



PATROL GUIDE

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| Section: 205 | | Procedure No: 205.02 | |
| BIAS INCIDENT INVESTIGATION STANDARDS | | | |
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This General Order supersedes General Order 205.02 dated October 5, 2010 and all Administrative Orders issued prior to the issuance of this General Order pertinent to the Investigation Standards of a Bias Incident. *Italics and Bold Face shall identify any and all additions and/or addendums.*

I. PURPOSE

The purpose of this General Order is to establish Departmental Policy, Procedures and Standards for the response to and the investigation of bias incidents. Following Executive Directive No. 1987-3 from the New Jersey Attorney General's Office, our agency shall conduct a thorough and complete investigation at all suspected or confirmed bias incidents. Furthermore, our agency will cooperate with the county prosecutor in the prompt and appropriate prosecution of these matters. This General Order shall establish uniform law enforcement procedures for the response to and investigation of bias incidents.

The Attorney General's Executive Directive No.1987-3 presently requires all New Jersey law enforcement agencies to report confirmed bias incidents through the Division of State Police Uniform Crime Reporting System.

This General Order consists of the following parts:

- I. Purpose
- II. Definitions
- III. The History of Law Enforcement's Concern with Bias Incidents in New Jersey
- IV. Attorney General's Policy Statement to New Jersey Law Enforcement
- V. Office of Bias Crime and Community Relations
- VI. Response to a Bias Incident
- VII. Guidelines for Confirming Bias Incidents
- VIII. Inter-Agency Cooperation
- IX. Community Relations
- X. Bias Incident Victim / Witness Services
- XI. Training



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II. DEFINITIONS

1. Bias Incident

For New Jersey Law Enforcement purposes, a bias incident is defined as any suspected or confirmed offense or unlawful act which occurs to a person, private property or public property on the basis of race, color, religion, gender (except matters involving a violation of N.J.S.A. 2C:14-2 or 2C:14-3), handicap, sexual orientation or ethnicity. An offense is bias-based if the motive for commission of the offense or unlawful act pertains to race, color, religion, gender, handicap, sexual orientation or ethnicity. For the purpose of this definition, the term, "handicap" shall be construed consistently with N.J.S.A. 10:5-5(q).

2. Handicap based on N.J.S.A. 10:5-5(q)

Handicap is a physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness or any mental, psychological or developmental disability resulting from anatomical, psychological, physiological or neurological conditions which prevents the normal exercise of any bodily or mental functions.

III. THE HISTORY OF LAW ENFORCEMENT'S CONCERN WITH BIAS INCIDENTS IN NEW JERSEY

The standards set forth within this General Order (based on the Attorney General's Bias Incident Investigation Standards) highlight a long history of involvement by New Jersey Law Enforcement authorities in the important area of bias incident prevention, investigation, monitoring and education. These efforts include the enforcement of strong crime-specific criminal laws regarding bias incidents, the development and implementation of police officer basic training covering the bias incident issue, the development of Statewide bias incident reporting through the Uniform Crime Reporting System and the development and presentation of statewide county-by-county bias incident investigation seminars conducted by the Division of Criminal Justice in conjunction with county prosecutors, New Jersey State Association of Chiefs of Police and various community interest groups.

These initiatives, in conjunction with the Attorney General's Bias Incident Investigation Standards and this General Order, are practical examples of state, county and local government striving to achieve harmony with diversity throughout the State of New Jersey.

IV. ATTORNEY GENERAL'S POLICY STATEMENT TO NEW JERSEY LAW ENFORCEMENT

Bias incidents have occurred throughout the state and the nation. Crimes having a racial, religious or ethnic component manifest themselves in a wide spectrum of anti-social activities. As a result, the victimized communities have been gripped by uncertainty, tension and conflict. These bias incidents jeopardize the active and open pursuit of freedom and opportunity.



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Bias incidents attack the racial, religious and ethnic heritage of our citizens, important elements of our history, and our future. Closely linked to our heritage are individual values, beliefs and identities. Bias incidents undermine these foundations of freedom. All suspected or confirmed bias incidents should be viewed as serious. There is to be special emphasis placed on victim assistance and community relations in order to reduce victim trauma and community tension or fear.

It shall be the policy of the **NJ TRANSIT** police to bring the investigative and enforcement elements of our department into quick action following any and all suspected or confirmed bias incidents. Bias incident investigations shall be conducted in a timely fashion using all appropriate resources to rapidly determine the facts and circumstances surrounding each incident. Careful attention should be given to identifying the motive and cause of the bias incident and to identifying suspects. Referrals to the County Prosecutor's Office of Victim-Witness Advocacy shall be made as appropriate.

Each **NJ TRANSIT** police officer must be sensitive to the feelings, needs and fears that may be present in the victims and the community at large as a result of a suspected or confirmed bias incident. All officers shall remember that the actions taken in responding to suspected or confirmed bias incidents are visible signs of concern and commitment to the citizens of the communities it serves.

