Hate Crimes or Hate Incidents

PURPOSE:

The purpose of this Training Bulletin is to provide additional resources to officers responding to Hate Crime or Hate Incident calls for service.

POLICY:

It is the policy of this Department to safeguard the rights of individuals irrespective of their disability, gender, nationality, race or ethnicity, religion, sexual orientation, and/or their association with a person or group with one or more actual or perceived characteristics. Any acts or threats of violence, property damage, harassment, intimidation, or other crimes motivated by hate of bias should be viewed very seriously and given high priority.

California Assembly Bill 600 (effective January 1, 2022) amended the definitions related to Hate Crimes.

California Assembly Bill 57 (effective January 1, 2022) amended the law to identify additional elements of bias motivation.

Peace Officer Standards and Training (POST) model policy framework for Hate Crime or Hate Incident has been updated including definitions, responsibilities, training resources, and planning and prevention methods.

See Policy Manual § 338 for updated information.

HATE CRIMES COORDINATOR:

In an effort to continue to reach out to the community and PORT tenants, Port Police has identified the Community Relations Unit Supervisor as the Hate Crimes Coordinator for the Department. This will assist the Department with continuing to build community trust and increasing police legitimacy with the public.

PUBLIC OUTREACH:

Working with our Partnering Agency, the Los Angeles Police Department (LAPD) has prepared the attached “Hate Crime Resource Pamphlet” for distribution to the public, which is available in English and Spanish for your use. Copies are available in the Records Section. Port Police Officers utilizing this flyer should also distribute a business card when applicable.
TRAINING AIDS:

LAPD has prepared the attached Hate Crime/Incident Guidelines for your review. Additionally, Port Police has established LAPP Form No. 4/2-03.77 for your use while responding to Hate Crime or Hate Incident calls for service.

OFFICER RESPONSIBILITY:

Review and become familiar with changes to Policy Manual § 338 in accordance with Policy Manual § 106 including acknowledgement of policy changes in LEXIPOL system. Review attached resources and acknowledge this Training Bulletin in LEFTA system.

CONCLUSION:

Should any Port Police employee become a victim to a Hate Crime or Hate Incident, the Port Police Peer Support Coordinator can connect you with Behavioral Science Services with LAPD for treatment. See Special Order 20-02 for additional details.

RWA:NB:MEO:arl
DEFINITIONS:

HATE CRIME
A Hate Crime is any criminal act or attempted criminal act rooted in bias and directed against a person(s), public agency or private institution based in whole or in part on the victim’s actual or perceived race, ethnicity, nationality, religion, sexual orientation, disability, gender, gender identity or gender expression or because the agency or institution is identified or associated with a person or group of an identifiable or perceived race, nationality, religion, sexual orientation, disability, gender, gender identity or gender expression. A Hate Crime includes an act which results in injury, however slight; a verbal threat of violence which apparently can be carried out; an act which results in property damage; and property damage or other criminal act(s) directed against a public or private agency.

HATE INCIDENT
A Hate Incident is any non-criminal act including words directed against a person(s) based on that person’s actual or perceived race, nationality, religion, sexual orientation, disability, gender, gender expression or gender identity that is not punishable under the California Penal Code or federal law. Hatred incidents are differentiated from hate crimes because they do not violate criminal or civil law. Rather, such incidents are generally protected free speech under the First Amendment to the U.S. Constitution.

Hate Incidents include, but are not limited to, epithets, distribution of hate material in public places, posting of hate material that does not result in property damage, and the display of hate material on one’s own property. However, over an extended period of time a person directs numerous bigoted, biased or prejudiced statements to the same person, such a pattern of conduct could rise to the level of unlawful criminal harassment or stalking under certain state laws.

I. ARRIVAL AT SCENE
* Determine location/condition of victim;
* Obtain medical treatment as needed;
* Determine if suspect is still at scene;
* Locate and identify witnesses;
* Request witnesses remain for questioning; and,
* Determine if a Hate Crime or Hate Incident has occurred.

