; and Yale University.

To ensure that the proposed directives captured national best practices in community-focused public safety services, the development team collaborated with independent experts from two organizations: National Policing Institute (the Institute), a non-profit dedicated to advancing excellence in policing through research and innovation, and 21CP Solutions, an expert consulting team of former law enforcement personnel, academics, civil rights lawyers, and community leaders dedicated to advancing safe, fair, equitable, and inclusive public safety solutions. Each directive was reviewed by experts selected by both organizations, who provided feedback, suggestions, and edits that were fully incorporated into the current draft.

Finally, individuals and organizations representing the diversity of the Johns Hopkins University community provided feedback to ensure the policies and procedures reflect and respond to the values of our institution and to our community's public safety service needs.

Now they are available for your review. Johns Hopkins is committed to adopting, incorporating, or otherwise reflecting recommended changes and feedback in the final version of policies so long as feedback is aligned with our values and commitments, permissible within legal parameters, and supported by national best practices for community policing and public safety.



POLICE DEPARTMENT

HATE & BIAS INCIDENT INVESTIGATIONS

OPERATIONAL PROCEDURE #466

Responsible Executive:
Chief of Police
Responsible Office:
Vice President for Public Safety
Approved by:
Dr. Branville G. Bard, Jr.
Issued: [full date]
Revised: [full date]

Table of Contents

POLICY STATEMENT2

WHO IS GOVERNED BY THIS POLICY.....2

PURPOSE2

DEFINITIONS2

PROCEDURES4

POLICY ENFORCEMENT15

RELATED RESOURCES15

CONTACTS16

APPENDICES16

Policy Statement

Johns Hopkins (JH) recognizes the harmful impact that hate and bias motivated crimes and incidents have on victims, as well as on the community at large. JH has a zero-tolerance policy for hate and bias motivated crimes and empowers the Johns Hopkins Police Department (JHPD) to utilize all necessary resources to quickly identify, investigate, and respond to such crimes and incidents appropriately. Any acts or threats of violence, property damage, harassment, intimidation, or other crimes or incidents motivated in whole or in part by hate/bias and designed to infringe upon the rights of individuals shall be viewed very seriously and will be given high priority by the JHPD.

Who is Governed by this Policy

The directive governs all personnel, including sworn, non-sworn, and contractual or voluntary persons in service with the JHPD.

Purpose

This policy establishes guidelines for JHPD members on how to identify, respond to, and investigate incidents and crimes that may be motivated by hate or bias and to ensure full compliance with victim referral and reporting requirements under state and federal law.

Definitions

Bias:

For purposes of this directive, bias is a preformed negative opinion or attitude toward a group of persons based on their race, color, gender, sex, religion, ethnicity, ancestry or national origin, immigration status, age, disability, gender identity/expression, sexual orientation, marital status, pregnancy, military or veteran status, homelessness, or any other legally protected characteristic.

Disability

A person is considered to have a disability if (1) they have a physical or mental impairment that substantially limits one or more major life activities (such as hearing, seeing, speaking, breathing, performing manual tasks, walking, caring for oneself, learning, or concentrating); (2) have a record of having such an impairment; or (3) are regarded as having such an impairment class.

Ethnicity:

A group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term race in that “race” refers to grouping based mostly upon biological criteria, while “ethnicity” also encompasses additional cultural factors.

Gender:

Broadly, gender is a set of socially constructed roles, behaviors, activities, and attributes that a given society considers appropriate.

Gender Expression:

The manner in which a person communicates about gender to others through external means such as clothing, appearance, or mannerisms. This communication may be conscious or subconscious and may or may not reflect their gender identity or sexual orientation. While most people’s understandings of gender expressions relate to masculinity and femininity, there are countless combinations that may incorporate both masculine and feminine expressions—or neither—through androgynous expressions. An individual’s gender expression does not automatically imply one’s gender identity. All people have gender expressions.

Gender Identity:

A person’s deeply held core sense of self in relation to gender. Gender identity does not always correspond to biological sex.

People become aware of their gender identity at many different stages of life, from as early as 18 months and into adulthood.