NJ TRANSIT police shall conduct a thorough and complete investigation on all suspected or confirmed bias incidents and shall cooperate with the county prosecutor in the prompt and appropriate prosecution of these matters.

Attorney General's Executive Directive No. 1987-3 presently requires all New Jersey law enforcement agencies to report confirmed bias incidents through the Division of State Police Uniform Reporting System.

V. OFFICE OF BIAS CRIME AND COMMUNITY RELATIONS

The Office of Bias Crime and Community Relations in the Division of Criminal Justice shall be the office for statewide investigation and monitoring of bias incidents, and all law enforcement agencies shall give them full cooperation. Whenever local and county law enforcement authorities need assistance regarding bias incidents, the Office of Bias Crime and Community Relations shall be contacted. That office will then coordinate appropriate additional resources with the requesting agency.

To facilitate inter-agency cooperation, the Office of Bias Crime and Community Relations shall be notified as soon as possible, but in no event later than 24 hours after the **NJ TRANSIT** Police gains knowledge of a suspected or confirmed bias incident. This requirement shall be in addition to notification of the County Prosecutor's Office within the same time period as set forth in Section VIII-B of this General Order.



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The NJ TRANSIT Police shall report all suspected and confirmed bias incidents to the Office of Bias Crime and Community Relations by telephone, facsimile or pager numbers as provided within this section. The Central Communications Center (CCC) Supervisor shall be responsible for contacting the Office of Bias Crime and Community Relations in the Division of Criminal Justice and the respective County Prosecutor's Office as soon as knowledge of a bias incident within the NJ TRANSIT Police Department's jurisdiction is discovered. The CCC Supervisor shall provide a synopsis of the incident as well as the Department Complaint Number and a Point of Contact at the individual Command in which the incident occurred. The individual NJ TRANSIT Police Department Command, in which the bias incident occurred, will be responsible for faxing all required completed documents on the bias incident to the Office of Bias Crime and Community Relations and the respective County Prosecutor's Office within 24 hours of the incident.

Notwithstanding the above, the Office of Bias Crime and Community Relations shall be notified immediately of all suspected or confirmed bias incidents that involve:

- Homicide, rape, aggravated assault or arson
- A law enforcement officer as the alleged perpetrator
- An organized hate group as the perpetrator
- Incidents that have the potential to generate large scale unrest.

This requirement shall be in addition to notification of the County Prosecutor's Office and the Central Security Bureau of the New Jersey State Police as set forth in Section VIII-C of this General Order. The CCC Supervisor shall be responsible for the immediate notification regarding incidents with the above criteria. The New Jersey Transit Police Detective Bureau Supervisor will provide a follow-up contact and fax the required completed reports to the Office of Bias Crime and Community Relations and the respective County Prosecutor for those bias incidents which meet the above criteria.

Using the following information, NJ TRANSIT Police personnel shall make notification to the Office of Bias Crime and Community Relations at:

Office of Bias Crime and Community Relations

***Bias Crimes Duty Phone (Police Personnel Only): (609) 273-9243
Fax: (609) 633-7798***

Email Address for Electronic Submission of Reports: [NJBias@njdcj.org](mailto: NJBias@njdcj.org)

All Officers shall use the "State of New Jersey, Department of Law and Public Safety Supplementary Bias Incident Offense report for facsimile notification.



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VI. RESPONSE TO A BIAS INCIDENT

For New Jersey Law Enforcement purposes, bias incident offenses are:

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| 1. Murder | 12. Sex Offenses |
| 2. Manslaughter | 13. Exposing Another to Threat of Violence Defacing Property(2C:33-11) |
| 3. Rape | 14. Weapons Offense |
| 4. Robbery | 15. Terroristic Threats |
| 5. Aggravated Assault | 16. Trespass |
| 6. Burglary | 17. Disorderly Conduct (2C:33-10) |
| 7. Larceny-Theft | 18. Harassment |
| 8. Simple Assault | 19. Desecration of Venerated Objects |
| 9. Fear of Bodily Violence | 20. All Other Bias Incidents |
| 10. Arson | |
| 11. Criminal Mischief | |

Some suspected bias incidents might not clearly fit the described definition. In those cases a common sense approach to the incident must be used. If an incident appears to be bias based, it should be investigated as such. Verification of motive and intent can be made during the ensuing investigation.

NJ Transit Police Officers must recognize that a single bias incident may initially appear as less serious when viewed in the larger context of all crime. Nonetheless, any suspected or confirmed bias incident is serious by its very nature. What may appear to be a minor incident can easily escalate into a larger order maintenance problem or public safety concern.