II. INVESTIGATIVE REPORT, FORM 03.01.00
* Investigate the crime or incident in a timely manner;
* Interview victims/witnesses separately;
* Notify the watch commander, Area of occurrence;
* Notify the Department Operations Center (DOC), Communications Division at (213) 484-6700 for inclusion of the crime or incident in the Chief of Police 24-hour occurrence log and document the notification in the related report;
* Complete the appropriate crime or arrest report(s) and check the “MOTIVATED BY HATRED/PREJUDICE” box;
* Complete the Request for Confidentiality of Information, Form 03.02.00 (not required for Hate Incidents);
* Complete the Hate Crime Supplemental Report, Form 03.01.05, and attach it to the IR and/or Arrest Report as the last two pages of the report;
* If the incident does not constitute a specific crime, the IR shall be titled “Hate Incident;”
* Collect all evidence including that which verifies motive; and,
* Provide support/resources for the victim (Marsy’s Law pamphlet and Hate Crimes Victim Pamphlet).

III. INTERVIEW VICTIMS/WITNESSES
* Interview victims/witnesses separately;
* Establish the elements of the crime and other details relating to who, what, when, where, why and how; and,
* Questions to consider:
  ✓ Do you (victim/witness) perceive the action of the offender to be motivated by bias or bigotry (regardless of the victim’s actual inclusion in that protected group), why?
  ✓ Do you think you were targeted, why?
  ✓ Who do you think is responsible, why?
  ✓ Were there any offensive symbols, words or acts associated with hate groups used?
  ✓ Are you the only member (or one of a few) of a protected characteristic who lives in the area?
  ✓ Have there been any prior incidents?
  ✓ Has there been any recent public activity that would make you (victim) a target?
  ✓ Did the suspect carry any literature regarding a particular group?
  ✓ Did the incident occur on a holiday or day of significance to the victim’s or offender’s group?
  ✓ Did the suspect have tattoos or clothing that stand out in your mind?

Note: Victims may be reluctant to be identified with a protected group. Witnesses may fear retaliation and therefore feel fearful or hesitant to get involved.

IV. IF SUSPECT IS TAKEN INTO CUSTODY
* Prevent communication between suspect and victim/witnesses;
HATE CRIME/INCIDENT GUIDELINES
FIELD NOTEBOOK DIVIDER
These guidelines shall be followed for investigations of Hate Crimes and Hate Incidents.

* Record spontaneous statements made by the suspect (many times hate crime suspects will be proud of their actions and anxious to talk) including statements made prior, during, and after the incident;
* Administer Admonition of Rights; and,
* Questions to consider (only after Admonition of Rights):
  ✓ Why did you pick this person?
  ✓ How do you feel about this person/group?
  ✓ Did you go looking for this person or group?
  ✓ Did you select the victim at random?
  ✓ Do you belong to a group or organization?
  ✓ Are any others involved in the crime?
  ✓ Do they have a mission or agenda directed toward this person or a particular group?

V. EVIDENCE
* Photograph any evidence that substantiates the motive, e.g., hate graffiti, cross burning, swastikas, suspect’s attire, tattoos, etc;
* Recover weapons and book or photograph; and,
* Identify, retrieve or photograph other evidence, e.g., bloody clothing, destroyed property, hate material, suspect’s attire if appropriate.

VI. COMPLETING CRIME REPORT
* Complete a Request for Confidentiality of Information, Form 03.02.00;
* Title the report according to the criminal violation and add “HATE CRIME” to the title, e.g., BATTERY/HATE CRIME;
* Check the “MOTIVATED BY HATE/RAD/PREJUDICE” box in the MO section;
* Complete the Hate Crime Supplemental Report, Form 03.01.05, and attach it to the IR and/or Arrest Report as the last two pages of the report;
* Notify the DOC telephone (213) 484-6700 and enter the name of the person contacted in the notification box;
* Ensure that elements of all involved crimes are included in the report; and,
* Document the following in the narrative:
  ✓ Motivation or the lack of motivation;
  ✓ Any photographs that were taken;
  ✓ MT obtained;
  ✓ If the victim and suspect(s) are members or perceived as members of different groups;
  ✓ Describe the manner and means of attack;
  ✓ Describe any relevant ongoing neighborhood events; and,
  ✓ Statements or activities prior to and following incident.

