

MINNESOTA DEPARTMENT OF NATURAL RESOURCES

DIVISION OF ENFORCEMENT

DIRECTIVE

DIRECTIVE NUMBER: O-24-2024

SUBJECT: Bias Motivated Crime

EFFECTIVE DATE: 12/20/2024

APPENDIX: None

REFERENCE: Minn. Statutes 626.8451 and 626.5531

DISTRIBUTION: All Conservation Officers

NUMBER OF PAGES: 3

This directive is for division use only and does not modify or supersede any law and should not apply to any criminal or civil proceeding except for civil proceedings related to departmental administrative actions. This directive should not be viewed as creating a higher standard of safety or care in any evidentiary sense. Violations of this directive may form the basis for departmental administrative action.

I. PURPOSE

The purpose of this directive is to ensure that rights guaranteed by state law and the United States Constitution are protected for all people regardless of their race, religion, national origin, sex, age, disability, or characteristics identified as sexual orientation. This directive will give conservation officers the guidelines and direction necessary to fulfill that obligation.

II. POLICY

The director will ensure that the following guidelines and actions are followed and will include:

- A. Development of a directive that defines bias motivated crime and outlines procedures for responding to such incidents.
- B. Ensure a monthly report is filed with the Department of Public Safety, Bureau of Criminal Apprehension pertaining to bias motivated crime (if applicable).

III. DEFINITIONS

- A. **Bias Motivated Crime:** Any violation of local ordinance or statute the officer has reason to believe, or if the victim alleges, that the act was committed in whole or in substantial part because of the victim's actual or perceived race, color, ethnicity, religion, sex, gender, sexual orientation, gender identity, gender expression, age, national origin, or disability as defined in section 363A.03, or because of the victim's actual or perceived association

with another person or group of a certain actual or perceived race, color, ethnicity, religion, sex, gender, sexual orientation, gender identity, gender expression, age, national origin, or disability as defined in section 363A.03.

IV. RESPONSIBILITIES

- A. When an officer receives information and determines that a bias motivated incident has occurred, they will:
 - 1. Aid the victim(s).
 - 2. Apprehend the perpetrator (if applicable).
 - 3. Notify the appropriate law enforcement agencies with jurisdiction and assist if requested.
 - 4. Protect the crime scene until the appropriate law enforcement agency arrives.
 - 5. Notify the director, through the chain of command beginning with their immediate supervisor.

- B. An officer must submit within five working days of the incident a written incident report. The report must include valid and submitted National Incident Based Reporting System (NIBRS) data via the Division RMS system. The following information must be included:
 - 1. The date of the offense.
 - 2. The location of the offense.
 - 3. Whether the target of the incident is a person, private property, or public property.
 - 4. The crime committed.
 - 5. The type of bias and information about the offender and the victim that is relevant to that bias.
 - 6. Any organized group that is involved in the incident.
 - 7. The disposition of the case.
 - 8. Whether the determination that the offense was motivated by bias was based on the officer's reasonable belief or on the victim's allegations.
 - 9. Any additional pertinent information.

- C. When an officer receives information and determines that a bias motivated incident has occurred, they will:
 - 1. Aid the victim(s).
 - 2. Apprehend the perpetrator (if applicable).
 - 3. Notify the appropriate law enforcement agencies with jurisdiction and assist if requested.
 - 4. Protect the crime scene until the appropriate law enforcement agency arrives.
 - 5. Notify the director, through the chain of command beginning with their immediate supervisor.

- D. If a bias motivated crime is reported to a supervisor, their responsibilities are to:
 - 1. Provide direction and assistance to the officer reporting the bias motivated crime.
 - 2. Contact the appropriate law enforcement agency with jurisdiction and assist (if applicable).
 - 3. Ensure copies of all reports are accurate and complete and are submitted in a timely manner.
 - 4. Submit reports to their immediate supervisor within five working days.
 - 5. Ensure all reports are submitted and finalized in RMS.
 - 6. Ensure NIBRS is valid and submitted within five days.

V. BIAS MOTIVATED CRIME TRAINING

- A. As all officers are licensed peace officers, they will have completed Bias Motivated Crime training prior to employment.
 - 1. There are additional in-service materials approved by the POST Board available for continuing education credits.
 - 2. Officers are encouraged to review and complete these trainings. Officers wishing to attend additional in-service training should contact the division training unit.

By Authority of:

**COL Rodmen Smith
Division Director
Division of Enforcement**