1. General Role and Responsibilities of the Law Enforcement Chief Executive
 - a. Ensure that all officers of the NJ TRANSIT Police Department receive appropriate training in bias incident response and investigation.
 - b. Ensure that an appropriate initial Department response is provided to all suspected or confirmed bias incidents and that a complete follow-up investigation is carried out, as appropriate.
 - c. Ensure that security is increased in the affected area, as appropriate and personally visit the victim of a bias incident, or designate an officer to do so.
 - d. Ensure that the bias incident investigation is actively pursued to a successful conclusion or until all leads have been considered.
 - e. Ensure that all relevant information regarding suspected or confirmed bias incidents are shared with the county prosecutors, the Division of State Police Central Security Bureau, and the Office of Bias Crime and Community Relations within a reasonable period of time, as prescribed.



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- f. Ensure that victim/witness service referrals are made in a timely manner, as appropriate.
- g. Enlist the aid of religious, community business, and educational groups as well as other community leaders in an effort to moderate the impact of the bias incident, to reduce the potential for counter-violence and to promote good police community relations.
- h. Ensure that community relation's activities and crime prevention programs are conducted; maintain contact with community leaders concerning the bias incident, as appropriate.
- i. Conduct appropriate media relations. Prepare accurate and timely public information news releases, as appropriate.
- j. Ensure that all confirmed bias incidents are reported as required to the Uniform Crime Reporting System using the Division of State Police Uniform Crime Reporting procedures and report forms. The *Intelligence Section* will be responsible for reporting all bias incidents to the UCR System within seven (7) days of the incident.
- k. Ensure that victims and other concerned parties are informed of the final disposition of the incident.

2. Initial Response to a Bias Incident

This section is designed to provide a practical approach for the initial response to a reported bias incident and the initial investigation of suspected or confirmed bias incidents.

Bias incidents may generate fear and concern among victims and the community. These incidents have the potential of recurring, escalating and possibly causing counter-violence. Therefore, bias incidents require a thorough and comprehensive law enforcement response.

a. Responding Officer:

When the initial responding officer arrives on the scene and determines that the situation may involve a bias incident, the officer will:

- Establish the correct jurisdiction of occurrence of the incident.
- Notify the supervisor for final determination.
- If not NJ TRANSIT jurisdictions, notify the local jurisdiction of the incident.
- Apprehend the actor (if applicable).
- Approach victims in a sensitive and supportive manner.



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- Reassure the victim that appropriate investigative and enforcement methods will be utilized to properly address the incident.
- Provide assistance to the victim.
- Protect the crime scene in preparation for the gathering of evidence.
- Request that a law enforcement supervisor respond to the scene.
- Conduct a standard preliminary investigation.
- Refer the victim/witness to the County Prosecutor's Office of Victim-Witness Advocacy as appropriate.
- Obtain the names and addresses of all persons who witnessed or who are acquainted with the circumstances of the incident. All such persons should be questioned in detail.
- Prepare a standard investigation report and the UCR Bias Incident Offense Report. Document the basic facts and circumstances surrounding the incident and provide CCC with the following information to include:

1. Name, address, telephone numbers and other information regarding the victim and witnesses.
2. Where the incident occurred.
3. Person and/or property targeted.
4. How targeted.
5. Means of attack / time of incident.
6. Method of operation, trademark, or unusual characteristics of incident.
7. Any and all other relevant information provided by the victim and witness.

b. Responding Supervisor:

Upon arriving to the scene of a suspected or confirmed bias incident, the supervisor will:

- If not NJ TRANSIT jurisdiction coordinate the investigation with the proper jurisdiction to determine which police agency will conduct the investigation and complete the initial report as well as the UCR Bias Incident Offense Report.
- This information should be reflected in the supervisor's report.
- If NJ TRANSIT'S jurisdiction, supervise the preliminary response and investigation.
- Confer with initial responding officer.
- If needed, assist with the stabilization of the victim or witness.
- Ensure that the crime scene is properly protected and preserved.
- Take steps to insure that the incident does not escalate.
- Determine if additional personnel is required to provide complete public safety services.



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- Arrange for an immediate increase of patrols throughout the affected area, as appropriate.
- If the potential exists for further acts of violence or damage to property, arrange for officers to be assigned to the location of the incident in a fixed post/position.
- Attempt to verify if the occurrence is a confirmed bias incident by using the guidelines outlined in this General Order. Verification assistance should be provided by other levels of command and/or additional investigative personnel, as required.
- Request that investigative personnel respond to the scene if a bias incident is suspected or confirmed.
- Notify headquarters and other levels of command regarding the facts and circumstances surrounding the incident.
- Ensure that reporting officer notifies CCC with all necessary information regarding the incident to insure proper notification to the Office of Bias Crime and Community Relations and the County Prosecutor's Office.
- Ensure that the necessary basic information is obtained in order to sustain a follow-up investigation.
- Ensure that all initial response reports are properly completed as soon as possible and faxed to the required agencies.
- Ensure that all reports are sent forward to the Records Section within seven (7) reporting days for distribution to the *Intelligence Section*.

c. Bias Incident Follow-up Investigation

This section outlines the follow-up investigation of a reported bias incident. This section is designed to provide a practical approach to the continuing investigation of suspected or confirmed incidents.