Note: In crime reports, Penal Code Section 422.6 or 422.7 will be identified as additional offenses. The underlying crime (i.e., battery, vandalism, assault) should be listed as the main offense.

VII. COMPLETING INCIDENT REPORT (NON-CRIMINAL INVESTIGATIONS)
* Officers shall complete an IR titled “HATE INCIDENT”;
* Include the motivation of the suspect;
* Check the “MOTIVATED BY HATRED/PREJUDICE” box in the MO section;
* Complete the Hate Crime Supplemental Report, Form 03.01.05, and attach it to the IR and/or Arrest Report as the last two pages of the report; and,
* List persons possibly responsible for the incident in the “INVOLVED PERSONS” section of the IR as “witnesses”.

Note: The unwillingness of the victim of an incident motivated by hatred or prejudice to sign a report, or the absence of a victim to an incident, does not exempt officers from the requirement to complete an IR, Form 03.01.00.

VIII. FOLLOW-UP INVESTIGATIONS
Watch Commander
* Direct a sergeant to immediately respond to the scene of a major crime or incident motivated by hatred such as major property damage involved, injury to victim, or vandalism to a house of worship;
* Review all reports for completeness, including the notification to the DOC and cause the reports to be distributed as soon as possible, but no later than the end of watch;
* Ensure that the correct crime code as well as MO code 0903 for hate crime and 999 non-crime and MO code 0921 are denoted on the report and placed into the Consolidated Crime Analysis Database (CCAD);
* Make an entry regarding the matter in the Watch Commander’s Daily Report, Form 15.80.00; Forward a copy of the Watch Commander’s Daily Report entry along with a copy of the Sergeant’s log documenting the contact with the victim to the Community Police Station Hate Crime Coordinator; and,
* Forward a copy of the report to the DOC.

Area Detectives
* Contact the victim within 10 calendar days of the crime or incident and assure the victim of the
These guidelines shall be followed for investigations of Hate Crimes and Hate Incidents.

Department’s interest in identifying the suspect and obtain follow-up information;

* Document any additional information on a Follow-up Investigation, Form 03.14.00;

* Present all felony hate crime investigations in which the suspect is identified to the District Attorney Hate Crime Unit and, as appropriate, to the Office of the United States Attorney, Civil Rights Liaison for filing consideration;

* Present all misdemeanor hate crime investigations in which the suspect is identified to the Special Trials Unit, Office of the City Attorney, and as appropriate, to the Office of the United States Attorney, Civil Rights Liaison;

* Contact appropriate Victim Impact Program Coordinator if applicable per Operations Notice No. 2, dated 5/14/2002; and,

* Provide the command’s Hate Crime Coordinator with a copy of all reports related to the incident within 10 working days of completion. This includes all reclassified reports. Ensure that if a case is deemed to not be a Hate Crime then the MO code (0903 Hate Crime) shall be removed from the CCAD.

POLICY STATEMENTS:
The City of Los Angeles 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 the potential of recurring, escalating and possibly causing counter-violence.

It is the policy of the Los Angeles Police Department to ensure that the rights of all people, as guaranteed by the Constitutions of the United States and the State of California, 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 a 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.
When MO codes **0903 (Hate Crime)** or **0921 (Hate Incident)** is used, additional codes for *Bias* and corresponding *Sub Bias* code is required.

### Questions

Please contact your Divisional Hate Crime Coordinator or RHD Detective Orlando Martinez
213-486-6840

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<th>MO CODE: 0903 - Hatred/Prejudice OR 0921- Hate Incident</th>
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Los Angeles Port Police
(310)732-3500 Dispatch
https://www.portoflosangeles.org/community/los-angeles-port-police

In Case of Emergency
Dial 911

For non-emergencies, you may contact the Los Angeles Police Department at 1-877-ASK-LAPD (1-877-275-5273) or TTY 1-877-572-5273 for the hearing impaired.

