

OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 6

November 5, 2024

APPROVED BY THE BOARD OF POLICE COMMISSIONERS ON November 5, 2024

SUBJECT: REPORTING INCIDENTS INVOLVING ANTI-REPRODUCTIVE-RIGHTS CRIMES – ESTABLISHED; AND, STATE OF CALIFORNIA ANTI-REPRODUCTIVE-RIGHTS CRIMES DATA COLLECTION WORKSHEET, FORM BCIA 8371 – ACTIVATED

BACKGROUND: In June 2022, the Supreme Court of the United States overturned *Roe v. Wade*, the landmark 1973 Supreme Court case which determined that the right to have an abortion was conferred by the U.S. Constitution. The State of California, however, codified access to safe, legal abortions and enacted several laws, effective January 1, 2023, to protect patients, providers, and those who assist others in obtaining reproductive health services, including abortions.

PURPOSE: The purpose of this Order is to provide direction to Department personnel as it relates to California Assembly Bill (AB) 1356, Reproductive Health Care Services. The Bill protects patients and providers at reproductive health centers and increases the penalties for current crimes under the *California Freedom of Access to Clinic and Church Entrances (FACCE) Act* and updated online privacy laws. The Order establishes policy as it relates to receiving, responding to, and investigating anti-reproductive rights crimes against patients and providers who participate in, or advocate for, reproductive services. Finally, AB 1356 mandates law enforcement agencies provide California’s Department of Justice (CalDOJ) with the total number of anti-reproductive rights calls for service, crimes, arrests, and District Attorney charges on a monthly basis pursuant to California Penal Code § 13777.

PROCEDURES.

I. REPORTING INCIDENTS INVOLVING ANTI-REPRODUCTIVE-RIGHTS CRIMES – ESTABLISHED. Department Manual Section 4/203.26, *Reporting Incidents involving Anti-Reproductive-Rights Crimes*, has been established. Attached is the new manual section in italics.

II. STATE OF CALIFORNIA ANTI-REPRODUCTIVE-RIGHTS-CRIMES DATA COLLECTION WORKSHEET, FORM BCIA 8371 – ACTIVATED. The *State of California Anti-Reproductive-Rights Crimes Data Collection Worksheet*, Form BCIA 8371, has been activated to document Anti-Reproductive-Rights Crimes.

A. Use of Form. This form is to be completed by the Area Hate Crime/Anti-Reproductive-Rights Crime Coordinator, when an Anti-Reproductive-Rights Crime is reported via Investigative Report (IR), Form 03.01.00. The coordinator will then submit the form to Records and Identification (R&I) Division for processing.

B. Completion – The completion of this form is self-explanatory.

C. Distribution.

- 1 – Original, Records and Identification Division (R&I). R&I Division will upload the form into Cal DOJ's Electronic-Crime and Arrest Reporting System (E-CARS) for proper notification.
- 1 – Copy, Area Hate Crime/Anti-Reproductive-Rights Crime Coordinator
- 2 – TOTAL**

FORM AVAILABILITY. The State of California Anti-Reproductive-Rights Crimes Data Collection Worksheet is attached for immediate use and duplication. The form is also available on the LAN in E-Forms.

AMENDMENTS: This Order adds Section 4/203.26 to the Department Manual.

AUDIT RESPONSIBILITY: The Commanding Officer, Audit Division shall review this directive and determine whether an audit or inspection shall be conducted in accordance with Department Manual Section 0/080.30.



DOMINIC H. CHOI
Chief of Police

Attachments

DISTRIBUTION "D"

**DEPARTMENT MANUAL
VOLUME IV
Revised by Special Order No. , 2024**

203.26 REPORTING INCIDENTS INVOLVING ANTI-REPRODUCTIVE-RIGHTS CRIMES. *The California Department of Justice (DOJ) mandates the Department report the total number of Anti-Reproductive-Rights calls for service, crimes, arrests, and District Attorney charges.*

Anti-Reproductive-Rights Crimes Defined. *An Anti-Reproductive-Rights Crime as defined by California Penal Code (PC) Section 13776(a) states:*

“A crime committed partly or wholly because the victim is a reproductive health services patient, provider, or assistant, or a crime that is partly or wholly intended to intimidate the victim, any other person or entity or a class of persons or entities, from becoming or remaining a reproductive health services patient, provider, or assistant. “Anti-reproductive-rights crime” includes, but is not limited to, a violation of subdivision (a), (c), (g), or (h) of [Penal Code] Section 423.2”

Anti-Reproductive-Rights Crimes (ARRC) Terms:

“Crime of Violence” *refers to a crime that involves use, attempted use, or threatened use of physical force against the person or property of another.*

“Interfere with” *refers to restricting a person’s freedom of movement.*

“Intimidate” *refers to placing a person in reasonable apprehension of bodily harm to themselves or to another.*

“Nonviolent” *refers to conduct that would not constitute a crime of violence.*

“Physical Obstruction” *refers to rendering ingress to, or egress from, a reproductive health services facility, or to or from a place of religious worship impassable to another person or rendering passage to or from a reproductive health services facility or a place of religious worship unreasonably difficult or hazardous to another person.*

“Reproductive Health Services” *refers to reproductive health services provided in a hospital, clinic, physician’s office, or other facility and includes medical, surgical, counseling, or referral services relating to the human reproductive system, including services relating to pregnancy or the termination of a pregnancy.*

“Reproductive Health Services Patient, Provider or Assistant” *refers to a person or entity, including, but not limited to, employees, staff, volunteers, and third-party vendors, that is or were involved in obtaining, seeking to obtain, providing, seeking to provide, or assisting or seeking to assist another person, at that other person’s request, to obtain or provide services in a reproductive health services facility, or a person or entity that is or was involved in owning or operating or seeking to own or operate, a reproductive health services facility.*

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“Reproductive Health Services Facility” includes any hospital, clinic, physician’s office, or other facility that provides, or seeks to provide, reproductive health services and includes the building or structure in which the facility is located.

