

2024-2025 Pomona College Student Handbook

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# Hate Crimes and Bias- Incident Protocol



## Hate Crimes and Bias-Related Incident Protocol

### *What is a Bias-Related Incident?*

Bias-related incidents are expressions of hostility against another individual (or group) because of the other person's (or group's) race, color, religion, an-

cestry, national origin, disability, gender identity or expression, and sexual orientation, or because the perpetrator perceives that the other person (or group) has one or more of these characteristics. Depending on the circumstances, a bias-related incident may not be a crime and may be protected speech. However, the conduct underlying some bias-related incidents may violate the College's policies, including provisions of the Student Code and the Harassment and Discrimination Policy.

### *What Should a Student Do If They have been the Target of a Hate Crime or a Bias-Related Incident?*

All hate crimes and bias-related incidents should be immediately reported to the College. Any member of the community can report a bias-related incident by contacting Campus Safety or the Administrator On-Call. Incidents can also be reported directly to the Bias Report Team via the online Bias Response form.

### *How Do Free Speech Requirements Impact Bias-Related Incidents / Hate Crimes?*

State and federal laws protect many forms of "hateful" and intolerant speech and expressive conduct, including that which occurs during such common College activities as debates, speeches, arguments, conversations, classroom discussions, lectures, distribution of flyers and displaying of posters. In certain contexts, courts have found speech and expressive conduct to be protected that many in our community would find repugnant, including such things as display of the confederate flag, Nazi symbols, cross burning, and flag burning. Such speech and expressive conduct, however, may be inconsistent with the College's community values and it may present an opportunity for open dialogue, debate and better understanding other scope of protected speech and the role of tolerance in a community.

## *Guidelines for Responding to Hate Crimes and Bias-Related Incidents*

These guidelines do not alter any College policies - such as the Student Code and Harassment and Discrimination Policy - and are designed to address incidents that violate such policies as well as those which do not. It envisions instances of protected (but hateful or intolerant) speech that may generate harm requiring intervention without discipline. Bias-related incidents need to be addressed because they harm individuals, undermine civility and understanding in the Pomona community, or impede the educational process. Public discussion and education can promote awareness of prejudice and examination of the values that underlie the Pomona community.

### *How Will Pomona College Respond in Such Cases?*

Assisting targeted individuals

The College believes it is important to respond to a hate crime or bias-related incident with concern for the student who has been targeted and the community as a whole.

If a particular student has been targeted, the first College staff on-scene will assist the student in documenting the event and will explain the options for addressing what has occurred. If the incident is a crime, the student is welcome to contact local law enforcement. If the incident isn't a crime but does involve a possible violation of a College policy, the procedures for investigation and resolution under that policy will be undertaken.

A wide range of assistance is available to students who are targeted. The College will assist with referrals to the counseling center, a chaplain, or the head of the relevant mentor group or support center. The Housing & Residence Life Office will try to ensure that the affected student feels safe in their residential environment. The student's class dean can help in communi-

cation with faculty if there is an academic impact. Staff will also offer help documenting the event (e.g., taking photos of dry erase boards or items placed on the student's door)\*; help in talking with/filing a complaint with Campus Safety and/or the police; give advice about initiating disciplinary action against the offender; assistance in arranging counseling or other forms of support. Although hateful messages on such things as flyers, posters, e-mail, answering machines, dry erase boards, and graffiti can often be disturbing to the intended target(s) and the community, it is helpful to preserve them as evidence and not to disturb or remove anything that could help identify the source and/or targets or other affected persons.

### Communicating with the Pomona College Community

When hate crimes and bias-related incidents occur on campus, they can strain the fabric of the community. The Bias Report Team will work with the vice-president of Student Affairs and other senior administrators to consider what sort of communication about the incident is appropriate, taking into account issues of safety and confidentiality.

### *What is the Bias Report Team?*

The College has established a Bias Report Team to help address issues relating to hate crimes and bias-related incidents. The Bias Report Team will review all bias-related incident reports, gather additional information as needed, and submit a report summary to the College's Executive Team. The BRT will meet several times throughout the academic year and participates in trainings about bias, bias-related incidents, and responding to said incidents. The team can also create and implement proactive education of the community about bias-related incidents, so that students have access to information about the issues and how incidents can be reported.

The BRT is composed of five standing members:

- Dean of Campus Life
- Associate Dean of Students for Student Development & Leadership
- Associate Dean for Diversity, Equity, and Inclusion
- Student ASPC commissioner for equity and inclusion
- The director of Human Resources

When responding to incidents of bias, the Bias Report Team may partner with various groups directly affected by specific incidents. This can include, but is not limited to clubs and organizations, academic/staff departments, mentor groups, and Campus Safety..



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