



State of California
Office of the Attorney General
Xavier Becerra
Attorney General

The Attorney General's Hate Crime Rapid Response Team Protocol for Deployment of Department of Justice Resources

Statement of Purpose

The Attorney General is the chief law officer of the State. It is his duty to see that the laws of the State are uniformly and adequately enforced. (Cal Const., art. V, § 13.) Because crimes motivated by hate are not just attacks on individual innocent people, but attacks on the entire State and our communities, the California Department of Justice (Department) 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 Xavier Becerra reaffirms this protocol for 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.

The **Attorney General's Hate Crime Rapid Response Team** does not supplant the efforts of local and federal law enforcement authorities with respect to the investigation and prosecution of hate crimes. It is the Attorney General's 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 to the Attorney General, the Chief of the Division of Legal Affairs, the Chief of the Division of Law Enforcement, the Deputy Chief of the Division of Law Enforcement, the Director 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 Manager of the Victims' Services Unit within the Division of Criminal Law.

Events Qualifying for Deployment of Attorney General's Rapid Response Team

While all 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;
- c) use of explosives; and/or
- d) a mass casualty incident, or any action appeared calculated to trigger a mass casualty incident.

The occurrence of such a crime may qualify as a "triggering event."

Individuals Authorized to Declare Occurrence of Triggering Event

The Attorney General or the Chief Deputy to the Attorney General shall have 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 Chief of the Division of Law Enforcement, the Deputy Chief of the Division of Law Enforcement, the Director of the Bureau of Investigation, the Chief Assistant Attorney General of the Division of Criminal Law, the Chief of the Division of Legal Affairs and the Chief of the Division of Criminal Justice Information Services, 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 Chief 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 triggering event 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 Director of the Bureau of Investigation that a triggering event has occurred and direct the deployment of as many special agents and other relevant staff as necessary to the scene of the triggering event to assist local and federal authorities, to observe and evaluate the scene of the triggering event, and to prepare and deliver, within 24 hours of the occurrence of the triggering event, a report to the Attorney General on the facts and circumstances that are known as of that time. The special agent(s) and other Department staff shall also take whatever steps 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 Chief shall further command the Director to order the Bureau's Gang/Criminal Extremists Unit to immediately, and not later than 24 hours following a triggering event, deliver to relevant local and federal law enforcement any and all intelligence information that might assist those authorities in identifying the perpetrator(s).

- C. Notify the Director of the Bureau of Forensic Services that a triggering event has occurred and instruct the Director to give the highest priority to any request for services that is related to the triggering event.
 - D. Notify all Criminalist Laboratories that a triggering event has occurred and instruct the Director to give the highest priority to any request for services that is related to the triggering event.
 - E. Notify the Commissioner 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 Chief of the Division of Criminal Justice Information Services shall:
- A. Notify the Director of the Bureau of Criminal Identification and Investigative Services that a triggering event has occurred and instruct the Director to give the highest priority to any request for services that is related to the triggering event.
 - B. Notify the Director of the Bureau of Criminal Information and Analysis that a triggering event has occurred and instruct the Director 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 of the Division of 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 assistance of the Legal Division of the Office of Attorney General. This would include, but is not limited to, the services and assistance of the Division of Criminal Law, the Victims' Services Unit, and Civil Rights Enforcement Section in the Division of Public Rights. The Chief of the Division of 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, who will be available to provide the Rapid Response Team with legal advice that may be needed in connection with the execution of its responsibilities.

- B. The Chief Assistant Attorney General for the Division of Criminal Law shall notify the Manager of the Victims' Services Unit that a triggering event has occurred. The Manager shall make immediate contact with the District Attorney's Victim Services Center of the county in which the triggering event occurred (or any appropriate representative from the District Attorney's Office, if the county does not have a Victim Services Center), and shall offer the full services of the Department's Victims' Services Unit. The Senior Assistant Attorney General of the Civil Rights Enforcement Section shall assist the Manager in responding to this directive.

Additional Support and Outreach

When the Department learns of a scheduled or planned event that may result in the increased possibility of a triggering event, the Chief of the Division of Law Enforcement or his or her designee may contact the local police chief and/or county sheriff in the impacted area to notify them of the Department's ability to assist should any such triggering event occur.