Task Force on Hate Crime Outreach and Response

Best Practice Recommendations for Law Enforcement Agencies

BACKGROUND

On November 13, 2015, the world was shocked and horrified when 130 people were killed and 368 injured in six different attacks in Paris, for which ISIS claimed responsibility. Not long after, on December 2, 2015, in the City of San Bernardino, 14 people were shot to death, and 22 others were injured by an attack inspired by foreign terrorist groups in what was called the biggest terror attack in our nation since September 11.

Nations around the world condemned these attacks and expressed support for the victims. The same was also true throughout this country, as communities voiced solidarity with the people of Paris and San Bernardino. However, while the primary response from most individuals in the aftermath of the attacks was one of empathy and compassion, there was also a destructive and frightening response in that the number of hate crimes and hate-related incidents increased.

In Los Angeles County and throughout the nation, the number of Americans who were targeted for anti-Muslim/Middle Eastern hate crimes rose sharply following the attacks in San Bernardino and Paris. Analysis of the hate crime reports in Los Angeles County by LACCHR showed a sharp rise in attacks against Muslims, Arab Americans, and people perceived to be Muslim during November and December 2015. As reported by the New York Times, other jurisdictions experienced the same: “Hate crimes against Muslim Americans and mosques across the United States have tripled in the wake of the terrorist attacks in Paris and San Bernardino, Calif., with dozens occurring within just a month, according to new data.”

On December 15, 2015, the Los Angeles County Board of Supervisors unanimously passed a motion requesting that the District Attorney’s Office, Sheriff’s Department (LASD), Countywide Criminal Justice Coordination Committee (CCJCC), and Commission on Human Relations (LACCHR or Commission) increase their outreach to Muslims, Sikhs, South Asians and other groups most often targeted for hate crime following acts of terror or other major incidents and that the agencies work to deter and swiftly respond to threats and acts of hate.

In response, LACCHR collaborated with community partners in three major events which drew hundreds of attendees and featured Muslim, Sikh, South Asian, Jewish and interfaith leaders. The Commission also gathered and analyzed anti-Muslim/Middle Easterner hate crime data in the county to assess the increase in hate violence and worked with Los Angeles Unified School District (LAUSD) and the state department of Fair Employment and Housing to take pro-active steps to reduce Islamophobic bullying and discrimination.

LASD increased outreach to mosques, Sikh temples, and other community organizations and participated in a public forum at the Islamic Center of Los Angeles. LASD also conducted station briefings to ensure deputies were aware of possible targeted locations and increased patrols at mosques, temples and synagogues.
To support this process, CCJCC established a Task Force on Hate Crime Outreach and Response in January 2016 to promote inter-agency coordination and sharing of best practices to reduce and respond to hate crimes. Specifically, the task force was created to:

- promote coordinated swift responses to San Bernardino-type incidents that could occur;
- prevent an outbreak of hate crimes in the immediate aftermath of such incidents; and
- share best practices among law enforcement and government agencies that strengthen outreach efforts and other actions that can deter threats and acts of bias-motivated violence.

Chaired by LACCHR Executive Director Robin Toma and LASD Captain Bobby Wyche, the task force included representatives from the following agencies:

- District Attorney’s Office
- Los Angeles Police Department
- Long Beach Police Department
- Los Angeles Unified School Police Department
- U.S. Department of Justice Community Relations Service
- Los Angeles Unified School District – Office of Human Relations, Diversity, and Equity
- Muslim Public Affairs Council
- Council on American Islamic Relations
- California Sikh Council
- South Asian Network
- Anti-Defamation League
- Los Angeles LGBT Center
- California Conference for Equality and Justice
- Hate Violence Prevention Partnership

To generate recommended strategies, the Task Force developed a shared understanding of “best practices” and collected and reviewed a number of relevant policies and practices from Task Force member agencies (Attachments A and B).

The Task Force believes that the approach of collecting and analyzing variegated policies and practices – along with the input of constituents – has resulted in a set of strategies for building community connections and trust, planning for incidents, and responding effectively to acts of hate that can support law enforcement agencies in their work. It is the Task Force’s hope that this report can serve as a resource to public safety agencies and others as they respond to hate crime issues and help protect vulnerable community members from targeted acts of hate.

