A hate crime is defined in Nevada law as a crime listed under NRS 193.1675 or NRS 207.185 against another person which is motivated by virtue of the victim's actual or perceived race, color, religion, national origin, physical or mental disability or sexual orientation. Hate crimes are particularly repugnant to the mission of the Nevada System of Education (NSHE) and detrimental to the responsibility of NSHE to provide a safe environment for education, research and service for the NSHE community. In order to insure that all institutions of the Nevada System of Higher Education are prepared to respond to hate crimes that may be committed on its campuses, each institution must adopt a policy and procedure regarding hate crimes. The policy and procedure must include the manner by which the institution or its police services will prevent, respond to and investigate hate crimes.

(B/R 6/08)
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This is a draft it still requires approval from the campus community via a public comment period of at least 30 days.
STATEMENT OF PURPOSE

To establish policies and procedures for preventing, responding to, investigating, and resolving incidents and crimes motivated by bias against individuals, groups, organizations, businesses, or institutions on the basis of actual or perceived race, sex, age, color, national origin, ethnicity, creed, religion, disability, sexual orientation, gender, marital status, pregnancy, veteran status or political affiliation.
ENTITIES AFFECTED BY THIS POLICY

This policy impacts all members of the campus community—students, faculty, and staff at all levels and in all types of roles. This policy also impacts University contractors and visitors.

WHO SHOULD READ THIS POLICY

This policy should be read by all members of the campus community, all entities that do business with the University, as well as periodic and one-time visitors to UNLV.

POLICY

PREAMBLE

Although the expression of an idea or point of view may be offensive or inflammatory to some, it is not necessarily a violation of law or University policy. The University values and embraces the ideals of freedom of inquiry, freedom of thought, and freedom of expression, all of which must be vitally sustained in a community of scholars. While these freedoms protect controversial ideas and differing views, and offensive and hurtful words, they do not protect personal threats or acts of misconduct that violate criminal law or University policy.

The University of Nevada, Las Vegas (“UNLV” or “University”) encourages civility and mutual respect among all members of the community. Any member of the UNLV community who believes he or she has been the target of bias incident(s) or hate crime(s) should make a report to the UNLV Department of Police Services.

The University encourages prompt reporting of bias incident(s) and hate crime(s) so that it can investigate the alleged facts for possible violation(s) of University policy, including the UNLV Student Conduct Code, and allow law enforcement to determine whether an independent investigation for violation(s) of criminal law is warranted.

Statement about false reports to be added here.

BACKGROUND

The Board of Regents requires that all Nevada System of Higher Education (“NSHE”) institutions adopt specific policies and procedures regarding hate crimes and that such policies and procedures must describe the manner in which the institution and/or its police services will respond to and investigate any report of a hate crime because hate crimes are particularly repugnant to the mission of the Nevada System of Higher Education (NSHE) and detrimental to

*References to law, policy, etc., herein are to current/existing ones and will be updated accordingly.
the responsibility of NSHE to provide a safe environment for education, research and service for the NSHE community.

There is no specific statute entitled “Hate Crime” under Nevada law. There is a penalty-enhancement statute, NRS 193.1675. This provision addresses certain crimes, including, but not limited to, mayhem (NRS 200.280), kidnapping (NRS 200.310), sexual assault (NRS 200.366), robbery (NRS 200.380), and battery with intent to commit a crime (NRS 200.400). In the event an individual is convicted of any of the listed crimes in NRS 193.1675, there is the possibility of a sentence enhancement if it is determined by a Court that the crime was committed “because the actual or perceived race, color, religion, national origin, physical or mental disability or sexual orientation of the victim was different from that characteristic of the perpetrator.” However, NRS 193.1675 specifically states that this section does not create a separate offense but provides an additional penalty for the primary offense.

NRS 207.185 makes certain unlawful acts a gross misdemeanor if it is determined that the unlawful act was committed “by reason of the actual or perceived race, color, religion, national origin, physical or mental disability or sexual orientation of another person or group of persons.”

NRS 207.185 provides, "Unless a greater penalty is provided by law, a person who, by reason of the actual or perceived race, color, religion, national origin, physical or mental disability or sexual orientation of another person or group of persons, willfully violates any provision of assault (NRS 200.471), battery (NRS 200.481), older person as victim (NRS 200.5099), harassment (NRS 200.571), stalking (NRS 200.575), breach of peace (NRS 203.010), assembling to disturb peace or commit unlawful act (NRS 203.020), provoking commission of breach of peace (NRS 203.030), unlawful assembly (NRS 203.060), armed association (NRS 203.080), disturbing meeting (NRS 203.090), offenses in public conveyances (NRS 203.100), criminal anarchy (NRS 203.110), commission of act in public building or area interfering with peaceful conduct of activities (NRS 203.119), destruction or damage of property by unlawful assembly (NRS 206.010), entering property with intention to damage or destroy property (NRS 206.040), nuisance in building; trespass upon grounds; disturbing assembly (NRS 206.140), posting of bills, signs or posters unlawful (NRS 206.200), injury to other property (NRS 206.310), threatening or obscene letters or writings (NRS 207.180), unlawful trespass upon land; warning against trespassing (NRS 207.200) or penalty for not closing gates (NRS 207.210), is guilty of a gross misdemeanor."

NRS 179A.175 requires the Director of the State of Nevada Department of Public Safety to establish within the Central Repository for Nevada Records of Criminal History, a program for reporting crimes that manifest evidence of prejudice based on race, color, religion, national origin, physical or mental disability or sexual orientation.

NRS 41.690 affords a civil cause of action for damages resulting from specific criminal violations if the perpetrator was motivated by certain characteristics of the victim.
COMPLAINTS OF DISCRIMINATION

The University EEO/AA Officer enforces the University's anti-discrimination policies. Students, prospective students, employees and applicants are protected from intimidation, coercion, interference, or discrimination for filing complaints or assisting in the investigation of such complaints under all applicable federal and state laws and regulations. The EEO/AA Officer is the "front door" for all complaints of discrimination. If after conducting an investigation of the charges disciplinary action is warranted, the case is referred to the appropriate administrative officer for disciplinary action. For more information on the EEO/AA Officer and discrimination complaint process, go to:

http://hr.unlv.edu/Diversity/complaints.html

STANDARDS OF CONDUCT

The behavior of all members of the University community is governed by the Nevada System of Higher Education (NSHE) Code. The behavior of University students is also governed by the UNLV Student Conduct Code.