Trained Detectives or Investigators should conduct bias incident follow-up investigations; however, a number of officers who are not Detectives or Investigators may become involved in a typical investigation.

Bias incident Investigations shall be given the appropriate degree of priority treatment. Follow-up Investigations and community relations activities shall be timely and comprehensive. The victim shall be kept informed of the progress of the investigation. Referrals to the appropriate support services shall be made as required.

Much of the work of the investigator will involve working with people from diverse backgrounds and orientations. The investigator must be able to show compassion and sensitivity toward the plight of the victim while gathering the evidence needed for juvenile or adult prosecution.



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Victims of bias incidents, like other victims of crime, tend to experience emotional stress as a result of their victimization. A perceived level of threat or personal violation due to the special nature of the bias incident may heighten this stress.

Investigators assigned to handle bias incident cases should have background in working with sensitive cases. They should also have experience in handling community relations problems. In any case where language is an issue, investigators fluent in that particular language should be assigned to assist in the investigation.

d. Investigator Responsibilities

Investigative personnel shall respond to the scene of a suspected or confirmed bias incident as directed by supervisory personnel. When the investigator arrives on the scene and determines that the situation may be a bias incident, he or she shall:

- Assume control of the bias incident follow-up investigation.
- Ensure that the scene of the bias incident is properly protected and preserved.
- Conduct a thorough and comprehensive follow-up criminal investigation. Continue bias incident verification procedures following the guidelines for confirming bias incidents outlined in **Section VI**, of this General Order, as necessary.
- Ensure that the scene of the bias incident is properly documented, searched and evidence gathered for analysis as required.
- The documentation of the crime scene should include the taking of samples of physical evidence, the securing and transporting into custody of related movable evidence and photographing the crime scene as appropriate.
- Interview all victims and witnesses, canvass the community to identify other victims and witnesses and conduct additional interviews as necessary.
- Conduct surveillance and other appropriate investigative activities in order to obtain additional evidence and to identify suspects.
- Contact other appropriate law enforcement agencies for assistance, as required.
- Notify the County Prosecutor’s office as soon as possible, not to exceed twenty-four (24) hours. Work closely with the County Prosecutor to ensure that legally sufficient cases are presented for prosecution.
- Assist the victim/witness in obtaining appropriate support services.
- Prepare standard investigative reports documenting the bias incident investigation, as appropriate.



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- Ensure that all confirmed bias incidents are reported to the Uniform Crime Reporting System using Division of State Police Uniform Crime Reporting procedures and report forms.
- Assist with community relation's activities and crime prevention programs, as appropriate.
- Determine the primary elements of the incident and obtain information necessary to complete the data.
- Uniform Crime Supplementary Bias Incident Offense Report. The primary elements of the investigation include:

1. **Person(s) Targeted**

This includes the name, address, telephone number, personal background and other details of the victim(s).

2. **Object (s)Targeted**

This includes details on the type of premises, building or institution against which the offense was committed (private premises, public property, or property primarily used for religious, educational, residential, memorial, charitable, or cemetery purposes, or the assembly of persons of a particular race, color, religion, sexual orientation or ethnicity).

3. **How Targeted**

This includes the way in which the person or property was attacked or damaged (assaulted, put in fear of bodily violence by placing on public or private property a symbol, an object, a characterization, an appellation or graffiti that exposes another to threats of violence, contempt or hatred on the basis of race, color, creed, or religion, defacement or damage by placing of a symbol, an object, a characterization, an appellation or graffiti that exposes another to threats of violence, contempt or hatred on the basis of race, color religion, sexual orientation or ethnicity).

4. **Means of Attack**

This includes the instrument, tool, device, or method by which the person or property is attacked or damaged.

5. **Time and Date**

This includes both the time and date reported and the actual time and date the offense was committed.



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6. **Trademark**

This includes the M.O. or individual identifying characteristics of the bias incident that may serve to distinguish the offense from others committed in the same fashion. This element is helpful in connecting a suspect with past incidents. If a series of bias incidents has occurred, these investigative elements will be crucial in developing an operating pattern and in identifying suspects. This investigative process will also assist in identifying participation of organized hate groups.

Investigators should ensure that all physical remains of the incident are removed after crime scene processing is completed. If remains cannot be physically carried away (example: paint on walls) the appropriate level of command should attempt to notify building or property owners regarding the need for complete removal as soon as possible after the crime scene has been fully processed.

Community leaders and organizations are important resources during any bias investigation. These resources can help to broaden the investigator's understanding of the incident. They can also help to convince uncooperative victims and witnesses to cooperate with investigators and encourage more victims to report bias incidents.

Investigators shall be sensitive to the safety concerns of victims and witnesses, and arrange for appropriate security measures to be implemented to protect persons and property.