Harassment:

Any type of behavior which is based on an individual's or group's membership in a protected class that is (a) unwelcome and (b) offensive when (1) submission to the conduct is made either explicitly or implicitly a term of the individual's employment or participation in an education program or activity; (2) submission to or rejection of the conduct is used as a basis for employment or academic decisions or advancement; or (3) such conduct unreasonably creates a work or academic environment that a reasonable person would perceive to be abusive or hostile.

Harassment when directed at someone due to their membership in a protected class may include, but is not limited to:

- Conduct, whether verbal, physical, written, graphic, or electronic, that threatens, intimidates, offends, belittles, denigrates, or shows an aversion toward an individual or group;
- Epithets, slurs, negative stereotyping, jokes, or nicknames;
- Written, printed, or graphic material that contains offensive, denigrating, and/or demeaning comments and/or pictures; and
- The display of offensive, denigrating, and/or demeaning objects, emails, and text messages.

The alleged conduct need not be severe or pervasive. The University considers the totality of the circumstances when assessing whether the alleged conduct unreasonably creates an abusive or hostile work or academic environment from the perspective of a reasonable person. This includes consideration of whether the unwelcome and offensive conduct unreasonably interferes with, limits, or deprives a member of the community of the ability to participate in or to receive benefits, services or opportunities from the University's education or employment programs and/or activities. Although the alleged conduct need not be severe or pervasive in order to constitute an unreasonably hostile or abusive environment, the heightened seriousness of alleged severe or pervasive conduct will be considered during Office of Institutional Equity (OIE)'s process.

Hate/Bias Crime:

A crime motivated either in whole or in substantial part by another person's or group's race, color, religious beliefs, sexual orientation, gender, gender identity, disability, national origin, or because another person or group is homeless. See Maryland Code, Criminal Law, §10-304.

Hate Group:	An organization whose primary purpose is to promote animosity, hostility, and malice against persons of or with a race, religion, disability, sexual orientation, ethnicity, gender, or gender identity which differs from that of the members or the organization, e.g., the Ku Klux Klan, American Nazi Party.
Hate/Bias Incident:	Those actions by an individual or group that, while motivated in whole or in substantial part by hate or bias, do not rise to the level of a criminal offense.
Race:	A group of persons who possess common physical characteristics, e.g., color of skin, eyes, and/or hair, facial features, etc., genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind, e.g., Asians, Blacks or African Americans, Whites.
Protected Class:	A group of people with a common characteristic who are legally protected from discrimination on the basis of that characteristic. Johns Hopkins University prohibits discrimination on the basis for the following characteristics: race, color, ancestry or national origin, immigration status, ethnicity, age, disability, religion, sex, gender, pregnancy, military status, veteran status, marital status, sexual orientation, gender identity or expression, genetic information, and other legally protected characteristics.
Religious Group:	A group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being, e.g., Catholics, Jews, Protestants, atheists.
Sexual Orientation:	Emotional, romantic, or sexual feelings toward other people or no people (see Asexual). While sexual activity involves the choices one makes regarding behavior, one's sexual activity does not define one's sexual orientation. Sexual orientation is part of the human condition, and all people have one. Typically, it is attraction that helps determine orientation. It also may refer to a person's choice of whether or not to engage in sexual relationships and practices.

Policy Statement

The JHPD recognizes that hate/bias motivated crimes and incidents can cause fear and trauma, deprive victims of feeling safe in their own communities, and have the capacity to violate an entire group or community's sense of safety and belonging. The depth of this impact drives JHPD's commitment to responding with a victim-centered approach and employing proactive measures to prevent hate/bias crimes. A prompt and robust response by law enforcement can help stabilize and calm the community, protect the victim's safety, aid the victim's recovery, and demonstrate that JHPD stands with the victims and/or associated groups that are being targeted.

When responding to or investigating hate/bias crimes or incidents, members shall be sensitive to the feelings, needs, and fears that may be present in the victim and the community as a result of incidents of this nature. JHPD's policies and practices regarding hate/bias crimes and incidents are aligned with the University's Discrimination and Harassment Policy and Procedures (DHPP), and JHPD will notify the OIE regarding any reported hate/bias crimes or incidents that are based on someone's membership in a protected class.