You may also obtain additional information on this subject, along with additional crime prevention tips, by visiting the Los Angeles Police Department's Web site at www.lapdonline.org and clicking on “Crime Prevention.”

Should you have information regarding a victim of hate crimes. Should you have information regarding a.

Resources

Government and Community Based Organizations that provide assistance to victims of hate crimes.

Los Angeles County Commission on Human Relations
(213) 738-2788

Human Services Department Human Relations Commission
(213) 978-1660

U.S. Department of Justice Community Relations Service
(213) 894-2941

Anti-Defamation League
(310) 446-8000

Asian American Advancing Justice-Los Angeles
(213) 977-7500

Coalition for Human Immigrant Rights of Los Angeles
(213) 355-1333

L.A. Gay and Lesbian Center
(800) 372-2227

Muslim Public Affairs Council
(800) 898-3558

National Association for the Advancement of Colored People (NAACP)
(310) 397-1171

Simon Wiesenthal Center's Tools for Tolerance
(310) 553-9936

South Asian Network
(800) 281-8111 or (323) 446-8000

Los Angeles Port Police
(310)732-3500 Dispatch

https://www.portoflosangeles.org/community/los-angeles-port-police

WWW.LAPDONLINE.ORG
WWW.JOINLAPD.COM

Los Angeles Police Department
Robbery-Homicide Division
100 West First Street, Room 584, Los Angeles, CA 90012
(213) 486-5600
hatecrimesunit@lapdonline.com

Community Outreach Development Division
Crime Prevention Unit
100 West First Street, Room 250, Los Angeles, CA 90012
(213) 486-8000

As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability, and upon request, will provide reasonable accommodation to ensure equal access to its programs, services, and activities.
The City of Los Angeles has a unique and culturally diverse population. Its residents represent nearly every culture, nationality, race, and religion on earth. This diversity has significantly contributed to making Los Angeles the vibrant and dynamic City it is today. There are people and groups who commit crimes and acts against numbers of specific groups. These crimes and acts are called “Hate Crimes” and “Hate Incidents.” It is important to know the facts about hate crimes and hate incidents. Knowing the facts places the community in a better position to recognize hate crimes and hate incidents as a very serious community problem.

HATE CRIMES

A hate crime is any criminal act or attempt directed against a person(s), public agency, or private institution based on the victim’s actual or perceived race, nationality, immigration status, religion, sexual orientation, disability, or gender or because the agency, institution or victim is identified or associated with a person or group of an identifiable race, nationality, religion, sexual orientation, disability, or gender.

Examples of hate crimes include:
- Acts that result in injury, no matter how slight the injury appears.
- Threats of violence that look like they can be carried out.
- Vandalism and other destructive acts, resulting in property damage.
- Any criminal act or attempted criminal act, including property damage, directed against public or private agencies, or a particular religion (e.g., symbols of importance or articles considered of spiritual significance).
- Harassment, including anonymous telephone calls, threatening letters, and interruptions of religious services.
- Threats made verbally, in writing, and by means of electronic communication devices which can apparently be carried out. (Electronic communication device includes, but is not limited to, telephones, cellular telephones, computers, video recorders, fax machines, or pagers.)
- Murder.

HATE INCIDENTS

A hate incident is any noncriminal act including words directed against a person(s) based on that person’s actual or perceived race, nationality, religion, sexual orientation, disability, or gender.

Examples of hate incidents include:
- Epithets.
- Distribution of hate material in public places.
- Posting of hate material that does not result in property damage.
- The display of offensive material on one’s own property.

WHAT CAN BE DONE?

Hate crimes and hate incidents not only affect the victim but also the community. Hate crimes and hate incidents strike at the heart of our society. Our country, constitution, and national character are based on tolerance and respect for the rights and needs of the individual. Hate crimes and hate incidents directly attack those founding principles; breeding fear, distrust, and uncertainty in the community.