Additionally, investigators should be generally familiar with various forms of bias incidents and with hate groups operating within the State of New Jersey. **The Division of State Police Central Security Bureau** can provide information and assistance regarding organized hate groups. **Refer to Section VIII, (c) of this policy for notification procedures.**

VII. **GUIDELINES FOR CONFIRMING BIAS INCIDENTS**

To assist law enforcement officers in confirming whether a suspected bias incident is actually motivated by bias, the following criteria shall be applied. These criteria are not all inclusive. Common sense and good judgment must also be applied in the final determination.

If after applying the following criteria and asking the appropriate questions, a suspected bias incident cannot be definitely determined to be any other type of incident or is a borderline case, it should be confirmed as a bias incident for continuing investigation purposes.



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a. Motive

- The absence of any other apparent motive for the bias incident.
- Display of any bias symbols, words, graffiti or other types of evidence.
- A common sense review of the facts and circumstances surrounding the incident. Consider the totality of the circumstances. **(Review N.J.S.A. 2C:33-11)**.
- How the victim feels about the incident.
- Statements made by the suspect(s) and/or witness(es).
- Prior history of similar incidents in the same area affecting the same victim or group.

When the above criteria is applied, it may be helpful to ask the following questions:

- Is the victim from a particular racial, religious, or ethnic group and the suspect from another?
- Did the incident occur solely because of a racial, religious, sexual orientation or ethnic difference between the victim and actor, or for other reasons?
- Is the victim the only member of a particular race, religion, sexual orientation or ethnic group in the neighborhood or one of a few?
- Did the victim recently move into the area?
- Is the victim acquainted with neighbors and/or associated with local community groups?
- What was the trademark (M.O. of the actor)? Is it similar to other documented bias incidents?
- Has the victim experienced past or repeated incidents of a similar nature?
- Is there a connection between the date of the incident and holidays, school activities or other special public discussions or events?
- Has there been prior or recent media coverage of similar incidents?
- Is there an ongoing neighborhood problem that may have contributed to the event? Could the act be retribution for some conflict with neighbors or area juveniles?
- Does the M.O. signify a "copy cat" syndrome of other incidents?
- Is there an organized hate group indicated in the incident? Was there literature involved and if so what type was it? Is there any documented or suspected organized hate group activity in the area?
- Was there a real intention of the actor to commit a bias incident or were there other motives?
- Does the actor have a true understanding of the impact of the bias incident on the victim?
- Was the victim put in fear or feel threatened due to the incident?



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VIII. INTER-AGENCY COOPERATION

The overall effectiveness of law enforcement agencies responding to bias incidents can be enhanced through policies that promote inter-agency law enforcement cooperation. The impact that inter-agency cooperation and training can have upon the bias incident problem can be much greater than that of a single agency.

When communities are experiencing multi-jurisdictional patterns of bias incidents, law enforcement agencies shall develop a multi-agency coordination approach to the investigation.

a. Division of Criminal Justice

The Division of Criminal Justice as part of the Department of Law and Public Safety, under the authority of the Attorney General, has the broad responsibility of overseeing the criminal justice process and the law enforcement function through interaction with various levels of government in order to secure the benefits of a uniform and efficient enforcement of the criminal law and administration of criminal justice.

The Division of Criminal Justice has brought about significant criminal justice reforms through proposing legislative initiatives, and providing law enforcement education and training programs and management assistance to law enforcement. The Division of Criminal Justice also has the expertise and resources to initiate and conduct complex investigations and prosecute all forms of criminal activity.

b. County Prosecutor's Office

The prosecutor is the chief law enforcement officer of the county and is charged with the duty of faithfully enforcing the law by using all reasonable and lawful means to detect, arrest, indict and convict offenders. The prosecutor's duties include providing countywide law enforcement leadership and assisting and supplementing law enforcement agencies within one's jurisdiction with personnel and investigative resources, as necessary.

The county prosecutor's office shall be notified of a suspected or confirmed bias incident as soon as possible, not to exceed 24 hours. The county prosecutor's office shall monitor the investigation of all suspected or confirmed bias incidents, within one's jurisdiction, as necessary.

Further, the chief law enforcement executive or his/her designee shall contact the county prosecutor's office for legal advice and investigative assistance, as necessary.



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c. Division of State Police Central Security Bureau

The Division of State Police, as part of the Department of Law and Public Safety, under the authority of the Attorney General, maintains the Central Security Bureau. It is the responsibility of the Civil Affairs Unit of the Central Security Bureau, Intelligence Services Section to investigate, among other things, bias incidents perpetrated by known hate groups operating in the State of New Jersey.

The Central Security Bureau is available to assist local and county law enforcement authorities with specific investigations when it is determined that the Division of State Police assistance is required. Requests for the Division of State Police assistance should be directed to the Supervisor of the Central Security Bureau, Intelligence Services Section.

Although this problem cannot be completely remedied, constant vigilance is crucial and will continue to remain a priority of the Central Security Bureau.