General

I. Identifying Hate/Bias Crimes and Incidents

- A. A hate/bias incident is a reported act which appears to be motivated, or is perceived by the victim to be motivated, all or in substantial part by race, color, gender, sex, religion, ethnicity, ancestry or national origin, immigration status, age, disability, gender identity/expression, sexual orientation, marital status, pregnancy, military or veteran status, homelessness, or any other legally protected characteristic.
- NOTE: When investigating a hate crime directed towards a member of the lesbian, gay, bisexual, or transgender community, officers shall follow JHPD Directive #109, Interactions with LGBTQ+ Individuals.
- B. The MD Code, Criminal Law § 10-304, establishes criminal penalties if a person does any of the following acts while motivated either in whole or substantial part by another person's or group's race, color, religious beliefs, sexual orientation, gender, gender identity, disability, national origin, or homeless status:
- Commit a crime, attempt, or threaten to commit a crime against that person or group;
 - Deface, damage, destroy, attempt, or threaten to deface, damage, or destroy the real or personal property of that person or group;
 - Burn, attempt, or threaten to burn an object on the real or personal property of that person or group; or
 - Make or cause to be made a false statement, report, or complaint that the person knows to be false as a whole or in material part to an officer about that person or group, with the intent to deceive and to cause an investigation or other action to be taken as a result of the statement, report, or complaint; or
 - Commit a violation of any of the above that:
 - o Results in the death of a victim; or
 - o Involves a separate crime that is a felony (except as related to property crimes described in Bullet 2)

C. The main criterion for determining whether an act may be classified as a hate/bias crime or incident is the **offender's motivation** behind the act. When determining whether or not an incident is to be investigated as a hate/bias act, members shall consider:

- The totality of the circumstances.
- The motivation behind the incident.
- The victim's perception of the incident – did the victim perceive the crime to be motivated by hate/bias?
- Evidence at the scene, such as the display of symbols or words which are known to the victim to represent a hate group or bias against the victim (e.g., swastikas or racial slurs).
- Whether witnesses perceived the act to be motivated by hate/bias.
- Statements, comments, or gestures made by any suspects.
- Prior history of incidents with similar circumstances in the same area or against the same victim/group.
- Whether the offender has previously been involved in a hate group or in similar incidents.
- Whether the act coincided with a date or event of significance.
- Whether the victim displayed their membership or allyship with a protected class, or whether the property damaged/defaced is associated with a person or group who is a member of a protected class.
- If offender and victims involved identified as from the same group or protected class (s), would the incident still have occurred?
- Area demographics (e.g., there is a known concentration of members of a protected class in a particular area, or the area identifies itself in branding in such a way).
- The officer's knowledge of the community where the incident occurred.
 - o NOTE: The presence of any of the above factors does not confirm that the incident was a hate/bias crime or incident, but might indicate the need for further investigation into motive. Victims and offenders can appear to be from the same protected class or group(s). It is the offender's perception of the victim (whether accurate or not) and improper bias motivating their criminal behavior that constitutes a hate/bias crime or incident, rather than externally apparent differences.

D. **Non-criminal incidents**: An act can be classified as a hate/bias **incident** if it is motivated in whole or substantial part by hate or bias, but does not rise to the

level of a criminal offense or involve violence, threats of violence, or property damage as defined in MD. Code, Criminal Law, § 10-304.

- While hate/bias incidents may be hateful, offensive, or harmful, they may be specifically protected by law, and may not rise to the level of criminal conduct.
- Officers must complete and submit reports documenting non-criminal hate/bias incidents. (See Section II of this directive for details about required reporting.)

II. Prevention Efforts

A. All JHPD members shall take an active role in protecting members of the JH community whose safety or welfare are threatened due to intimidation and harassment due as a result of their actual or perceived membership in a protected class. Special emphasis shall be placed on victim assistance and community cooperation in order to reduce fear and intimidation.

B. While not all crimes can be prevented, JHPD members shall take a proactive approach to mitigating the likelihood of hate/bias incidents and crimes as well as preparing in case a hate/bias crime is committed by:

- Affirmatively attempting to establish contact, build relationships, and work collaboratively with persons and groups within the community who are likely targets of hate crimes. Those proactive efforts include forming networks that are prepared to address prevention and response to hate crimes and incidents.
- Providing meaningful victim assistance, following up with community members, and/or assisting to identify and connect individuals and communities with available resources.
- Making every effort to become familiar with organized hate groups operating or influencing hate/bias activities in the community.
- Presenting information to community and civic groups about local, state, and federal hate/bias crime laws.
- Implementing appropriate training, including becoming familiar with the symbols and tactics used by hate groups.
- Internally sharing reports and data regarding hate/bias crimes and incidents to inform JHPD members of trending patterns. This can also help identify when non-criminal incidents might escalate to crimes or when crimes will repeat or escalate.