The NSHE Code and the UNLV Student Conduct Code list acts, which are prohibited and that may result in conduct sanctions, some of which, depending on the facts, may apply to incidents of bias.

For more information on the NSHE Code and relevant procedure go to T2-CH06-Rules and Disciplinary Procedures for Members of the University Community, Except DRI located at:

http://system.nevada.edu/Board-of-R/Handbook/TITLE-2---/index.htm

For more information on the UNLV Student Conduct Code and relevant procedure, go to:

http://studentlife.unlv.edu/judicial/StudentConductCode.pdf

The University's definition of a "bias incident" is broader than the state and federal laws governing hate crimes. For information on federal hate crime legislation and the FBI's enforcement of it, go to:

http://www.fbi.gov/hq/cid/civilrights/hate.htm
RELATED DOCUMENTS

APPENDIX A

List of Relevant UNLV Resources (in order of reference in the policy)

Department of Police Services
EEO/AA Officer
Office of Human Resources
Office of Student Conduct
Office of the Vice President for Student Affairs
Office of the Vice President for Diversity & Inclusion
Conflict Resolution Network
Institute for Multicultural Education and Diversity Training

Additional Relevant UNLV Resources

Conflict Resolution Network
Disability Resource Center
Equity Compliance and Education Council
Jane Nidetch Women’s Center
Office of Student Diversity Programs and Services
Representative to the NSHE Equity, Diversity, and Inclusion Council (EDIC)
Student Counseling and Psychological Services
Student Health Center
Vice Presidential Commission for Diversity and Inclusion

(Contact information to be added)

CONTACTS

VICE PRESIDENT FOR STUDENT AFFAIRS
CHIEF OF POLICE
VICE PRESIDENT FOR DIVERSITY & INCLUSION
DEFINITIONS

For the purposes of this policy (and embedded procedure) only:

A. “Bias Incidents” refers to verbal, written or physical acts of harassment, intimidation or discrimination motivated, in whole or in part, by bias based on actual or perceived race, sex, age, color, national origin, ethnicity, creed, religion, disability, sexual orientation, gender, marital status, pregnancy, veteran status or political affiliation. Such acts, although in violation of applicable University codes of employee and/or student conduct may or may not violate state or federal statutes. Suspected bias incidents committed within their jurisdiction may be investigated by the UNLV Department of Police Services and/or referred to the appropriate administrative officer for review and possible disciplinary action.

B. “Hate Crime” refers to any criminal offense committed against a person or property that is motivated, in whole or in part, by an offender’s bias against race, religion, disability, ethnic/national origin identity or sexual orientation identity. Suspected hate crimes committed within their jurisdiction shall be reported to and investigated by the UNLV Department of Police Services and, when appropriate, referred to the appropriate authorities for criminal prosecution.

EXAMPLES

Any conduct constituting or appearing to be acts or threatened or attempted acts by any person or group of persons apparently intended to cause injury or damage to the person or property of another individual or group, that is motivated, all or in part, by bias or hate as described herein. Such acts shall be handled pursuant to this policy. Guidelines for determining bias incidents and hate crimes are listed below. These guidelines are illustrative, not all-inclusive. If an incident or crime appears to be so motivated by bias, prejudice, bigotry, or hatred it will be handled as bias incident, hate crime or both. These examples are illustrative but not all-inclusive:

1. Threatening phone calls or e-mails that are intended to harass, threaten or intimidate may constitute a bias incident, a hate crime, or both.

2. Graffiti (whether non-permanent or permanent) and other vandalism demonstrating bias on a basis as described herein should be treated as bias incident and/or hate crime. Specifically, actions such as cross burning, marking property with “hate group” symbols or slogans, or the use of epithets relating to protected classes are indicative of motivation by bias and/or hate.

3. Vandalism to property identified with a particular group, for example, a place of worship, or facilities of ethnic or sexual orientation groups, in the absence of evidence of other motives, will be considered evidence that a bias incident or a hate crime has occurred.
4. A threat or actual assault, in the absence of other apparent motivation, accompanied by epithets relating to protected classes, will be considered evidence that a bias incident or a hate crime has occurred.

POLICE RESPONSE, INVESTIGATION, AND FOLLOW UP

1. All reports of bias incidents or hate crimes shall be investigated.

2. A UNLV police officer shall be dispatched either to the person making the report and/or to a reported location.

3. A UNLV police field supervisor shall be notified when it is determined that a potential or actual bias incident or hate crime is suspected. The field supervisor shall immediately notify the Chief of Police, or designee.

4. The UNLV police responding officer will complete and file a report on the incident or crime for review by the shift supervisor.

5. A UNLV police detective, with training to investigate bias incidents and hate crimes, will be assigned to the investigation. This detective will contact the reporting person, as well as other targets and/or witnesses, to:

   a) check in on their well-being (and, where indicated, make referrals to appropriate university and/or community personnel who can provide additional and/or specialized support or guidance);

   b) reiterate that the report is being taken seriously; and,

   c) secure any additional details about the incident or crime that might be pertinent to their investigation; this individual(s) will be kept abreast of the progress of the investigation and its final disposition to the extent allowed and/or desired.

6. Every investigation will be carried out to the fullest extent possible given available and ascertainable information and evidence.

7. Details on bias incidents and hate crimes shall be documented on and disseminated through the Public Safety website (Daily Log), Jeanne Clery Act reports, and other reporting vehicles/venues.