CULTIVATING COMMUNITY CONNECTIONS AND TRUST

One of the leading challenges to hate crime reporting is distrust of the police. Victims may fear that law enforcement shares the same bias as the perpetrators, that no arrests will be made, or that they themselves may be subject to reprisal or deportation.

Law enforcement agencies and others can help prevent and respond to hate crime by cultivating connections with the community and building mutual trust. Building trust requires
pleads and commitments to leaders of affected communities to be responsive to the community’s concerns. Such pledges have the strongest impact on trust-building when supported by policies and actions consistent with trust-building. Strategies that can assist in this regard include:

- **Providing culturally competent training, including histories of the communities served, the role of historical prejudices, impacts of implicit biases and de-biasing techniques** – Law enforcement’s familiarity with and understanding of a community’s culture and language helps build trust and promotes accurate reporting of hate crimes. Curriculums and trainings provided to law enforcement agencies should aim to be culturally competent. Providing a basic history of constituent communities, as well as information concerning the richness of diversity within a given racial, ethnic, religious, or national origin group, can help law enforcement navigate relations with the community with effectiveness.

  ✓ Prejudices and stereotypes rooted in past societal, institutional, and individual practices, policies and laws have been barriers to building relationships of trust for both police and community and can lead to underreporting of hate crime. A law enforcement agency’s understanding of its community relations history and use of de-biasing approaches on an individual, organizational, and community level can help build mutual trust and support.

  ✓ Information about the community’s relations with and perceptions of law enforcement can bolster the creation of law enforcement training curriculums.

  ✓ Educational tools and resources can be requested directly from communities affected by Islamophobia.

  ✓ Community, governmental and law enforcement agencies – such as the International Association of Chiefs of Police, the U.S. Department of Justice, the U.S. Department of Homeland Security, the LASD academy and in-service training, Los Angeles Police Department (LAPD), Anti-Defamation League (ADL), LACCHR, Peace Officer Standards and Training (POST) resources and the organization, Not In Our Town – can also provide educational resources on communities affected by Islamophobia.

- **Adopting clear policies and protocols for taking reports on hate crimes and incidents, and investigating hate crimes** – By adopting and publishing clear policies on hate crimes, a law enforcement agency sends a message that it is committed and willing to be held accountable to follow those policies. When those policies are implemented, it can strengthen trust between police and the community.

  ✓ Clear policies and protocols on hate crimes and hate incidents can be created with a version of the documented policies for internal purposes that protects
investigative procedures and another version to share with the public that conveys the broader policies, purposes and general methods.

✓ Training and information on hate crime identification and response and should be both in academy training and via in service training. Agencies such as the LACCHR, ADL, and Museum of Tolerance/Simon Wiesenthal Center offer hate crime and training programs for police departments. vi

✓ In addition, establishing a policy of taking reports of hate incidents as well as crimes conveys to the community that law enforcement takes seriously hate incidents, which can be as traumatic for a community as a hate crime. It also recognizes that hate incident reports can be critical and useful information in subsequent hate crime investigations.

• Adopting policies that support and protect vulnerable victims, witnesses, and community members, regardless of immigration status – When a significant sector of the county population is reluctant or unwilling to report crimes for fear of their immigration status being questioned, whether as victims or witnesses, then the public is less safe. It is imperative to ensure that victims feel safe to report a hate crime to the police and that they can trust their safety comes first. Policies that prioritize protecting communities from hate crime, regardless of immigration status, must be communicated to the community. vii

✓ Policies like LAPD Special Order 40, when communicated effectively to the affected populations, reassure communities that they will not be questioned on immigration status when reporting a crime as a victim or witness.

• Cultivating a reliable and regularly updated network of leaders from affected communities before a crisis through in-person meetings and regular contacts – Hate crimes impact not only the victim, but the entire community associated with the targeted trait of that victim. It is imperative that law enforcement develop and maintain relationships with affected communities before a crisis and establish a network of community leaders with whom to work. This is a practice that has been implemented and worked well for LASD, LAPD, and other jurisdictions.