Notification of Central Security Bureau:

The Division of State Police Central Security Bureau has established the following notification procedure to be followed when:

- A bias incident occurs and an organized hate group is suspected of being responsible.
- A bias incident has potential to generate large-scale unrest.
- Local and county law enforcement authorities request assistance with the investigation of any bias incident.

During normal working hours, the supervisor of the Central Security Bureau can be reached at telephone number **(609) 530-5710**.

After normal working hours, holidays and weekends, contact Division of State Police Headquarters at (609) 882-2000 and request that the Supervisor of the Central Security Bureau be contacted.

d. Division on Civil Rights

The Division on Civil Rights, as part of the Department of Law and Public Safety, under the authority of the Attorney General, is responsible for the enforcement of New Jersey's Law Against Discrimination and for investigations of violations of this law. Further, the Division on Civil Rights is mandated to eliminate and prevent discrimination and prejudice, and to promote good will among the diverse population of New Jersey.



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In 1945, New Jersey adopted a law, which established a state agency responsible for addressing discrimination by employers, employment agencies and labor organizations.

Over the years, New Jersey's anti-discrimination laws have been expanded to include discrimination in areas relating to employment, housing, public accommodations and business transactions. In some cases, discrimination matters may be elements of suspected or confirmed bias incidents. Further reports of a bias incident may later prove to be violations of New Jersey's Law Against Discrimination.

When a law enforcement agency is confronted with suspected or confirmed violations of New Jersey's Law Against Discrimination, the Division on Civil Rights shall be contacted.

In addition to enforcement and investigative responsibilities, the Division on Civil Rights can provide the following services to law enforcement agencies upon request:

- Education and training relating to Law Against Discrimination.
- Mediation and conciliation of community conflicts relating to bias incidents and discrimination.
- Civil rights sensitivity seminars.
- Speaker's bureau (English/Spanish).
- Literature, training, publications and exhibits relating to civil rights and the Law Against Discrimination.
- Twenty-four hour bilingual hotline and mobile information unit.

Many of these services are available in bilingual format. Additional information about these services and programs can be obtained from Division on Civil Rights branch offices or the Division on Civil Rights administrative office in Trenton.

IX. COMMUNITY RELATIONS

It is the objective of community relations to maintain a strong cooperative relationship between citizens and law enforcement through planned community-wide programs and open dialogue between law enforcement and the community it serves. Bias incidents require community relations strategies that integrate the goals and objectives of law enforcement with community needs and concerns.

A greater understanding and cooperation between law enforcement and citizens of the community must be developed in order to prevent bias incidents from occurring. Careful consideration shall be given to developing the specific functions and responsibilities of the police community relations effort.



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Officers involved in community relations activities must have knowledge of the composition of the community. Community relations officers must maintain contact with community groups in an effort to understand the needs and interests of the various segments of the community.

An agency initiated community relations program should be designed to offer an opportunity for law enforcement, other public, private agencies and individuals in the community to discover their common goals, interests, problems, ambitions and responsibilities to work together toward the solution of community problems.

Elements of Police Community Relations:

- Conduct in-service bias incident police community relations training for agency personnel.
- Publicly announce the agency's bias incident investigation policy. Explain that the public should immediately contact the police when a bias incident occurs.
- Meet with residents and neighborhood groups in areas where suspected or confirmed bias incidents have occurred or may potentially occur.
- Maintain liaison with community leaders, civil groups and social service agencies, religious and professional organizations and public, private and parochial schools.
- Organize police community relations programs that reflect the needs of the community.
- Assist in developing cooperative programs that involves the law enforcement agency with other community organizations.
- Conduct bias incident awareness and education programs in the school system and throughout the community, as appropriate.
- Coordinate police community relations activities with crime prevention programs.

a. Bias Incident Crime Prevention Programs

Law enforcement agencies shall establish specific crime prevention policies and programs that serve to prevent and suppress bias incidents. These policies and programs may be integrated into existing crime prevention programs.

A crime prevention program should be proactive. While it is recognized that all bias incidents cannot be anticipated or prevented, crime prevention services shall be provided for each suspected or confirmed bias incident, as appropriate.

Elements of Bias Incident Crime Prevention Programs:

- Bias incident prevention, education and awareness, to include programs that provide an understanding of the nature and causes of bias incidents and the resulting impact on the victims and the community.



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- Crime analysis, to include the recognition of bias incident crime patterns.
- Neighborhood Watch, to include identifying the purpose and principles of crime awareness and timely reporting of suspect activity to the police presented through lectures with handout literature and information displays.
- Residential security, to include discussion of physical security measures and conducting on-site residential security surveys.
- Commercial, institutional and school security, to include discussion of physical security measures and the conducting of on-site commercial, institutional and school security surveys.
- Environmental design techniques, to include target hardening and lighting considerations for existing buildings and new construction.
- Criminal mischief prevention, to include discussion of vandalism prevention through security measures and juvenile/adult education.
- Personal protection procedures, to include crime avoidance and confrontation response procedures.
- Crime prevention for senior citizens, to include identifying crimes to which older persons are particularly vulnerable and discussion of crime prevention measures for senior citizens.