8. All bias incidents and hate crimes shall be specially reported to the Office of the Vice President for Student Affairs and the Office of the Vice President for Diversity and Inclusion. They shall, in turn, notify the Conflict Resolution Network and the Institute for Multicultural Education and Diversity Training for intervention- and prevention-based follow up attention.
PREVENTION, COMMUNITY RESPONSE, AND RESOLUTION PROTOCOL

1. A Conflict Resolution Network, comprised of all of the individuals on campus with formal responsibility for some aspect of conflict resolution, has been established to publicize the range of options available to students, faculty, and staff to resolve conflict on campus, and to coordinate the provision of conflict resolution services across campus to maximize their effectiveness. Because coordinating responsibility for different aspects of conflict resolution is shared by the Office of the Vice President of Planning and the Office of the Vice President for Diversity and Inclusion, both offices are co-coordinating the Network’s efforts. These efforts include, but are not limited to:

a) supporting current NSHE and UNLV bias incidents/hate crimes prevention, response, and resolution protocols;

b) promoting intergroup relations;

c) sharing, as is appropriate (with respect to confidentiality), information about potentially volatile situations in order to respond to and, ultimately, resolve them in the most effective manner possible for all involved; and,

d) facilitating conversations with individuals involved in conflict, with the purpose of opening communication and allowing understanding of the situation from all perspectives, with the process evolving into negotiation and finally, resolution.

2. University Police and Diversity Personnel will integrate a prevention education component on bias incidents and hate crimes (recognition of, response to, and reporting of) in all orientation sessions with new employees and students.

3. This policy and procedure will be published on the University’s Police, Diversity, Personnel, and Policy websites, and, on an annual basis, in printed employee and student orientation manuals, catalogues, and other major information dissemination vehicles.

4. Along with information regarding the prevention, response, and resolution protocols related to sexual harassment, the President will electronically disseminate this policy and procedure to the campus community on an annual basis.

5. Copies of this policy and procedure will be posted on kiosks, bulletin boards, and in graffiti-prone locations across campus on an annual basis.
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I. PURPOSE: This General Order outlines the manner in which members of the University Police Services will respond to and investigate any report of a hate crime.

II. POLICY: It shall be the policy of University Police Services to promptly respond to and thoroughly investigate any reports of suspected hate crimes.

III. EFFECTIVE: April 1, 2002
   (Revised August 1, 2004)
   (Revised December 1, 2007)
   (Revised July 15, 2008)
   (Revised August 13, 2008)

IV. DEFINITIONS FOR PURPOSES OF THIS POLICY

   A. HATE CRIME
      A hate crime is defined under NRS 193.1675 or 207.185, as a crime against another, which is motivated by virtue of the victim’s actual or perceived race, color, religion, natural origin, physical or mental disability or sexual orientation.

V. INITIAL RESPONSE AND INVESTIGATION

   A. INITIAL RESPONSE
      All reports of suspected hate crimes will be investigated. University Police Officers will respond to reported hate crimes in a manner consistent with the General Orders of this department.

      1. Arrive at the scene, using the appropriate officer safety tactics.
      2. Determine if the suspect is still at the scene. If so, locate and secure the suspect.
      3. Determine what, if any, crime has been committed.
      4. Separate the victim(s), suspect, and witnesses.

   B. PRELIMINARY INVESTIGATION
      Officer(s) will conduct a preliminary investigation, which includes a written report on all suspected hate crimes.

      1. Interview any victims and witnesses separately. Obtain written statements from them, if possible.
      2. Determine the reason that the victim(s) or witness(es) believes the reported crime is a hate crime, consistent with Section V.A of this General Order.
      3. Note and document the victim’s condition and demeanor, any visible evidence of injury to any of the involved parties, any complaints of injuries that are not visible, signs of torn or disarrayed clothing, smeared makeup, and any damage and/or disarray at the scene of the incident.
      4. If appropriate, interview the suspect and attempt to obtain a statement. Document any spontaneous or alibi statements. Advise the suspect of his/her Constitutional Rights before questioning if he/she is the focus of the investigation or in custody.
5. Collect evidence or notify FIS, if appropriate.
6. Photograph any injuries and the scene.
7. In cases where there is evidence of injury, obtain the names of attending medical professionals including paramedics, physicians and nurses. Obtain a medical records release from the victim.
8. Make an arrest when the known facts and circumstances dictate that an arrest be made consistent with statutory law.
9. Complete the appropriate reports as required by General Order 06-006.
10. Request any assistance from the department Investigator and notify the on call Commander.

VI. INVESTIGATOR’S RESPONSIBILITIES

Investigator is responsible to ensure that reported incidents of hate crimes are properly and thoroughly investigated and that all required reports are accurately completed.

A. NOTIFICATIONS

The Investigator or the senior officer present is responsible to ensure that personnel at the scene have the knowledge and skill to appropriately investigate the incident. If the Investigator or senior officer on duty believes additional resources are necessary, they will contact the on call department Commander. If a Commander is unavailable, the Investigator or senior officer will then contact the Director. If they are unable to contact a department command person, they may request assistance from the Reno Police Department detectives or Washoe County Sheriff’s Office detectives.

B. REPORT DOCUMENTATION

The Investigator or the senior officer present are responsible for ensuring that all reports concerning hate crimes are completed in accordance with General Order 06-006.

VII. FOLLOW-UP INVESTIGATION

Follow-up investigation of reported incidents of hate crimes will be done on a routine basis to ensure that all-possible information and evidence is collected and forwarded to the City Attorney, District Attorney or the Attorney General to aid in prosecution.

A. RESPONSIBILITY FOR REVIEW AND FOLLOW-UP INVESTIGATION

Follow-up investigation on hate crime cases will be assigned, as follows:

1. In cases involving felony and/or gross misdemeanor crimes, the Investigator is responsible for overseeing the follow-up investigation.

2. In cases involving misdemeanor crimes, the officer that took the original case, or another officer, under the guidance of the Investigator, will complete the follow-up investigation.

B. STEPS IN FOLLOW-UP INVESTIGATION

At a minimum, follow-up investigation of incidents involving a hate crime should include the following steps:

1. Ensure that the investigative steps described above have been completed. Appropriate action is to include steps that have been omitted, whenever possible.

2. Obtain medical records, if available.

3. Re-interview the victims and witnesses, if necessary.
5. Obtain photographs of the victim's injuries 24 to 48 hours after the incident, irrespective of whether photos were taken at the time of the original report.

6. Obtain any records of prior reports, arrests, and convictions involving hate crimes and forward copies to the City or District Attorney or Attorney General, as appropriate.