An initial face-to-face meeting should be held with high level police officials or other law enforcement official(s) to develop enduring relationships and reliable lines of communication with the community. Officers tasked with this responsibility can be senior lead officers, community liaisons, community relations officers, or other reliable points of contact. Community relations officers can develop contacts with targeted communities such as the Shura Council in mosques, in Sikh temples/gurdwaras, and in Jewish synagogues. Regular updating of such contacts is critical to ensure communication can occur if and when a crisis occurs. viii
• Proactively disseminating valuable information to vulnerable communities, such as information on protecting religious and community organizations, and supporting potentially targeted students in school – Many individuals are unaware of existing resources and support for victims of hate crime and the affected communities. These resources are not only from organizations in one’s own community, but also with other communities, police agencies and government agencies like the local human relations commission. One example is the Hate Violence Prevention Partnership of Los Angeles which seeks to build community capacity to provide intergroup solidarity and support on hate crime issues and incidents. One nonprofit, Not in Our Town, has a variety of films that tell stories of different communities’ responses in solidarity with targets of hate crime.

✓ When law enforcement can provide practical information that helps affected communities deter and prevent hate crime targeting their organization and its members, a stronger relationship of trust is built. ADL has created such informational guides for its synagogues which can be adapted to Muslim mosques and Sikh gurdwaras.

✓ Following 9/11 and San Bernardino, there were reports of name-calling, bullying and other harassment of students because of their perceived identity as Muslims. Parents and educators would greatly appreciate guidance in protecting students through both educational/preventive approaches, as well as responding to acts of hate when they occur.

Examples of this include: LAUSD’s bullying prevention and intervention and related human relations policies and programs; the U.S. Department of Justice’s Community Relations Service document titled “Twenty Plus Things Schools Can Do to Respond to or Prevent Hate Incidents Against Arab-Americans, Muslims, and Sikhs”; and the Rapid Incidence Response Toolkit from National Coalition of Anti-Violence Programs.

• Establishing a process for receiving community inquiries on hate crimes – When hate crimes occur, it is imperative for trust-building that there be a way for community members to learn about how perceived hate crimes are being handled. This is an opportunity for law enforcement and its partners to educate the community about its policies and practices regarding hate crimes and/or hate incidents in a way that helps build mutual understanding and trust. In some cases, sensitive information can be shared with trusted partners (e.g. elected officials’ staff, LACCHR, or non-governmental agencies such as the ADL) that can assist in responding to questions without divulging confidential information.
ADVANCE PLANNING AND TRAINING

As with all responses to crisis situations, advance preparation and appropriate and ongoing training is critical. Having a plan for emergency response to Anti-Muslim/Middle Eastern/Arab Hate Crimes and domestic terrorism is vital, given the speed at which they may occur and escalate in the wake of a triggering incident. Strategies that can help in this regard include:

- **Establishing a plan with annual input from community leaders for responding to anti-Muslim/Middle Eastern/Arab hate crimes, including policing strategies that can protect against and deter hate crime and other extremist activity** – Emergency response plans that address both tactical considerations for law enforcement agencies and communication protocols with the community are important. Such plans benefit from input from community leaders who can help identify community needs in a crisis situation. A smart starting point for an emergency response plan would be to distribute guidance for community and religious institutions to take steps to protect their institutions against acts of hate. One good example is ADL’s publication, “Protecting Your Religious and Communal Institutions” guidelines.

  ✓ Actions that law enforcement agencies can take to deter hate incidents and crimes should be prominent in the plan and coordinated in the event of a crisis. For instance, during the days and few weeks that hate crimes are known to occur after a San Bernardino-type incident, law enforcement can increase patrol checks and station marked patrol vehicles at high-frequency targets like mosques and Islamic schools. These are practices employed by LASD, LAPD, and other departments.

  ✓ Law enforcement agencies can remain proactive by providing training and education on their agency’s response plan and other resources, such as the U.S. Department of Homeland Security Incident Management Plan.ix

- **Identifying potential hate crime targets with information from community leaders, available hate crime data, and information from the Human Relations Commission** – Mosques, Islamic centers and schools, Sikh-owned retail businesses, and Jewish synagogues are common targets for hate crimes following a San Bernardino-type incident. In addition, students who are seen as Muslim or Middle Eastern may be targeted in educational institutions. Hate crime data for the county and information from the Islamic Shura Council, LASD, school districts, and others may also help identify potential targets.

  ✓ The LACCHR produces an annual hate crime report for Los Angeles County and can provide specific data when requested.