III. Required Actions by Patrol Officer

- A. Except when the underlying crime is under the investigatory jurisdiction of the Baltimore Police Department (BPD) consistent with the Memorandum of Understanding (MOU) between JHPD and BPD, JHPD members shall respond to, investigate, and report on all alleged hate/bias incidents that occur and are reported within JHPD's primary jurisdiction. (See Appendix A for jurisdictional breakdown of crimes per the MOU.)
- B. JHPD members shall promptly notify the University's OIE regarding any reports of hate/bias crime or incidents. OIE is the administrative office responsible for the University's (non-criminal) response to reported violations of the Discrimination and Harassment Policy and Procedure (DHPP). JHPD members shall:
- Forward to OIE the incident report that includes the name of the complainant, respondent, witnesses, and any other relevant facts, including the date, time, and location of the misconduct.
 - Upon request, provide OIE access to investigative notes and findings as necessary for any OIE investigation, so long as disclosure does not compromise any criminal investigation. Likewise, if acceptable to BPD, JHPD will facilitate access to such files maintained by BPD unless it compromises a criminal investigation.
 - Document that OIE was notified and how they were notified (e.g., by phone or email).
- C. For incidents in which BPD has jurisdiction as lead investigator but JHPD is the first responder, the responding JHPD officer(s) shall take immediate action, without waiting for BPD, to:
- Ensure the victim's safety is secured (to include rendering medical treatment, if necessary).
 - Take appropriate law enforcement actions that are immediately available in instances where the offender is still present.
 - Notify their supervisors and request their response.
 - Conduct preliminary investigative steps in order to collect information and evidence that is perishable (e.g., taking victim or witness statements if they provide them immediately and/or if they do not want to wait to speak with the investigator).
 - Protect the crime scene.
- D. For incidents in which a JHPD officer will serve as the primary investigator, the responding officer(s) will complete the actions described above in Section B and:

- Attempt to initially determine whether or not the incidents are verified hate/bias related, and take reasonable steps to preserve evidence that establishes a possible hate/bias crime. This evidence may include, but is not limited to:
 - o Hate/bias words or phrases reportedly used by offenders.
 - o Written symbols, epithets, and graffiti.
 - o Physical symbols such as crosses, nooses, flyers, literature, etc.

- Take appropriate action to prevent further injury or damage to other potential victims of the community.
 - o This may include taking steps to ensure that physical debris, damage, etc. not collected as evidence is removed, covered, or otherwise mitigated as much as possible until restorations can be made.
 - o EXCEPTION – Officers shall not remove any writings, flyers, etc. that are non-criminal in nature and/or the product of First Amendment protected free speech. If the writings constitute a crime (e.g., graffiti, criminal damaging of property, etc.), then officers are authorized to remove it. If the writings are non-criminal policy violations, officers shall contact Johns Hopkins University (JHU) Facilities Maintenance and request removal.
 - o If officers are authorized to remove physical debris, damage, graffiti, etc., they should contact JHU Facilities Maintenance immediately for assistance with any damage that cannot be easily covered or removed.

- As needed, request assistance from investigators or other internal or external resources, such as language assistance, counseling services, or victim advocates.

- Interview all witnesses, victims, and others to determine what circumstances, if any, indicate that the situation may involve a hate/bias crime.
 - o All statements made by offenders should be documented when practicable.
 - o It is essential for the officer to obtain contact information of witnesses and victims to facilitate conducting any follow-up questions or interviews as needed.

- Provide the victim with information about:
 - o The University's OIE and DHPP. Officers shall notify victims that, per the DHPP, reporting an incident to JHPD does not preclude filing a complaint with the University. Individuals may file reports

of discrimination, harassment, and/or retaliation under the DHPP before, after, or simultaneously with reporting an incident to law enforcement, or if no report is made to law enforcement at all.

