



THE ATTORNEY GENERAL'S HATE CRIME RAPID RESPONSE TEAM
PROTOCOL FOR DEPLOYMENT OF DEPARTMENT OF JUSTICE RESOURCES

Statement of Purpose

The Attorney General is chief law officer of the State. It is his duty to see that the laws of the State are uniformly and are adequately enforced. (Cal. Const., art. V, § 13.) Recent and particularly violent hate crimes that have occurred in California necessitate the institution of written internal policies and procedures for the Department of Justice that will direct the deployment of the full resources of the Department to aid and assist local and federal law enforcement authorities in the investigation of possible hate crimes, and in the identification, arrest, prosecution, and conviction of the perpetrators of those crimes.

In order to ensure that the perpetrators of hate crimes are quickly identified and apprehended, Attorney General Bill Lockyer hereby establishes the **Attorney General's Hate Crime Rapid Response Team**. The team shall be composed of employees of the Department of Justice who perform functions within the Department that, if rapidly deployed, may assist local and federal law enforcement authorities in the identification, arrest, prosecution, and conviction of the perpetrators of hate crimes. The team shall be on call at all times.

In establishing the **Attorney General's Hate Crime Rapid Response Team**, the Attorney General does not intend to supplant the efforts of local and federal law enforcement authorities with respect to the investigation and prosecution of hate crimes. It is his intent that those agencies have access to, on a highest of priorities basis, the full resources of the Department of Justice at their disposal. He believes that through a strong cooperative and team effort, state, local, and federal law enforcement agencies will be in the best position to quickly and decisively respond to the commission of a hate crime in California.

Members of the Rapid Response Team

The Rapid Response Team shall consist of the Chief Deputy Attorney General for Legal Affairs, the Chief Deputy Attorney General for Administration and Policy, the Director of the Division of Law Enforcement, the Deputy Director of the Division of Law Enforcement, the Chief of the Bureau of Investigation, the Chief of the Division of Criminal Justice Information Services, the Chief Assistant Attorney General of the Division of Criminal Law, the Senior Assistant Attorney General of the Civil Rights Enforcement Section within the Division of Public Rights, and the Director of the Office of Victims' Services.

Events Requiring Deployment of Attorney General's Rapid Response Team

While hate crimes should be investigated and solved, deployment of the Rapid Response Team shall be focused on those hate crimes that result in or involve any or all of the following:

- (a) serious bodily injury or death, or appear calculated to cause such;
- (b) acts of arson or attempted arson; and/or
- (c) use of explosives.

The occurrence of such a crime shall be referred to as a "triggering event."

Individuals Authorized to Declare Occurrence of Triggering Event

The Attorney General, the Chief Deputy Attorney General for Legal Affairs, or the Chief Deputy Attorney General for Administration and Policy shall have the authority to declare that a triggering event has occurred.

Action to be Taken in Response to the Occurrence of a Triggering Event

Once a declaration has been made, the Director of the Division of Law Enforcement, the Deputy Director of the Division of Law Enforcement, the Chief of the Bureau of Investigation, the Chief Assistant Attorney General of the Division of Criminal Law, and the Senior Assistant Attorney General of the Civil Rights Enforcement Section within the Division of Public Rights shall immediately coordinate and without delay take the following actions:

- I. **The Division of Law Enforcement** - The Director of the Division of Law Enforcement shall:
 - A. Contact the local police chief and/or county sheriff and the head of the local office of the Federal Bureau of Investigation that has responsibility for investigating hate crimes in the jurisdiction in which the hate crime has occurred, and shall advise them that the full resources of the Department of Justice will be made available to them on the highest of priorities basis.
 - B. Notify the Chief of the Department of Justice's Bureau of Investigation that a triggering event has occurred and direct the Chief to deploy such special agents as may be necessary to the scene of the hate crime to assist local and federal authorities, to observe and to evaluate the scene of the alleged hate crime, and to prepare and deliver, within 24 hours of the

occurrence of a triggering event, a report to the Attorney General on the facts and circumstances that are known as of that time. The special agent(s) shall also take whatever steps that are necessary to assist local and federal authorities in transporting any physical evidence to the Department of Justice laboratories for analysis if those authorities determine such action is appropriate. The Director shall further direct the Chief to order the Bureau's Gang/Criminal Extremists unite to immediately, and not later than 24 hours following a triggering event, deliver to relevant local and federal law enforcement authorities any and all intelligence information that might assist those authorities in identifying the perpetrator(s).

- C. Notify the Chief of the Bureau of Forensic Services that a triggering event has occurred and direct the Chief to give the highest priority to any request for services that is related to the triggering event.
- D. Notify all Criminalistics Laboratories that a triggering event has occurred and direct the Chief to give the highest priority to any request for services that is related to the triggering event.
- E. Notify the Commission of the California Highway Patrol that a triggering event has occurred and request that the Commissioner give the highest priority to any request for services that is related to the triggering event.

II. The Division of Criminal Justice Information Services - The Director of the Division of Criminal Justice Information Services shall:

- A. Notify the Chief of the Bureau of Criminal Identification and Information that a triggering event has occurred and direct the Chief to give the highest priority to any request for services that is related to the triggering event.
- B. Notify the Chief of the Bureau of Criminal Information and Analysis that a triggering event has occurred and direct the Chief to give the highest priority to any request for services that is related to the triggering event.

III. Office of the Attorney General - Upon the occurrence of a triggering event:

- A. The Chief Deputy Attorney General for Legal Affairs shall contact the County District Attorney and the United States Attorney having jurisdiction for the locale in which the triggering event has occurred and offer them the assistance of the Legal Division of the Office of the Attorney General. This would include, but is not limited to the services and

assistance of the Division of Criminal Law and the Division of Public Rights Civil Rights Enforcement Section. The Chief Deputy Attorney General for Legal Affairs shall also direct the Chief Assistant Attorney General of the Division of Criminal Law and the Senior Assistant Attorney General of the Civil Rights Enforcement Section to each assign a Deputy

Attorney General that shall be available to the Rapid Response Team to provide it with legal advice that may be needed in connection with the execution of their responsibilities.

B. The Chief Deputy Attorney General for Administration and Policy shall notify the Director of the Office of Victims' Services that a triggering event has occurred and shall direct the Director to make immediate contact with the victim(s) of the hate crime and to offer, and if accepted provide, the full services of the Office of Victims' Services. The Senior Assistant Attorney General of the Civil Rights Enforcement Section shall assist the Director in responding to this direction.

Implementation

This Protocol is effective immediately. The Director of the Division of Law Enforcement, the Director of the Division of Criminal Justice Information Services, the Chief Deputy Attorney General for Legal Affairs, and the Chief Deputy Attorney General for Administration and Policy, are hereby instructed to issue any internal orders, guidelines, or instructions that may be necessary to implement this Protocol.