

DOUGLAS COUNTY SHERIFF'S OFFICE		Policy and Procedure
Specific Policies		P&P-B-115
Bias Motivated Crimes		
Effective Date: 01-11-17 Supersedes: 11-12-08	Approval: Sheriff	Number of Pages: 2
References: CRS 18-9-121, 18-6.5-102 (11).	Reevaluation Date: Annually	Standards

I. PURPOSE

This policy is designed to assist employees in identifying crimes motivated by bias toward an individual's race, color, ancestry, religion, national origin, physical or mental disability, or sexual orientation, and to define appropriate steps for assisting victims and apprehending suspects.

II. POLICY

It is the policy of this agency to safeguard the rights of all individuals, regardless of race, color, ancestry, religion, national origin, physical or mental disability, or sexual orientation to be secure and protected from fear, intimidation, harassment, and physical harm caused by the activities of individuals and groups. Any acts or threats of violence, property damage, harassment, intimidation or other crimes designed to infringe upon these rights are viewed very seriously by this agency and will be given high priority. This agency will use resources rapidly and decisively to identify the perpetrators, arrest them, and take vigorous enforcement action.

This Office recognizes the fears and distress suffered by victims of these crimes, the potential for reprisal and escalation of violence, and the far-reaching negative consequences of these acts on the community and the Office. The security and related concerns of the immediate victims as well as their families and others affected by the crime shall be addressed.

III. DEFINITIONS

Bias Motivated Crimes (C.R.S. 18-9-121)

A person commits a bias-motivated crime if, with the intent to intimidate or harass another person because of that person's actual or perceived race, color, religion, ancestry, national origin, physical or mental disability, or sexual orientation, he or she:

- (a) Knowingly causes bodily injury to another person; or
- (b) By words or conduct, knowingly places another person in fear of imminent lawless action directed at that person or that person's property and such words or conduct are likely to produce bodily injury to that person or damage to that person's property; or
- (c) Knowingly causes damage to or destruction of the property of another person.

Commission of a bias-motivated crime as described in paragraph (b) or (c) of this section is a class 1 misdemeanor. Commission of a bias-motivated crime as described in

paragraph (a) of this section is a class 5 felony; except that commission of a bias-motivated crime as described in paragraph (a) is a class 4 felony if the offender is physically aided or abetted by one or more other persons during the commission of the offense.

Race

A group of persons having a relatively constant set of physical traits, such as color of skin, eyes, hair, or facial features that are genetically transmitted by descent and heredity that distinguish them as a distinct division of humankind (e.g., Asians, blacks, whites, etc.).

Ethnic Group

A group of persons who are of the same race or national origin who share a common language, culture, customs, or traditions (e.g., Arabs, Hispanics, etc.).

Religious Group

A group of persons who share the same religious beliefs or lack thereof (e.g. Catholics, Jews, Protestants, Atheists, etc.).

Sexual Orientation

Sexual orientation means a person's actual or perceived orientation toward heterosexuality, homosexuality, bisexuality, or transgender status.

Physical or Mental Disability

Physical or mental disability refers to a disability as used in the definition of the term "person with a disability" in C.R.S. section 18-6.5-102 (11).

By Order of the Sheriff