- o Whether or not an incident results in a criminal investigation, the University will decide, pursuant to DHPP, whether the respondent violated the DHPP and, if so, what sanctions to impose.
- o Local programs and organizations where they may obtain additional support services.
- o Victim assistance forms/brochures and referral information as appropriate.
- o The process for obtaining a civil order of protection.
- Advise the victim to contact JHPD if any further threats or acts of intimidation occur. Document all incidents, criminal or non-criminal, which appear to be motivated by membership in a protected class.
- Work with their supervisor to ensure that the situation does not escalate further, either against the same victim or other members of the same group or community as the victim.
- Notify JHPD's Investigations Division (ID) if the incident involves a crime or arrest.

E. Officers shall complete an Initial Incident Report for any alleged hate/bias incident or crime to which the officer responds, including hate/bias incidents that do not arise to the level of a crime as defined in Section I of this Directive. In addition to the usual and thorough information required for all Incident Reports, when completing a report for a hate/bias crime or incident, officers shall include other applicable information such as:

- The person, object, or institution targeted in the crime or incident.
- An explanation of how the person or property was attacked, damaged, etc.
- The means by which the person or property was attacked (e.g., tools, weapons).
- Any trademark, sign, or other unique identifying characteristics.
- What types, if any, of hate/bias motivation was involved in incidents.
- Whether organized hate groups were involved.
- Whether the victim(s) had recently moved to the area.
- If the victim(s) had been previous targets of hate/bias incidents.
- If multiple incidents occurred, whether all victims were members of the same targeted group.

- The steps and courses of action that were taken during the preliminary investigation.
- Whether offenders who are members of the JHU community were referred to appropriate disciplinary bodies.
- All notifications that were made to other internal or external units, officials, agencies, or organizations, and what, if any, responses or actions were taken.
- Special details or activities that were implemented in response to incidents.

IV. Supervisory Responsibilities

Supervisors' duties and responsibilities include, but are not limited to:

- A. Promptly responding to scenes of hate/bias crimes and incidents.
- B. Ensuring they are briefed by officers.
- C. Reassuring victims that incidents will be actively pursued.
- D. Ensuring physical debris, damage, etc. not collected as evidence is removed, covered, or otherwise mitigated as much as possible until restorations can be made, unless it is the product of First Amendment protected free speech and otherwise conforms to existing laws and policies.
- E. Ensuring Communications is given information relating to:
 - When and where incidents occurred
 - What was done that is alleged to be hate/bias motivated and the hate/bias motivation
 - The type, nature, size, etc. of the items that were left on scene, damaged, burned, etc.
 - What, if any, arrests have been made or are immediately anticipated.
- F. Ensuring that victims and witnesses are provided assistance and referrals.
- G. Providing guidance and direction, as needed, to subordinates conducting preliminary investigations and ensuring that preliminary investigations are documented in departmental reports.
- H. Ensuring follow-up visits are conducted to alleviate fear and intimidation and being conscientious of the victim's concerns.

- I.** Ensuring that officers promptly notify OIE regarding any reports of hate/bias crimes or incidents and that officers forward the incident report to OIE.
- J.** Taking other steps as directed by commanders.
- K.** Command-level staff and JHPD leaders will, as appropriate for their respective functions, ensure incidents are actively pursued with high priority until cases are cleared or all reasonable leads have been exhausted, and:
- Provide assistance and resources to their officers who may have investigative or follow-up responsibilities for hate/bias incidents.
 - Take a prominent and visible role in outreach efforts to victims and the community. This includes:
 - o Assessing the impact of the hate/bias crime or incident on the community and acknowledging the harm done.
 - o Coordinating with OIE as soon as possible regarding the response to any reported hate/bias crime or incident.
 - o Working with the community after such crimes or incidents to help reduce fears, stem possible retaliation, prevent additional hate/bias crimes or incidents, and encourage any other previously victimized individuals to step forward and report those crimes or incidents, especially if an upward trend has been identified.
 - o If appropriate, meeting with community groups, residents in targeted communities, and other identified groups as soon as possible to address fears; explain JHPD's serious treatment of such incidents; reduce the potential for counter-violence and reprisals; and provide safety, security, and crime prevention information.
 - Working with the Community and Media Relations members as soon as possible to develop a strategy for engaging the media as partners in restoring victimized communities through sensitive and accurate reporting, being mindful of victim privacy and security. Information regarding hate/bias crimes or incidents should be prepared for the media in an accurate and timely manner. Requests for help from the community via the media and/or social media should also be explored.
 - In the immediate aftermath of an alleged hate/bias crime, ensure that comments from JHPD to the media or general public do not prematurely rule out hate/bias motivation.
 - Conduct public meetings or forums designed to address the community-wide impact of hate/bias crimes and incidents.
 - Establish liaisons with formal community-based organizations and leaders to mobilize resources that can be used to assist victims and prevent future hate/bias crimes and incidents.