- **Establishing protocols with other law enforcement and government agencies for sharing information on hate crime activity** – To have the best chance at deterring hate crimes, there must be a rapid response to the earliest hate activity, sending a message that anti-
Muslim hate crimes will not be tolerated. A rapid apprehension of a hate crime suspect could depend on sharing and requesting information about a crime from other law enforcement agencies.

To that end, the establishment of protocols among law enforcement agencies to share information on hate activity is critical. This could occur through the Joint Regional Intelligence Center (JRIC) “Fusion Center” or some other mechanism that includes regional sharing of information on hate crime investigations and law enforcement responses.

✓ To promote interagency coordination, the sharing of response plans with other jurisdictions in advance can strengthen the planning process and help identify opportunities for collaboration.

• Conducting regular reviews of and trainings on the response plan, and seeking input from community leaders and other policing agencies – To ensure that the plan is current and adapted to changing conditions – including changes in agencies’ organizational structures, community leadership, availability of new technologies, etc. – the plan should be reviewed at least once per year.

✓ Seeking community input on the plan during the review will help it remain current with community changes (leadership) that may impact the plan and remind the community of a policing agency’s commitment to protect them.

RAPID AND EFFECTIVE RESPONSES

By cultivating community relationships, developing a response plan, and coordinating with partner agencies in advance, departments will be well positioned to respond swiftly to hate activity. The following key strategies can reinforce the rapid and effective response needed at that critical time:

• Law enforcement leaders should immediately connect with potentially targeted communities and the established network of leaders to re-assure them of support and open the lines of communication. Hate crimes send a message to the victim and the entire community associated with the targeted trait of that victim. As quickly as can occur after a precipitating incident, law enforcement must communicate with affected community leaders and institutions in their jurisdiction to provide reassurance and open lines of communication. Communication with key community leaders on major hate crimes targeting their community is important in building a trusting relationship between law enforcement and affected communities, as well as requesting those leaders to share the information with their affected communities.

✓ The form of communication can take many forms, ranging from the personal voice calls or texts to key leader, to an email blast to leaders of targeted
communities. This is a practice that has been implemented and worked well both for LAPD and LASD.

- **Press conferences and/or other means of mass messaging with police, elected leaders, and affected communities should be utilized to counter scapegoating of entire groups and to re-affirm support for the community.** In the immediate aftermath of a precipitating incident, some may react with fear and animosity towards anyone they consciously or unconsciously associate with an entire group of people based on religion, ethnicity, appearance, or other affiliation. In that context, it is imperative to quickly and broadly send the message to any would-be hate crime perpetrators that law enforcement, government and the community will not condone scapegoating and will not tolerate bias-motivated attacks against anyone.

  ✓ A press conference with key community leaders, government officials, and law enforcement, and community leaders can be effective in countering scapegoating and making visible the jurisdiction’s commitment to protect targeted and vulnerable groups.
    - Prepare talking points in advance for leaders to use. They can be customized for particular situations.
    - Ensure that the Public Information Office is clear on who and how to mobilize for a press conference or other messaging actions.
    - Communicate any incidents of hate crimes to elected officials and other relevant agencies in government and community to assist in responding.

  ✓ Other forms of social media – such as websites, Twitter, Facebook, Instagram, and other messaging platforms – should be utilized as vehicles to reach as many people as possible with messages that denounce hate, support potentially targeted communities, and remind people to treat others as they would want to be treated.²

- **Mutual assistance agreements among law enforcement agencies should be invoked to share information on hate activity and assist on investigations.** When a triggering incident escalates hate activity, law enforcement agencies should invoke mutual assistance agreements and leverage any existing regional and federal law enforcement information sharing networks, such as JRIC.

Again, information sharing among policing agencies and prosecutors about perpetrators of past anti-Muslim hate crimes or hate crimes targeting other groups driven by Islamophobia can bolster monitoring, send a message of deterrence, strengthen the ability to prosecute perpetrators, and show support for impacted communities.
CONCLUSION

In the immediate aftermath of a major incident like the San Bernardino attack or 9/11, Americans whose appearance is seen as similar to those who are identified as carrying out horrific attacks are not only dealing with the trauma that everyone feels when shocked by the violent and sudden loss of life of many people. They also must face the anxiety and fear of becoming a victim of a wave of suspicion, fear, anger, aggression, and hate violence in an environment of anti-Muslim/Middle Easterner prejudice.