7. Contact the victim and witnesses to inform them of the status of the case and the intended referral to the City or District Attorney or Attorney General.

8. Obtain and document the names, addresses, and telephone numbers of two close friends or relatives of the victim who will know of her/his whereabouts six to twelve months from the time of the original investigation.

VIII. REFERRAL TO PROSECUTING AGENCY

All reported hate crimes in which a suspect has been identified will be forwarded to the appropriate prosecuting agency for review. The decisions as to whether to prosecute a hate crime, to seek a warrant for the arrest of a suspect or the declination to prosecute shall rest with the prosecuting agency.

IX. HATE CRIME PREVENTION

University Police personnel will provide hate crime prevention education (recognition, response and reporting) in all orientations sessions which police participate in.

BY ORDER OF:

Director of Police Services
Distribution: A
NSC

This is a draft. This still needs Faculty Senate approval.
NEVADA STATE COLLEGE  
Hate Crimes Policy

Definition

A hate crime is defined in Nevada law as a crime listed under NRS 193.1675 or NRS 207.185 against another person that is motivated by virtue of the victim’s actual or perceived race, color, religion, national origin, physical or mental disability or sexual orientation. Hate crimes are particularly repugnant to the mission of the Nevada System of Education (NSHE) and detrimental to the responsibility of NSHE to provide a safe environment for education, research and service for the NSHE community. (NSHE Title 4, Chapter 1, Section 30)

Policy

Nevada State College (NSC) subscribes to the dictates of Nevada law and NSHE regulations regarding hate crimes. To this end, NSC has a zero tolerance policy regarding hate crimes committed by or against members of the campus community or the community at large.

Procedure

Reporting Hate Crimes

At NSC hate crimes, like any other crime, should be reported by students or employees immediately. Anyone who needs to report a hate crime, or any other crime, should call the Henderson Police or 911 if it is an emergency. All crimes, including hate crimes, require a call to the local police department to file a complaint.

Campus Administrative Procedures

Once the immediate situation has been resolved or neutralized, the crime should be reported to the Vice President of Multicultural Affairs (VPMA). The VPMA will investigate any discrimination that might have occurred in relation with the alleged hate crime. As applicable, the VPMA will work with the Human Resources and the Provost’s Office to ensure that any necessary campus administrative procedures take place (in accordance with the NSC Student Code of Conduct and the NSHE Code, Title 2, Chapter 6: Rules and Disciplinary Procedures for Member of the University Community).

Crime Investigation

The Vice President for Multicultural Affairs will be the direct contact for the local police agency investigating the crime.

Dr. René Cantú Jr.  
Vice President for Multicultural Affairs  
Nevada State College  
311 Water Street, Room 112  
Henderson, Nevada 89015  
Phone: (702) 992-2142  
Fax: (702) 992-2141
This is a draft policy. It still needs to go through the process at the campus for the Faculty Senate’s final approval.
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CSN Policy

Title: Hate Crime Policy

POLICY

1. POLICY PURPOSE AND BACKGROUND

The College of Southern Nevada (CSN) is committed to providing a safe and secure environment to all students, faculty, staff, or college visitors. CSN will continuously strive to enhance the quality of life at its campuses, centers and sites by implementing policies and procedures to protect these environments. Hate crimes cannot be tolerated in the college environment.
Hate crimes are defined generally as crimes which in whole or part are motivated by the perpetrator’s bias toward the victim’s actual or perceived race, color, religion, national origin, physical or mental disability or sexual orientation. Hate crimes not only harm individual victims but send a powerful message of intolerance and discrimination to all members of the group to which the victim belongs.

The reporting and pursuit of disciplinary action and criminal prosecution of hate crimes helps to protect faculty, staff, students, or any member of the general public against future occurrences.

2. POLICY STATEMENT
CSN is committed to maintaining a positive learning environment which is also safe and secure for its students, faculty, staff, and visitors to our college campuses, centers, or sites. Hate crimes are not consistent with the missions of CSN. Crimes which target individuals because of race, color, religion, national origin, physical or mental disability, or sexual orientation will not be tolerated. Further, CSN will do whatever it can to ensure that incidents of hate crimes are prosecuted by the appropriate prosecuting authorities.

It is the policy of CSN to promptly investigate all allegations of hate crimes, gather evidence related to the allegation, and review and analyze evidence to identify perpetrators. Incidents involving students will be referred to the office of the Vice President for Student Affairs for disciplinary action based upon due process as outlined in the NSHE Student Conduct Code.

Incidents involving allegations against faculty or staff will be referred to the Department of Human Resources for disciplinary action based upon due process as outlined in the NSHE Handbook.

3. AUTHORITY AND CROSS REFERENCES
The basis for this policy is provided in the following:

- Title 18, U.S.C., Section 241, Section 245, Section 994
- N.R.S. 193.1675, 206.125, 207.185
- NSHE Title 4, Chapter 1, Section 30
- CSN Student Rights and Responsibilities

4. KNOWLEDGE OF THIS POLICY
All CSN students, faculty and staff should be aware of this policy.
5. DEFINITIONS
Hate crimes are defined generally as crimes which in whole or part are motivated by the perpetrator’s bias toward the victim’s actual or perceived race, color, religion, national origin, physical or mental disability or sexual orientation. Hate crimes cannot be tolerated in the college environment.

6. RESPONSIBILITIES
All students, faculty and staff have a responsibility to foster an environment where hate crimes will not be tolerated. All faculty, staff, and students have a responsibility to report all perceived allegation of hate crimes.

The CSN Police Department has the responsibility to investigate alleged violations of this policy at the institutional level in accordance with the NSHE Code of Conduct. In addition, the CSN Police Department has the responsibility to report their findings and/or recommendations regarding allegations of hate crimes to the appropriate campus authority (Vice President for Student Affairs or designee, Human Resources Department, and/or the supervisor or the employee (s) department) criminal conduct to the appropriate prosecuting authority.

CSN, through the Vice President for Student Affairs or his/her designee has the responsibility to pursue discipline action on students who violate this policy.

CSN, through the Human Resources department has the responsibility to pursue disciplinary action against any employee of CSN who violates this policy.