V. Investigations Division

- A. If a hate/bias crime is assigned to an investigator within JHPD's Investigations Division (ID), the investigator shall:
- Coordinate with other internal and external agencies as needed, including JHU, BPD, and the State's Attorney's Office.
 - Continue to maintain contact with individuals involved in the case, including victims and witnesses.
 - Follow the investigative protocols outlined in JHPD Directive #460, Criminal Investigations.
 - Upon request, provide OIE access to investigative notes and findings as necessary for any OIE investigation, so long as disclosure does not compromise any criminal investigation. Likewise, if acceptable to BPD, JHPD will facilitate access to such files maintained by BPD unless it compromises a criminal investigation.
- B. The supervisor responsible for the investigations function will, as necessary, ensure that:
- Investigators respond to incident scenes.
 - Follow-up investigations are conducted.
 - Offenders who are affiliated with JHU are referred to appropriate offices for administrative disciplinary processes.
 - Victims and witnesses are referred to appropriate campus departments when incidents do not involve criminal violations.
 - Community outreach is conducted consistent with JHPD Directive #425, Community Policing & Problem Solving.
 - Criminal intelligence information is collected to assist in tracking hate groups and extremists.
 - The commander responsible for the investigative function is informed when incidents are not handled consistent with JHPD directives.
- C. Classification of Reported Hate/Bias Crimes and Incidents. Thorough investigations will be conducted to determine if incidents will be classified as:
- **Verified** – An incident committed against a person or property that is motivated, or is perceived by the victim to be motivated, all or in substantial part by membership in a protected class.
 - **Inconclusive** – An incident in which the evidence is conflicting, incomplete, inconclusive, or otherwise insufficient to classify as verified

or unfounded. In some cases, investigators may be asked to gather additional information.

- **Unfounded** – When the evidence/investigation definitely indicates that the act was not a hate/bias crime or incident or if the incident never occurred, such as a false report, for example.

VI. Data Collection and Reporting

The JHPD shall collect and report hate/bias crime and incident data in accordance with requirements under the Clery Act, JHPD Directive #222, Clery Act Compliance, and this directive. In addition to those requirements data collection and reporting under the Community Strengthening and Safety Act, the JHPD will:

- A. Track hate/bias crime and incident data and submit a monthly report on all hate/bias crime occurrences (including digital or technology-based hate incidents) to the appropriate crime analysis center of central repository. This includes providing a monthly report to the Federal Bureau of Investigation (FBI) or other federal repository on all hate crime occurrences, in accordance with guidelines established pursuant to the federal Hate Crimes Statistics Act.
- B. Share all reports of hate/bias crimes or incidents with OIE, in accordance with the procedures set forth in this policy.
- C. Share reports internally to inform JHPD members of trending patterns in hate/bias crimes and incidents.
- D. Make information, records, and statistics available to any appropriate agency and to the public, including in open data released regarding other crimes, subject to all confidentiality requirements otherwise imposed by law. Data may include hate/bias crime and incident data and may pertain to physical or digital/technology-based hate crimes.
- E. Ensure data is analyzed for trends and risk assessment.
- F. Develop a tracking mechanism or add to an existing Records Management System (RMS) a function which allows members to indicate whether or not there is evidence suggesting the existence of a hate/bias crime or incident prior to submitting documentation and as part of the review process.

VII. Training

- A. The Public Safety Training Section will ensure that all members are provided with initial and ongoing training to recognize and investigate hate/bias crimes and incidents.

- B.** Training should include information regarding:
- What constitutes a hate/bias crime or incident.
 - How to recognize indications of hate/bias crimes and incidents.
 - Procedures for interacting with victims and witnesses of hate/bias crimes and incidents.
 - The impact of hate/bias crimes and incidents on victims and the importance of investigation.
 - Cultural competency, including fair and equitable policing, individual rights and liberties, and the role of policing in a diverse society.