X. BIAS INCIDENT VICTIM / WITNESS SERVICES

Bias incidents terrify and damage victims. All law enforcement should consider these victims as victims of legitimate need who require special consideration. Each County Prosecutor's Office has a Victim-Witness Advocacy Program (**see attachment 1**) through which the County Victim-Witness Coordinator and other trained personnel offer assistance, advice and counseling to victims or witnesses of crime.

The following treatment and support services are available to a victim or witness during the criminal investigation and this applies to all law enforcement officers:

Information:

- Victims shall be informed of their right to submit a written statement about the impact of the crime to a representative of the county prosecutor's office, which shall be considered prior to the prosecutor's decision concerning what formal criminal charges will be filed.
- Victims shall be provided with information about the criminal justice process. Brochures about the criminal justice process and victim rights information shall be displayed in police stations.
- Face to face case specific explanation of the justice system and process shall be provided. Victims shall be provided with information about victim compensation.



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- Procedures shall be established to ensure that victims are periodically informed of the status and closing of investigations. Victims will be advised of any arrest, bail and pretrial release as soon as possible.
- Information shall be provided on the status of any property stolen or removed as well as procedures and regulations governing property return.

Treatment:

- Accompaniment to line-ups, photo review sessions, body identifications and medical examination required for evidence.
- Victim interviews shall be conducted in as secure, private and pleasant surroundings as available. An interpreter shall be made available when the victim does not speak English. The victim will be allowed to use the telephone at the station if needed.
- A victim must receive immediate medical care for injuries. If the victim requests medical attention, it shall be provided through on-site first-aid, call for ambulance and/or transport to a medical facility.
- Procedures shall be established to ensure that medical examinations required for evidence are paid for directly by the law enforcement agency or through eligible claims to the Violent Crimes Compensation Board. Every effort shall be made to minimize inconvenience to the victim.
- Whenever possible, appointments shall be scheduled at the convenience of the victim. Victims and witnesses shall not be forced to wait for long periods of time to be interviewed. Whenever possible, limitations shall be placed on the number of times the victim must repeat the facts surrounding the offense.
- Property return shall be accomplished within 30 days unless evidentiary requirements prevail (**not applicable to firearms**).



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Protection:

- A high priority shall be given to investigating victim reports of threats of intimidation and these reports shall be promptly forwarded to the county prosecutor.
- Victims and witnesses should be encouraged to report any incident of intimidation or harassment. Victims shall be informed of available responses to intimidation including bail revocation, additional charges, and escort to court.
- Restraining orders should be sought as a condition of bail and prepared with the complaint, as appropriate.

Services:

- Crime scene assistance capability to include emergency referrals or direct assistance for medical care, shelter, relocation, food, clothing and childcare.
- Crisis intervention counseling provided by trained in-service personnel, 24 hour hotlines and victim assistance agencies.
- Assistance with completing compensation forms and filing the claim.
- Social service resource directory maintained for referral and referrals to the appropriate County Prosecutor's Office of Victim-Witness Advocacy (**see attachment 1**).

XI. TRAINING

Training and education are an important part of contemporary law enforcement efforts. Law enforcement chief executives must ensure that all law enforcement officers under their command receive appropriate training in each operational area set forth in this General Order.

The Division of Criminal Justice Police Training Commission Agency Training Manual contains a section entitled "Guidelines for Determining Training Needs". This document should be used to plan and implement law enforcement training programs. Individual copies of this document are available from the Division of Criminal Justice-Police Bureau.



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Basic Course:

- The Basic Training Course for Police Officers is based on performance objectives formulated after a task analysis study was conducted to identify the duties performed by law enforcement officers.
- The Basic Course for Police Officers is managed by the Division of Criminal Justice-Police Bureau and contains functional training areas that relate to bias incidents.
- Since February 26, 1988 the Attorney General has included training regarding bias incident investigation standards in the Basic Course for Police Officers.
- Appropriate functional areas from the bias incident training course can be obtained from county police academies or the Division of Criminal Justice Police Bureau for use by law enforcement agencies to conduct in-service training.

In-service Training:

- Providing for adequate in-service training programs based on the needs of a law enforcement agency can improve performance levels and contribute to the proper functioning of the agency.
- In conjunction with this effort, the Anti-Defamation League of B'nai B'rith (ADL) developed a training video initiative entitled "Hate Crime – A Training Video for Police Officers".
- The Division of Criminal Justice Police Bureau conducts and coordinates in-service training programs that relate to bias incident response and investigation. Subjects covered include: The Basic Course for Investigators, Basic Arson Investigators Course, Police Executive Crime Prevention Training and Civil Liability for Police Officers.