7. EXCEPTIONS
No exceptions are anticipated.

8. CONTACT INFORMATION
Contact information or questions about this policy should be directed to the Office of the Vice President for Student Affairs, Campus Student Conduct Officers, CSN Police Department, or the Human Resources Department.

PROCEDURES FOR HANDLING ALLEGATIONS OF HATE CRIMES

1. POLICY REFERENCE
The procedures outlined below are associated with the College of Southern Nevada Hate Crimes Policy.
2. PROCEDURE STATEMENT

Faculty, staff, and students are strongly encouraged to demonstrate their opposition to hates crimes by promptly reporting any suspected allegation of the commission of a hate crime. Hate crimes are generally defined as a crime which in whole or part is motivated by the offender’s bias toward the victim’s actual or perceived race, color, religion, national origin, physical or mental disability, or sexual orientation. If faculty, staff, or students suspect that a hate crime has been committed, they should promptly report the incident(s) to the CSN Police Department or to a Campus Discipline Officer.

2.1 CSN Response to Hate Crime Allegations

a. CSN Police will respond immediately to allegations of a hate crime by conducting a preliminary investigation.

b. CSN Police will arrive at the scene, using the appropriate officer safety tactics. If the reporting of the hate crime is after the fact and not currently in progress, the officer will follow-up with the reporting person.

c. Determine if the suspect(s) and victims are still at the scene.

d. CSN Police will determine if any type of crime, hate crime or otherwise, has been committed. This is not a determination as to whether the alleged crime is a hate crime.

e. Separate the victim(s), suspect(s) and witnesses, if appropriate, for the safety of all involved.

f. CSN Police will interview any victims and witnesses separately. Obtain written statement from them, if possible.

g. CSN Police will determine the reason that the victim(s) or witness(es) believes the reported crime is a hate crime, consistent with the general definition of a hate crime.

h. CSN Police will note and document the victim’s condition and demeanor, any visible evidence of injury to any of the involved parties, any complaints of injuries that are not visible, signs of torn or disarrayed clothing, smeared make-up, and any damage and/or disarray at the scene of the incident.

i. If, available and appropriate, interview the suspect(s) and attempt to obtain a statement.

j. In cases where there is evidence of injury, CSN Police will obtain the names of attending medical professionals, including paramedics, physicians and nurses. Also, obtain medical release from the victim(s).
k. If appropriate, based upon the known facts and circumstances CSN Police will make an arrest if warranted and consistent with statutory law.

l. CSN Police will conduct any follow-up investigation, if appropriate, and consistent with statutory law or CSN college policy.

m. CSN Police will then notify the Vice President for Student Affairs and the appropriate Campus Conduct Officer, and other CSN administrators, as appropriate. If there is a suspected hate crime, CSN Police will notify the appropriate prosecuting agencies, if a victim(s) has been identified. The decision as to whether to prosecute a hate crime, to seek a warrant for the arrest of the suspect or the declination to prosecute shall rest with the prosecuting agency.

3. KNOWLEDGE OF THIS PROCEDURE

All CSN faculty, staff, and students should have knowledge of these procedures.

4. DEFINITIONS

Hate Crime

A hate crime is generally defined as a crime which is motivated by the offender’s bias toward the Victim’s status. These crimes are meant to hurt and/or intimidate individuals because of a perceived difference with respect to race, color, religion, national origin, physical or mental disability, or sexual orientation.

Examples, non-exhaustive and non-exclusive, are as follows:

- Graffiti using racial, ethnic, disability, or sexual orientation, or epithets
- Racial or ethnic slurs directed toward an individual or individuals intending to cause harm
- Using racial or ethnic epithets while committing a crime toward an individual or an individual’s property
- Intimidating, threatening, or obscene jokes directed toward an individual or individuals in the educating setting
5. RESPONSIBILITIES

All CSN faculty, staff, and students are responsible for reporting hate crimes. The Vice President for Student Affairs is responsible for disciplinary action against students who violate this policy. The CSN Police Department is responsible for investigating allegations of hate crimes. The CSN Office of Human Resources is responsible for follow-up on employee violations of this policy.

6. EXCEPTIONS

There are no exceptions to these procedures.

7. CONTACT INFORMATION

Questions about this policy should be directed to the office of the Vice President for Student, Campus Discipline Officers, CSN Police Department, or the CSN Office of Human Resources.
POLICY AND PROCEDURE

Title: Hate Crime Prevention
Policy No.: 4.25
Department: Safety & Security Department
Contact: Director, Safety & Security

Policy
A hate crime is defined in Nevada law as a crime listed under NRS 193.1675 or NRS 207.185 against another person which is motivated by virtue of the victim’s actual or perceived race, color, religion, national origin, physical or mental disability or sexual orientation. Hate crimes are particularly repugnant to the mission of the Nevada System of Education (NSHE) and detrimental to the responsibility of NSHE to provide a safe environment for education, research and service for the NSHE community. (NSHE Title 4, Chapter 1, Section 30)

Great Basin College subscribes to the dictates of Nevada law and NSHE regulations regarding hate crimes. The college has a zero tolerance policy regarding crimes against members of the campus community.

Procedure
1.0 Emergency Procedure
The GBC safety and security website provides the numbers to contact the campus director or Elko campus security for immediate assistance and the designated emergency contact persons to report any type of problem or crime. The website is http://www.gbcnv.edu/security/emergency.html.

2.0 Reporting Hate Crime
At Great Basin College hate crimes, like any other crime, should be reported by students or employees immediately. The safety and security website provides directions on how and when to report a crime including calling 911 to contact the police department or county sheriff in order to file a criminal report. It is the policy of the Great Basin College security department that all major crimes including hate crimes require a call to the local police department to file a complaint.

3.0 Campus Administrative Procedures
Once the immediate situation has been handled and everyone is safe or if needed has received medical attention then the campus director or security officer will contact the director of safety & security and the appropriate vice president. The vice-president or director of safety & security will then contact the college president. At Great Basin College the vice-president of student services is also the administrative officer and will be notified to begin campus administrative procedures in accordance with the Nevada System of Higher Education Code, Title 2, Chapter 6: Rules and Disciplinary Procedures for Member of the University Community.