Policy Enforcement

Enforcement	Police Department managers and supervisors are responsible for enforcing this Directive.
Reporting Violations	Suspected violations of this Policy should be reported to the Public Safety Accountability Unit.

Related Resources

<p>University Policies and Documents</p> <p>Conduct & Responsibility #109, Interactions with LGBTQ+ Individuals Administrative Procedure #222, Clery Act Compliance Operational Procedure #460, Criminal Investigations Operational Procedure #424, Community Policing & Problem Solving</p> <p>Academic Freedom at Johns Hopkins, https://web.jhu.edu/administration/provost/initiatives/academicfreedom/AcademicFreedomatJohnsHopkins.pdf.</p> <p>Guidelines For Students in Support of Free Expression Through Protests and Demonstrations at the Homewood Campus, https://studentaffairs.jhu.edu/policies-guidelines/free-expression-guidelines/</p> <p>The Johns Hopkins University Discrimination and Harassment Policy and Procedures (“DHPP”), https://oie.jhu.edu/wp-content/uploads/sites/22/Discrimination-and-Harassment-Policy-and-Procedures-effective-October-1-2022-Present.pdf.</p>
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External Documentation
Maryland Code, Criminal Law, Title 10, Subtitle 3, <i>Hate Crimes</i> . Memorandum of Understanding Between the Johns Hopkins Police Department and the Police Department of Baltimore City, Coordination of Law Enforcement Duties.
Police Department Forms and Systems
https://powerdms.com/ui/login

Contacts

Subject Matter	Office Name	Telephone Number	E-mail/Web Address
Policy Clarification and Interpretation			

DRAFT

Appendix A

National Incident-Based Reporting System (NIBRS) Group A & B Offenses

In accordance with a Memorandum of Understanding (MOU) between the Johns Hopkins University Police Department (JHPD) and the Baltimore Police Department (BPD), BPD will have primary responsibility for all investigations and arrests related to “Group A” offenses under the NIBRS program that occur within JHPD’s jurisdiction, except for larceny/theft offenses, burglary/breaking and entering, and motor vehicle theft.

NIBRS Components:

24 Offense Categories
52 Group A Offenses
10 Group B Offenses
Society 58 Data Elements

Offense Categories:

Crimes Against Persons
Crimes Against Property
Crimes Against

Group A Offenses

Animal Cruelty
Arson
Assault Offenses
Aggravated Assault
Simple Assault
Intimidation
Bribery
Burglary/Breaking & Entering
Counterfeiting/Forgery
Destruction/Damage/Vandalism of Property

Human Trafficking Offenses
Commercial Sex Acts
Involuntary Servitude
Kidnapping/Abduction
Larceny/Theft Offenses
Pocket-picking
Purse-snatching
Shoplifting
Theft From Building
Theft From Coin-Operated
Machine or Device

Drug/Narcotic Offenses
Drug/Narcotic Violations
Drug Equipment Violations
Embezzlement
Extortion/Blackmail
Fraud Offenses

Theft From Motor Vehicle
Theft of Motor Vehicle Parts or
Accessories
All Other Larceny
Motor Vehicle Theft
Pornography/Obscene Material
Prostitution Offenses

False Pretenses/Swindle/Confidence Game

Credit Card/Automated Teller Machine Fraud
Prostitution Impersonation

Welfare Fraud

Wire Fraud

Identity Theft

Hacking/Computer Invasion

Gambling Offenses

Betting/Wagering

Operating/Promoting/Assisting Gambling
Nonforcible Gambling Equipment Violations

Sports Tampering

Homicide Offenses

Offenses Murder and Nonnegligent Manslaughter
Violations Negligent Manslaughter

Justifiable Homicide (Not a Crime)

Prostitution

Assisting or Promoting
Purchasing Prostitution

Robbery

Sex Offenses

Rape

Sodomy

Sexual Assault With An Object

Fondling

Sex Offenses,
Incest

Statutory Rape

Stolen Property
Weapon Law

Group B Offenses

Bad Checks

Nonviolent Curfew/Loitering/Vagrancy Violations

Disorderly Conduct

Driving Under the Influence

Drunkenness

Family Offenses,

Liquor Law Violations

Peeping Tom

Trespass of Real Property

All Other Offenses