The Task Force submits this document with the hope that the strategies, policies and best practices outlined will continue to be developed, adopted and implemented and that this guide serves as a resource that helps to protect the basic human rights to the safety and dignity of those who are most vulnerable to hate and prejudice in times of crisis and fear.

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4 Not in Our Town website: www.niot.org/
7 An analysis of past hate crime data indicates that most of the anti-Muslim/Middle Eastern hate crimes are committed within the days and first few weeks of a triggering incident.
8 There are over 15 human relations organizations based in city governments and communities in Los Angeles County.
10 During the explosion of two bombs at the Boston Marathon in 2013, Boston Police Department used social media, such as Twitter, “to keep the public informed about the status of the investigation, to calm nerves and request assistance, to correct mistaken information reported by the press, and to ask for public restraint in tweeting of information from police scanners.” This is an example when technology such as smartphones and social media, along with law enforcement communication, can be helpful in the event of a crisis.
**Definition of “Best Practice”**

The primary deliverable of the Task Force is to develop a ‘best practices’ report to share with law enforcement, NGOs and governmental agencies. The members agreed to adopt the following definition of ‘best practices’: “a method or technique that has been generally accepted as superior to any alternatives because it produces results that are superior to those achieved by other means ...” i

There are three varieties of best practices. In the first type, a best practice is validated through empirical research or an authoritative entity, such as a government body or a professional association, to prove its effectivenessii. Characteristics common to best practices include: comprehensiveness, flexibility and responsiveness, have a clear mission, trained and supported practitioners, target the underlying causes of an issue or problem, and evolve over time as needed (ibid). The second category relies on field testing or the application of the practice which, through time, may be altered or modified to improve effectiveness. This type of best practice may or may not be supported with data proving its effectiveness.

Lastly, a ‘promising practice’ is effective within one organization and has the potential to be transferable and applied to another organization, increasing the practice’s effectiveness. Proving the effectiveness of a practice requires resources such as funding, objective research design, and time for data collection, analysis, interpretation, and application.iii Therefore, many agencies and organizations adopt their own ‘best’ or ‘promising’ practices based on the premise that it has worked well for their organization and their constituents. Eugene Bardach (2003)iv suggests that to improve decision making around best practices, it is helpful to do things such as look at evidence from multiple sources, examine promising programs that may not have "proof" yet that they are effective, and involve field experts and peer reviewers, which are all methods this Task Force undertook.

The task force collected and accepted all of the above mentioned types of best and promising practices from law enforcement agencies, governmental agencies, and community-based organizations, all of whom were part of this task force. We believe that this mixed approach to collecting and analyzing variegated policies and practices, along with the input of constituents, maximizes the development of what can very well become a set of “best practices” feasible to adopt at various law enforcement agencies.

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# Policies and Practices Received