4.0 Crime Investigation
The director of safety & security or the campus director will be the direct contact for the local police agency investigating the crime. Based on the exact situation and the decision by the victim regarding filing a criminal complaint the director of safety & security may assist the police agency in their investigation or conduct the internal investigation under the direction of the administrative officer.
5.0 Victim Support
Support and assistance will be offered to the victim of any crime and all persons will be strongly encouraged to follow through with their criminal complaint.

6.0 Further Information
Should any member of the campus community have questions the Great Basin College general catalog clearly states the NSHE and GBC student conduct policy. This includes what is considered misconduct under NSHE Code Title 2, Chapter 6 Section 6.2.2 (m) any act prohibited by local, state or federal law. The GBC hate crimes policy can be reviewed at the GBC safety and security website, which provides directions on how and when to report a crime. Any person having concerns regarding possible hate crimes or actions to themselves or others should contact the director of safety & security to discuss their concerns by phone @ 775-753-2115 or email at pata@gwmail.gbcnv.edu.

7.0 Training
The director of safety and security includes hate crime prevention training (recognition, a response and reporting) within the campus safety and public building safety training programs which are offered each semester. These programs are offered to all students, faculty and staff. The director also explains and discusses hate crime prevention and violation consequences during the mandatory training for housing students at the beginning of each semester. In addition, the vice-president for student services/administrative officer has included hate crime prevention training in the institutional harassment awareness workshops, which review both sexual harassment and other types of unlawful harassment. Hate crime prevention will be included in the college catalog and the GBC student handbook which is used for new student orientation.

Approved by President’s Council: July 22, 2008
Contact the assistant to the president for any questions, corrections, or additions.
TMCC
Title: HATE CRIMES
Issue Date: September 8, 2008
Replaces: November 22, 2005
Authority: Randy Flocchini, Chief of Police

PURPOSE
This policy prescribes the Hate Crimes policy for TMCC Police Department members. The policy has been established and published by TMCCPD and approved by the Chief of Police. This directive is for internal use only and does not enlarge this department's and/or any of its employees' civil or criminal liability in any way. It is not to be construed as the creation of a particular standard of safety or care in an evidentiary sense, with respect to any complaint, demand for settlement, or any other form of grievance or litigation. Violations of this directive, if substantiated, can only form the basis for intra-departmental administrative sanctions.

POLICY
TMCC values the great diversity of its people and recognizes that a threat against any portion of our community is truly a threat against our diverse way of life. Acts or threats of violence motivated by hatred or prejudice are serious acts, often vicious in nature, which tear at the fabric of our community. These occurrences generate fear and concern among victims as well as the entire community and have a potential of recurring, escalating, and possibly causing counter-violence.

It is the policy of TMCCPD to ensure that the rights of all people, as guaranteed by the Constitution of the United States and the State of Nevada, are protected. Among those constitutional guarantees is the right of all people to live without fear of attack by or threat from an individual or group due to hatred or prejudice. An act or threat of violence motivated by hatred or prejudice threatens this constitutional guarantee and generates fear and concern among victims and the public. When any act motivated by hatred or prejudice occurs, the Department will ensure that it is dealt with on a priority basis and use every necessary legal resource to rapidly and decisively identify the suspects and bring them to justice.
“HATE CRIME” DEFINED
A hate crime is a criminal act, committed in whole or in part, because of one or more of the following actual or perceived characteristics of the victim:

a.) Disability  
b.) Gender  
c.) Nationality  
d.) Race or ethnicity  
e.) Religion  
f.) Sexual orientation

“BIAS INCIDENT” DEFINED
A bias incident is any non-criminal act including, but not limited to, words directed against a person(s) based on that person’s actual or perceived race, nationality, religion, sexual orientation, disability, or gender. Bias incidents include, but are not limited to; epithets, distributions of hate material in public places, posting of hate material, and the display of hatred material on one’s own property.

CRIMINAL STATUTES
NRS 193.1675 – Provides an enhanced penalty upon conviction for any violation of certain crimes because of actual or perceived race, color, religion, national origin, physical or mental disability or sexual orientation of the victim different from that characteristic of the perpetrator to include:

a.) Mayhem - (200.280)  
b.) Kidnapping - (200.310)  
c.) Sexual Assault - (200.366)  
d.) Robbery - (200.380)  
e.) Battery With Intent to Commit a Crime - (200.400)  
f.) False Imprisonment - (200.460)  
g.) Purchase or Sale of Person - (200.465)  
h.) Abuse and Neglect of Children (200.508)  
i.) Abuse, Neglect, Exploitation or Isolation of Older Persons (200.5099)  
j.) Stalking (200.575)

NRS 200.033(11) – Describes the circumstances by which murder of the first degree may be aggravated when the murder was committed upon a person because of the actual or perceived race, color, religion, national origin, physical or mental disability or sexual orientation of that person.

NRS 206.125 – Prohibits knowingly vandalizing, placing graffiti on, defacing, or otherwise damaging cemeteries, churches, synagogues, schools, mortuaries, etc.
NRS 207.185 – Provides an enhanced penalty upon conviction for any violation of certain crimes by a person who, by reason of the actual or perceived race, color, religion, national origin, physical or mental disability, or sexual orientation of another person or group of persons, willfully violates any provisions of:

a.) Assault (200.471)
b.) Battery (200.481)
c.) Abuse, Neglect, Exploitation or Isolation of Older Persons (200.5099)
d.) Harassment (200.571)
e.) Stalking (200.575)
f.) Breach of Peace (203.010)
g.) Assembly to Disturb Peace (203.020)
h.) Provoking Commission of Breach of Peace (203.030)
i.) Unlawful Assembly (203.060)
j.) Armed Association (203.080)
k.) Disturbing Meeting (203.090)
l.) Offenses in Public Conveyances (203.100)
m.) Forcible Entry and Detainer (203.110)
n.) Omission of an Act in Public Building or Area Interfering with Peaceful Conduct of Activities (203.119)
o.) Destruction or Damage of Property by Unlawful Assembly (206.010)
p.) Entering Property with Intention to Damage to Destroy Property (206.040)
q.) Nuisance in Building; Trespass upon Grounds; Disturbing Assembly (206.140)
r.) Posting of Bills, Signs or Posters Unlawful (206.200)
s.) Injury to Other Property (206.310)
t.) Threatening or Obscene Letters or Writings (207.180)
u.) Trespass (207.200)
v.) Destruction of Signs or Notices Forbidding Trespass (207.210)

PREVENTING AND PREPARING FOR LIKELY HATE CRIMES
Hate crimes and bias incidents are viewed in the community not only as crimes against the targeted victim but also as a crime against the victim’s racial, ethnic, or sexual orientation group as a whole. Officers should take proactive steps to establish contact with persons and groups within the community who are likely targets of hate crimes in order to foster relationships that encourage prevention, timely reporting, and open communication.