Hate crimes can be prosecuted either as misdemeanors or felonies, depending on the severity of the acts committed. Hate crimes and hate incidents are tracked by the Los Angeles Police Department.

Historically, hate crimes have been under-reported; thus many are not prosecuted. Law Enforcement, the Los Angeles Police Department, and the Los Angeles City, County, and U. S. Attorneys’ Offices, are all committed to apprehending and prosecuting perpetrators.

Respect diversity at work and in your community. The more you learn and know about different cultures and traditions, the richer your life will be. Additionally, support the efforts of the community to fight hate crimes and hate incidents through programs and projects on cultural diversity, human relations, and conflict resolution. Promote the sharing of cultural events and holidays.

IF YOU HAVE KNOWLEDGE ABOUT THE PERPETRATOR OF A HATE CRIME

You are encouraged to contact the LAPD’s Crime Tip Hotline. Public cooperation is often essential in solving hate crimes.

CRIME TIP HOTLINE
877-LAPD247 or 877-527-3247
800-222-TIPS (8477)
https://www.lacrimestoppers.org/

IF YOU ARE A VICTIM OF A HATE CRIME

Call 911 or go to the nearest LAPD Community Police Station listed on this pamphlet.

Victims of hate crimes may be eligible for assistance under California’s Crime Victim Compensation Program. To qualify, you must have reported the crime to law enforcement and cooperated in the investigation of any known suspects. Additionally, you cannot have contributed to the events leading up to the crime. For information go to http://www.vgcb.ca.gov/ or call (800) 777-9229 or contact: Los Angeles County District Attorney’s Victim Assistance Program (800) 380-3811 or Los Angeles City Attorney’s Office Victim Assistance Program LGBT Advocacy & Outreach (213)978-2097.

Los Angeles Police Department

THE SIX PROTECTED CLASSES UNDER THE CALIFORNIA HATE CRIME LAW ARE:

- Disability
- Gender
- Nationality
- Race
- Sexual Orientation
- Religion
DEPARTAMENTO DE POLICÍA DE LOS ÁNGELES

CRIMENES DE ODIO

FOLLETO DE RECURSOS

Los Angeles Port Police
(310) 732-3500 Dispatch
https://www.portoflosangeles.org/community/los-angeles-port-police

EN CASO DE EMERGENCIA
MARQUE 911

Si no hay emergencia, puede contactar el Departamento de Policía de Los Ángeles en 1-877-ASK-LAPD (1-877-275-5273) o TTY 1-877-275-5273 para personas con discapacidad auditiva.

Usted también puede obtener información adicional en este tema, junto con información sobre prevención del crimen, visitando el sitio Web del Departamento de Policía de Los Ángeles y haga clic en “Crime Prevention.”

Si tiene información con respecto a una investigación o actividad criminal, por favor contacte su estación policial local o la línea telefónica de crimenes de LAPD 1-877-LAPD247 (1-877-527-3247).

WWW.LAPDONLINE.ORG
WWW.GETINLAPD.COM

PRODUCIDO POR:
EL DEPARTAMENTO DE POLICÍA DE LOS ÁNGELES
División de Bebe y Robo
100 West First Street, Room 544
Los Angeles, CA 90012
(213) 655-4079
bebescrime@lapd.lacity.org

División de Extensión Desarrollo Comunitario
Unidad de Prevención de Crimen
100 West First Street, Room 370
Los Angeles, CA 90012
(213) 486-0000

Como una entidad cubierta bajo el Título II del Acta de Entidades descentralizadas con Discapacidad, la ciudad de Los Ángeles no discrimina por incapacidad, y sobre la petición, proporcionará una determinación razonable para asegurar acceso igual a sus programas, servicios y actividades.
La Ciudad de Los Ángeles tiene una población única y culturalmente diversa. Sus residentes representan casi cada cultura, nacionalidad, raza y religión de la Tierra. Esta diversidad ha contribuido significativamente en hacer Los Ángeles la ciudad que es hoy vibrante y dinámica. Hay gente y grupos que cometen crímenes y actos contra miembros de grupos específicos. Estos crímenes y actos se llaman “Crimenes de Odio” y “Incidentes de Odio.”

