



Sheriff
Frank Bova

CUYAHOGA COUNTY SHERIFF'S DEPARTMENT ETHNIC INTIMIDATION AND HATE CRIME POLICY 203

PURPOSE

The Cuyahoga County Sheriff's Department ("CCSD") recognizes and places a high priority on the rights of all individuals guaranteed under the Constitution and the laws of Ohio. When such rights are infringed upon by violence, threats, or other harassment, this department will utilize all available resources to see that justice is served under the law. This policy has been developed to meet or exceed the provisions of the Ohio Revised Code ("ORC") and provides members of this department with guidelines for identifying and investigating incidents and crimes that may be motivated by hatred or other bias.

DEFINITIONS

Ethnic Intimidation – a violation of a specific set of laws against a person or group of persons by reason of:

- race;
- color;
- religion; or
- national origin¹

Hate Crimes – whether acting under color of law or not, willfully causing bodily injury to any person or, through the use of fire, a firearm, a dangerous weapon, or an explosive or incendiary device, attempts to cause bodily injury to any person, motivated by a victim's actual or perceived:

- race;
- ethnicity;
- religion;
- sex;
- sexual orientation;
- gender identity; or
- disability²

POLICY

While it is recognized that not all crime can be prevented, CCSD is committed to taking a proactive approach to preventing and preparing for ethnic intimidation and hate crimes by the following:

¹ ORC § 2927.12 Ethnic Intimidation

² 18 U.S.C. § 245 Hate Crime Acts

- establish contact with persons and groups within the community who are likely targets of ethnic intimidation and hate crimes to form prevention and response networks; and
- provide victim assistance and follow-up as outlined below

PROCEDURE

Whenever any member of CCSD receives a report of a suspected ethnic intimidation or hate crime, or other activity that reasonably appears to involve a potential ethnic intimidation or hate crime, the following should occur:

- deputy will be promptly assigned to contact the victim, witness, or reporting party to investigate the matter further as circumstances may dictate;
- once aspects of any such situation have been stabilized (e.g., treatment of victims, apprehension of present suspects, etc.), the assigned deputy will take all reasonable steps to preserve available evidence that may tend to establish that ethnic intimidation or a hate crime was involved;
- the assigned deputy will interview available witnesses, victims, and others to determine what circumstances, if any, indicate that the situation may involve a hate crime;
- the assigned deputy will include all available evidence indicating the likelihood of ethnic intimidation or a hate crime in the relevant report(s);
- the assigned deputy should also make reasonable efforts to assist the victim(s) by providing available information on local assistance programs and organizations; and
- the assigned deputy and supervisor should take reasonable steps to ensure that any such situation does not escalate further (e.g. temporary restraining order)

Detective Bureau Responsibility

If a case is assigned to the Detective Bureau, the assigned detective will be responsible for following up on the reported ethnic intimidation or hate crime as follows:

- coordinate further investigation with the Cuyahoga County Prosecutor's Office and other law enforcement agencies, as appropriate (local, state, or federal);
- maintain contact with the victim(s) and other involved individuals, as needed; and
- maintain statistical data on suspected ethnic intimidation and hate crimes and report such data to the U.S. Attorney's office.

DISCLAIMER

This policy is only for CCSD use and is not applicable in a civil or criminal proceeding. The standard of care and safety required of Department personnel and promulgated in this directive is not to replace the legal standard application to civil and criminal proceedings.



Frank Bova
Sheriff