INVESTIGATING HATE CRIMES / BIAS INCIDENTS

❖ Whenever any member of this department receives a report of a suspected hate crime or other activity that reasonably appears to involve a potential hate crime, an officer shall be notified and an investigation initiated promptly.

❖ The assigned officer(s) will take all reasonable steps to preserve available evidence that may tend to establish that a hate crime was involved.

❖ A supervisor should be notified of the circumstances as soon as practical.
Depending on the situation, the assigned officer(s) may request additional assistance from appropriate local, state, and/or federal resources.

The unwillingness of a victim to sign a report or the absence of a known victim does not relieve the officer of the requirement to complete the appropriate report and forms.

TMCCPD personnel should be particularly sensitive to any incident, act, or other occurrence that has the potential to be considered a hate-based act. If it is determined that a bias incident has occurred, a crime or incident report shall be completed as it would be for any other crime or incident. Personnel will designate the crime or incident report as a hate crime by writing, “Hate Crime Incident Report” on the face sheet.

After designating the crime as a hate crime, personnel will be required to complete the **Hate Crime Incident Report Form** (see attached). Proper and thorough completion of this report is required by the United States Government as defined in the Hate Crimes Statistics Act of 1990.

A supervisor will review the completed report and confirm or negate the apparent motivation behind the incident as being a hate-related occurrence.

The approving supervisor shall forward the approved TMCCPD police report to the Administrative Lieutenant as soon as practical. The Administrative Lieutenant will review each report and ensure that a proper and complete investigation of each incident has been conducted. The Administrative Lieutenant shall ensure that the original report is submitted to the Records Section in a timely manner.

The Records Section will ensure the proper collection, retention, and distribution of all hate crime reports for reporting as further defined in the Hate Crime Statistics Act of 1990.

**Additional:**

TMCC policy requires the Associate Dean of Student Services to conduct investigations of violations of system policy. The Nevada System of Higher Education Code (NSHE), Title 2, Chapter 6, §6.2(6.2.2)(o) defines misconduct as, “Any act of unlawful discrimination based on race, creed, color, sex, age, handicap or national origin...”. If the investigating officer determines the alleged misconduct meets this threshold, and the allegation is made against a TMCC student, the investigating officer should formally provide the Associate Dean of Student Services the name(s) of the involved parties and the basic facts of the allegations as soon as practical. The investigating officer shall include in his or her police report the date and time notification occurred.
COMMUNITY RELATIONS / CRIME PREVENTION

Working constructively with segments of the community after such incidents is essential to help reduce fears, stem possible retaliation, help prevent similar incidents, and encourage any previously victimized individuals to come forward and report those crimes. The Administrative Lieutenant shall ensure that TMCCPD and/or appropriate personnel/agencies:

a.) Meet with students, faculty, staff, visitors, and other identified groups to allay fears; relay the Department’s concern reference this and other related incidents; and attempt to reduce the potential for counter-violence, and provide safety, security and crime prevention information.

b.) Provide direct and referral assistance to the victim as it relates to the specific incident (e.g., Temporary Protective Order, etc.).

c.) Conduct public meetings on hate crime / bias incident threats and violence as it relates to specific incidents.

No further.
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Procedure: BIAS INCIDENTS/ HATE CRIMES POLICY
Policy No.: 10-1-9
Department: Public Safety
Contact: Director of Public Safety

Policy: A hate crime is defined in Nevada law as a crime listed under NRS 193.1675 or NRS 207.185 against another person that is motivated by virtue of the victim’s actual or perceived race, color, religion, national origin, physical or mental disability or sexual orientation. Hate crimes are particularly repugnant to the mission of the Nevada System of Education (NSHE) and detrimental to the responsibility of NSHE to provide a safe environment for education, research and service for the NSHE community. (Board of Regents Handbook, Title 4, Chapter 1, Section 30.)

It is the policy of Western Nevada College to prevent, respond to, and resolve incidents and/or crimes motivated by bias, prejudice, bigotry, or hatred against individuals, groups, organizations, businesses, or institutions on the basis of actual or perceived race, color, religion, national origin, physical or mental disability or sexual orientation.

Section 1. Definitions

A. Bias incidents refer to acts of bias, prejudice, bigotry, and/or hatred that do not violate laws but do constitute conduct prohibited by NSHE Code, Chapter 6.

B. Hate crimes refer to acts of bias, prejudice, bigotry, and/or hatred that do break laws and do constitute conduct prohibited by NSHE Code, Chapter 6.

C. Bias incidents and hate crimes are acts, or threatened or attempted acts, by any person or group of persons intended to cause emotional suffering, physical injury, or property damage against the person or property of another individual or group, which is or appears to be motivated, all or in part, by bias, prejudice, bigotry, and/or hatred.

Section 2. Prevention, Response, and Investigation

A. WNC has a legal and ethical obligation to provide a safe learning and working environment free from discrimination, threats or violence. Just as
supervisors, managers, and administrative faculty have a legal and ethical obligation to address and/or report suspected bias incidents and/or hate crimes, academic faculty members have a legal and ethical obligation to address and/or report such incidents that occur in the academic environment. Every employee and student can actively contribute to a safe and respectful campus environment by reporting suspected bias incidents and/or hate crimes immediately to the WNC Human Resources Office, the Public Safety Department and/or local law enforcement authorities. The Human Resources Office can be reached at campus telephone extension 4237 or (775) 445-4237. The Public Safety Department can be reached at campus telephone extension 3308; calling (775) 445-3308 or (775) 230-1952. Local law enforcement authorities can be reached by dialing 911, or 9-911 from a campus telephone.