Es importante saber los hechos sobre crímenes y incidentes de odio. Sabiendo los hechos pone la comunidad en una mejor posición para reconocer que crimenes y incidentes de odio son problemas comunitarios serios.

INCIDENTES DE ODIO
Un incidente de odio es cualquier acción o comportamiento no criminal motivado por prejuicios, pero legalmente protegido por el derecho a la libertad de expresión de la Primera Enmienda.

Ejemplos de incidentes de odio incluyen:
• Epítetos
• Distribución de material de odio en lugares públicos.
• Anuncios de materiales de odio que no provoquen autolesiones.
• Exhibición de material ofensivo propiedad de uno mismo.

La Constitución de los Estados Unidos permite el discurso de odio siempre que no interfiera con los derechos civiles de los demás. Si un incidente de odio comienza a amenazar a una persona o propiedad, puede convertirse en un crimen de odio.

CRIMENES DE ODIO
Un delito de odio es cualquier acto criminal o acto de intento, dirigido contra una persona(s), agencia pública o institución privada en función de la víctima real o percibida de la víctima:
• religión,
• orientación sexual,
• discapacidad,
• género,
• o porque la víctima, agencia o institución está identificada o asociada con una persona o grupo con una o más de estas características protegidas.

Los ejemplos de crímenes de odio incluyen:
• Actos que causan lesiones.
• Amenazas de violencia.
• Vandalismo y otros actos destructivos.
• Acoso, incluido llamadas telefónicas anónimas, cartas amenazadoras e interrupciones de servicios religiosos.
• Amenazas hechas verbalmente, por escrito y por medio de dispositivos de comunicación electrónica.
• Asesinato

CÓMO ENCUENTRAR UN DELITO DE ODIO
Aqui hay signos de un posible crimen de odio:
• El delincuente eligió a la víctima o protección por un grupo protegido, como una determinada religión o género.
• El criminal hizo comentarios escritos o verbales que muestran un prejuicio.
• El crimen ocurrió en una fecha que es importante para el grupo protegido de la víctima.
• Hay una actividad de odio organizada en el área.

SI TIENE INFORMACIÓN SOBRE EL SUSPECHOSOS DE UN DELITO
Le recomendamos que se comunique con la línea directa de información sobre delitos de odio.

LÍNEA DIRECTA DE CONSEJOS SOBRE DELITO:
77-LAPD247 o 877-527-3247; 800-222-TIPS (8477)
https://www.lacrostestoppers.org/

SI ERES VÍCTIMA DE UN DELITO DE ODIO
• ¡Póngase en contacto con la policía local o el sheriff de inmediato!
• Obtenga atención médica (si la necesita).
• Escriba las palabras exactas que se dijeron.
• Haga notas sobre otros hechos para que no los olvide.
• Guardar toda la evidencia (por ejemplo, grafitis, cáscaras de huevo, escribir en el vehículo de la víctima). Si es seguro, espere que llegue la policía y tome fotos.
• Obtener los nombres, direcciones, números de teléfono y correos electrónicos de otras víctimas y testigos.
• Trate de obtener una descripción de cualquier testigo oculado del sospechoso o vehículo.
• Llame a las organizaciones comunitarias en su área que responden a crimenes de odio.
• Las víctimas de crimenes de odio pueden ser elegibles para asistencia bajo el Programa de Compensación de Víctimas de Crímenes de California. Para obtener información, visite http://www.vgcb.co.gov/ u llame al (800) 777-9229 o comuníquese con: Programa de Asistencia a las Víctimas del Fiscal del Distrito del Condado de Los Ángeles al (800) 380-3811 o Asistencia a las Víctimas de la Oficina del Fiscal de la Ciudad de Los Ángeles Programa LGBTQ Advocacy and Outreach program al (213) 978-2097.

LAPD. La cooperación pública es a menudo esencial para resolver crímenes de odio.