<table>
<thead>
<tr>
<th>Agency/Organization</th>
<th>Document Title</th>
<th>Description</th>
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<tbody>
<tr>
<td>Anti-Defamation League (ADL)</td>
<td>ADL Practices</td>
<td>The process by which ADL responds to discrimination complaints and hate crime reports.</td>
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<tr>
<td>Discrimination Complaint Form</td>
<td>Form used by ADL staff to do intake of discrimination complaints based on national origin, race, religion, sex, sexual orientation or other.</td>
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<tr>
<td>Protecting Your Religious and Communal Institutions</td>
<td>Guidelines for community and religious institutions to protect themselves against various hate extremist actions and situations.</td>
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<tr>
<td>U.S. Department of Justice Community Relations Service (DOJ-CRS)</td>
<td>Homeland Security Assistance for Public Gatherings</td>
<td>This document lists the types of support the Department of Homeland security can provide, which includes: unclassified intelligence on terrorist tactics, active shooter preparedness, and counter-improvised explosive device training.</td>
</tr>
<tr>
<td>Homeland Security Information Network Faith Based Organizations</td>
<td>A flier promoting faith-based organizations' participation in the Homeland Security Information Network which is a secure, unclassified, web-based communications system that serves as the primary, nationwide DHS collaboration-system for sharing sensitive but unclassified information.</td>
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<tr>
<td>Homeland Security Tools and Resources to Help Businesses Plan, Prepare, and Protect from an Attack</td>
<td>This document describes the Department of Homeland Security's recommendations for businesses to plan, train, and report in the event of an incident or attack.</td>
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<tr>
<td>Twenty Plus Things Schools Can Do to Respond to or Prevent Hate Incidents Against Arab-Americans, Muslims, and Sikhs</td>
<td>A set of recommendations for schools to respond to and prevent hate incidents, which includes: establishment of a written memorandum of understanding with local police officials, development and publicity of school's policy against discrimination and harassment, and creation and improvement of ways to detect and respond to escalating racial tensions.</td>
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<tr>
<td>Hate Crimes Prevention Act</td>
<td>With the passing of the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Acts, DOJ-CRS is authorized to work with</td>
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<td><strong>Attachment B</strong></td>
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<td><strong>communities to educate, communicate, conciliate, mediate, and facilitate.</strong></td>
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<tr>
<td><strong>DOJ-CRS Practices</strong></td>
<td>This document explains that the statutory mandate of DOJ-CRS is conflict resolution.</td>
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<tr>
<td><strong>L.A. LGBT Center</strong></td>
<td><strong>Rapid Incidence Response Toolkit (National Coalition of Anti-Violence Programs)</strong></td>
<td>This toolkit addresses response to violence in the LGBTQ and HIV-affected communities. It contains information on hate violence, rapid incidence response and roles, and communication guidelines.</td>
</tr>
<tr>
<td><strong>Los Angeles Police Department (LAPD)</strong></td>
<td><strong>Hate Crimes</strong></td>
<td>This policy defines and explains hate crime and hate incident, reporting, and investigation as well as the responsibilities of the field units, watch commander, community police station hate crime coordinator, area commanding officer, and personnel and training bureau responsibilities.</td>
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<tr>
<td><strong>Special Order Number 40</strong></td>
<td>Special Order Number 40 informs LAPD police officers that the immigration status of victims and potential suspects is not to be collected or reported to federal authorities, unless a suspect is charged.</td>
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<tr>
<td><strong>L.A. School Police Department</strong></td>
<td><strong>Hate Crimes Policy</strong></td>
<td>This policy defines hate crime, includes guidelines for preventing and preparing for likely hate crimes, and the procedure for investigating hate crimes.</td>
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<tr>
<td><strong>L.A. Sherriff’s Department (LASD)</strong></td>
<td><strong>Hate Crimes</strong></td>
<td>This policy provides an overview of hate crime and hate incident reporting.</td>
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<tr>
<td><strong>Handling Hate Crimes</strong></td>
<td>This policy document includes definitions, duties and responsibilities of various officers when it comes to investigating and reporting hate crimes.</td>
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<tr>
<td><strong>Los Angeles Unified School District (LAUSD)</strong></td>
<td><strong>Calendar of Commemorative Dates and Observances, School Year 2015-16</strong></td>
<td>LAUSD calendar of commemorative dates and observances as a tool to enhance mutual understanding, respect, awareness and sensitivity among various religious, ethnic and cultural groups.</td>
</tr>
<tr>
<td><strong>Bullying and Hazing Policy (Student-to-Student and Student-to-Adult)</strong></td>
<td>This policy commits LAUSD to providing a safe learning and working environment free of bullying, hazing, and behavior that infringes on the safety and well-being of students and employees.</td>
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<tr>
<td><strong>Hate-Motivated Incidents and Crimes: Response and Reporting</strong></td>
<td>This policy commits LAUSD to a working and learning environment that is free from discrimination, harassment, and/or bullying. It includes preventative measures and immediate responses to hate-motivated conduct.</td>
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</table>
Acronym Guide

- **ADL**: Anti-Defamation League
- **CCJCC**: Countywide Criminal Justice Coordination Committee
- **IACP**: International Association of Chiefs of Police
- **JRIC**: Joint Regional Intelligence Center, also known as the “Fusion Center”
- **LACCHR**: Los Angeles County Commission on Human Relations
- **LAPD**: Los Angeles Police Department
- **LASD**: Los Angeles County Sheriff’s Department
- **LAUSD**: Los Angeles Unified School District
- **POST**: Peace Officer Standards and Training
- **US DOJ-CRS**: U.S. Department of Justice Community Relations Service