B. All reports of suspected bias incidents and/or hate crimes will be investigated. Depending upon the circumstances of the incident, the investigation will be conducted by the Dean of Students, the Human Resources Office, the Public Safety Department, the State Department of Personnel, Sexual Harassment/Discrimination Unit or local law enforcement authorities.

C. In the event a member of the WNC campus community, including faculty, staff, and students, engages in a bias incident or hate crime, the college may, in addition to reporting the activity to local law enforcement authorities, place the student or employee on administrative leave pursuant to NSHE Code, Title 2, Chapter 6, Section 6.5 to protect life, limb or property pending a disciplinary hearing, and initiate a Chapter 6 proceeding to determine whether disciplinary sanctions should be imposed against the student or college employee.

D. In the event a person who is not a member of the WNC campus community engages in a bias incident or hate crime, the president or president’s designee may, in addition to reporting the activity to local law enforcement authorities, inform the person that the person is not authorized to remain on the premises and that the person’s continued presence could subject the person to liability for trespass or loitering as prescribed by law pursuant to NSHE Code, Title 2, Chapter 6, Section 6.18.

E. This policy will be disseminated to all employees and will be published in the WNC Student Handbook.

Adopted: College Council 10/17/08
Revised: Title 2, Chapter 6, Section 6.18; Title 2, Chapter 6, Section 6.5; Board of Regents Handbook, Title 4, Chapter 1, Section 30
NSHE Code: NRS 193.1675 or NRS 207.185
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DRI
Hate Crimes Policy  An employee who commits a hate crime a) against another DRI employee, b) during work hours, c) while traveling on DRI business, or d) on, against, or using DRI property shall be subject to discipline. Procedures for the prevention, response and investigation of hate crimes are in the Administrative Manual.

Administrative Manual

DRI Hate Crimes Policy and Procedures

Policy:  A hate crime is defined in Regent’s Handbook Title 4, Chapter 1, Section 30 (link to BoR) and Nevada law as a crime listed under NRS 193.1675 or NRS 207.185 (link to NRS) against another person which is motivated by virtue of the victim’s actual or perceived race, color, religion, national origin, physical or mental disability or sexual orientation. For purposes of this policy, "religion" includes the lack or absence of religion. The FBI Uniform Crime Reporting Program (28 USC 534), Campus Security Act (20 USC 1092) along with state and local hate crime legislation list specific crimes which are identifiable as a hate crime, including murder, manslaughter, robbery, aggravated assault, burglary, motor vehicle theft, arson, forcible and non-forcible sex offenses, intimidation, destruction, damage or vandalism of property, and other crimes involving injury to any person or property.

Procedures:
1. Emergency Procedure: To report a life-threatening crime in progress, or any other life threatening emergency, dial 911 immediately, then 4411 (link to AM9.02.01 Emergency Operations Management Plan) and follow internal reporting procedures outlined in the DRI Emergency Operations Management Plan (See Admin Manual Section 9.02). The DRI Internal Web site lists additional non life-threatening Emergency Information and Phone numbers for each campus location.

2. Reporting: All hate crimes (life-threatening and non life-threatening) should be reported to the appropriate law enforcement agency for your campus location.

<table>
<thead>
<tr>
<th>NNSC &amp; MAXEY (Reno)</th>
<th>TMCC Police</th>
<th>(775) 674-7900</th>
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<tbody>
<tr>
<td>Weather Modification Facility (Stead Hanger)</td>
<td>Washoe County Sheriff</td>
<td>(775) 785-4629</td>
</tr>
<tr>
<td>SNSC (Las Vegas)</td>
<td>UNLV Police</td>
<td>(702) 895-3668</td>
</tr>
<tr>
<td>Boulder City</td>
<td>Boulder City Police</td>
<td>(702) 293-9244</td>
</tr>
<tr>
<td>Steamboat Springs, CO</td>
<td>Steamboat Springs Police</td>
<td>(970) 879-1144</td>
</tr>
</tbody>
</table>

If you are traveling on DRI business, please contact the appropriate local
law-enforcement agency for your travel location to report a hate crime incident. Please write down exactly what happened, obtain a written account from any witnesses, and preserve any relevant records (e.g., recording of phone calls, e-mails, letters, photos of damage, etc.) to be submitted as evidence. Upon your return to DRI complete a DRI Incident Report \{link to AM 9.0204\} for our internal record keeping.

3. **Crime Investigation**: Once a hate crime has been reported, an appropriate crime (police) report and internal DRI Incident Report must be completed and turned into the Senior VP Finance and Administration Executive Assistant. DRI has the responsibility to report to NSHE all acts and incidents related to hate crimes and to thoroughly and completely investigate all hate crime violence or activity.

4. **Response**: Medical attention, protection, and counseling will be offered to the victim of any crime and all persons will be strongly encouraged to follow through with their criminal complaint. Victims of, or witnesses to, hate related crimes may obtain counseling and support through DRI’s Employee Assistance Program (EAP), the Human Resources Office, the Diversity Officer, and referral to the appropriate legal or service agency. Depending on the seriousness of the situation, DRI may request mediation and reconciliation services through the Community Relations Service of the U.S. Department of Justice.

5. **Prevention**: DRI offers training and information on non-discrimination, sexual harassment, conflict resolution, and general crime prevention through various means including orientations and policies and procedures outlined in the Administrative Manual. Hate crimes inflict incalculable physical and emotional damage on its victims. Crimes motivated by hatred toward particular groups not only harm individual victims, but also send a powerful message of intolerance and discrimination to all members of the group to which the victim(s) belongs. DRI has a zero tolerance policy regarding crimes against members of its community. In accordance with NSHE CODE Title 2, Chapter 8, Section 8.3.2 (b) \{link\} and the Technologist Manual, \{link\} any DRI employee convicted of a hate crime will be subject to disciplinary action, up to and including termination for “the use of, or threat to use, force or violence against any member or guest of the System community.” The State of Nevada has extensive provisions in its penal code for serious criminal penalties resulting from conviction of a hate-related crime, including incarceration depending on the nature and severity of the crime (NRS 193.1675).