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ATTACHMENT 1

Offices of Victim-Witness Advocacy

Atlantic County Prosecutor's Office
Office of Victim-Witness Advocacy
1470 19th Avenue
P.O. Box 2002
Mays Landing, New Jersey 08830
(609) 704-7850

Gloucester Prosecutor's Office
Office of Victim-Witness Advocacy
Justice Complex Hunter & Euclid Streets
P.O. Box 623
Woodbury, New Jersey 08096
(856) 384-5577

Bergen County Prosecutor's Office
Office of Victim-Witness Advocacy
215 Court House
Hackensack, New Jersey 07601
(201) 646-2057 (201) 646-2964

Hudson County Prosecutor's Office
Office of Victim-Witness Advocacy
Admin. Building 595 Newark Avenue
Jersey City, New Jersey 07306
(201) 795- 6508

Burlington County Prosecutor's Office
Office of Victim-Witness Advocacy
49 Rancocas Road
Mt. Holly, New Jersey 08060
(609) 265-5048

Hunterdon County Prosecutor's Office
Office of Victim-Witness Advocacy
8 Court Street, P.O. Box 7056
Flemington, New Jersey 08822
(908) 788-1403

Camden County Prosecutor's Office
Office of Victim-Witness Advocacy
25 North 5th Street
Camden, New Jersey 08102
(856) 225-8431

Mercer County Prosecutor's Office
Office of Victim-Witness Advocacy
Court House, P.O. Box 8068
Trenton, New Jersey 08650
(609) 989-6428 (609) 989-6274

Cape May County Prosecutor's Office
Office of Victim-Witness Advocacy
DN-110 Central Mail Rm.
Cape May Court House, New Jersey 08210
(609) 465-1163

Middlesex County Prosecutor's Office
Office of Victim-Witness Advocacy
Administration Building, P.O. Box 71
New Brunswick, New Jersey 08903
(201) 745-3394

Cumberland County Prosecutor's Office
Office of Victim-Witness Advocacy
43 Fayette Street, CN-01
Bridgeton, New Jersey 08302
(856) 453-0486

Monmouth County Prosecutor's Office
Office of Victim-Witness Advocacy
71 Monument Park
Freehold, New Jersey 07728-1261
(201) 431-6459

Essex County Prosecutor's Office
Office of Victim-Witness Advocacy
Essex County Courts Building
Newark, New Jersey 07102
(973) 621-4687

Morris County Prosecutor's Office
Office of Victim-Witness Advocacy
Administration & Records Bldg
P.O. Box 900
Morristown, New Jersey 07963
(201) 285-6200 ext. 6309



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ATTACHMENT 1

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Offices of Victim-Witness Advocacy

Ocean County Prosecutor's Office

Office of Victim-Witness Advocacy
Court House, P.O. Box 2191
Toms River, New Jersey 08754

Sussex County Prosecutor's Office

Office of Victim-Witness Advocacy
19-24 High Street
Newton, New Jersey 07860
(201) 383-1570 ext.15

Passaic County Prosecutor's Office

Office of Victim-Witness Advocacy
401 Grand Street
Paterson, New Jersey 07505
(973) 881-4340

Union County Prosecutor's Office

Office of Victim-Witness Advocacy
County Administration Building
Elizabeth, New Jersey 07207
(201) 527-4596

Salem County Prosecutor's Office

Office of Victim-Witness Advocacy
87 Market Street
P.O. Box 462
Salem, New Jersey 08079
(856) 935-7510 ext. 8526

Warren County Prosecutor's Office

Office of Victim-Witness Advocacy
Court House 2nd Street
Belvidere, New Jersey 07823
(908) 475-6271

Somerset County Prosecutor's Office

Office of Victim-Witness Advocacy
Administration Building
P.O. Box 3000
Somerville, New Jersey 08876
(908) 575-3359

Violent Crimes Compensation Board

50 Park Place
Newark, New Jersey 07102
1-877-658-2221

Victim-Witness Hotline

(800) 242-0804

State Office of Victim-Witness Advocacy

State Office of Victim-Witness Advocacy
Division of Criminal Justice
P.O. Box 085
Trenton, New Jersey, 08625
(609) 292-5553



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ATTACHMENT 2

Division of Civil Rights Branch Offices

1. Atlantic City
26 Pennsylvania Ave. 3rd Floor
Atlantic City, New Jersey 08701
(609) 441-3100
2. Camden
1 Port Center 4th Floor
2 Riverside Drive
Suite 462
Camden, New Jersey 08103
(856) 757-2850
3. Newark
31 Clinton Street
PO Box 46001
Newark, New Jersey 07102
(973) 648-2700
4. Paterson
100 Hamilton Plaza 8th Floor
Paterson, New Jersey 07205-2109
(201) 977-4500
5. Trenton
140 East Front Street 6th Floor
PO Box 090
Trenton, New Jersey 08625-0090
(609) 292-4605
6. Jersey City (walk in office only) Neighborhood Office
3rd Floor of the Hudson County Resource Center
574 Newark Ave.
Jersey City, New Jersey 07306

By Order of: Christopher Trucillo
Chief of Police