Anti-Reproductive-Rights Crimes include, but are not limited to the following:

- *An act of violence committed by force, threat of force, or physical obstruction that intentionally injures, intimidates, interferes with, or attempts to injure, intimidate, or interfere with any person or entity because that person or entity is a reproductive health services patient, provider, or assistant, or in order to intimidate a person or entity, or a class of persons or entities, or from becoming or remaining a reproductive health services patient, provider, or assistant;*
- *An act committed by non-violent physical obstruction, intentionally injures, intimidates, or interferes with, or attempts to injure, intimidate, or interfere with, any person or entity because that person or entity is a reproductive health services patient, provider, or assistant, or in order to intimidate any person or entity, or any class of persons or entities, from becoming or remaining a reproductive health services patient, provider, or assistant;*
- *An act that intentionally damages or destroys the property of a person, entity, or facility, or attempts to do so, because the person, entity, or facility is a reproductive health services patient, provider, assistant, or facility;*
- *An act that occurs within 100 feet of the entrance to, or within, a reproductive health services facility during which a violator intentionally videotapes, films, photographs, or records by electronic means, a reproductive health services patient, provider, or assistant without that person’s consent with specific intent to intimidate the person from becoming or remaining a reproductive health service patient, provider, or assistant, and causes the person to be intimidated; and,*
- *An act committed in any manner or form, including, but not limited to, internet websites and social media, intentionally discloses or distributes a videotape, film, photograph, or recording, knowing it was obtained without the person’s consent with the specific intent to intimidate the person from becoming or remaining a reproductive health services patient, provider, or assistant, and causes the person to be intimidated.*

Note: For purposes of this section, “social media” refers to an electronic service or account, or electronic content, including, but not limited to, videos or still photographs, blogs, video blogs, podcasts, instant and text messages, email, online services or accounts, or internet website profiles or locations.

Officer’s Responsibilities. Upon receiving a radio call to an incident involving an ARRC, officers shall:

- *Remain sensitive to the victim’s trauma and needs of the victim;*
- *Ensure medical care is provided, when appropriate or requested;*
- *Take appropriate enforcement action;*
- *Preserve the crime scene and evidence;*

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- *Request a supervisor upon identifying an incident as an ARRC;*
- *Conduct an at-scene investigation and determine if a Crime Report (i.e., RMS, Investigative Report (IR), Form 03.01.00, or Arrest Report, Form 05.02.00) is necessary; and,*

***Note:** If any of these reports are generated, indicate “ARRC” as the primary descriptor in the “Modus Operandi” (MO) box as referenced in Operations Order No. 1, Anti-Reproductive-Rights Crimes Statistical Reporting, dated February 3, 2004.*

- *Enter the information into RMS by selecting the “ARRC” category which will ensure compliance with Cal DOJ reporting mandates.*

Supervisor’s Responsibilities. *Upon being assigned to an incident involving an ARRC, a supervisor shall:*

- *Respond to the incident as soon as possible, and assess if additional resources are necessary;*
- *Ensure officers accurately document all reporting requirements in compliance with Operations Order No. 1, Anti-Reproductive-Rights Crimes Statistical Reporting, dated February 3, 2004;*
- *Document the incident in their Supervisors Daily Report, Form 15.49.00; and,*
- *Notify the watch commander of the incident.*

Watch Commander’s Responsibilities. *Area watch commanders shall:*

- *Ensure all ARRC reports are reviewed for accuracy;*
- *Ensure MO code is entered correctly in the RMS, IR, and/or Arrest Report;*
- *Ensure reports are appropriately labeled as an “ARRC” to comply with California DOJ reporting requirements; and,*
- *Document the incident in the Watch Commanders Log, Form 15.80.00.*

Area Anti-Reproductive-Rights Crime Coordinator’s Responsibilities. *The Commanding Officer, Area Detectives, is the ARRC Coordinator for their command. The Detective C/O shall:*

- *Assign misdemeanor and felony cases related to ARRCs to the appropriate table for further investigation, follow-up, and filing;*
- *Assign a specific detective supervisor to track all ARRC reports for the Area, and provide an appropriate response to each victim within a reasonable time frame; and,*
- *Ensure ARRCs are forwarded to California DOJ database via RMS, or the Anti-Reproductive-Rights Crime Data Collection Worksheet, Form BCIA 8371, when those incidents are not reported in RMS (e.g., computer system outage, computer updates).*



ANTI-REPRODUCTIVE-RIGHTS CRIMES (ARRC) DATA COLLECTION WORKSHEET

[Print Form](#)

[Reset Form](#)

ADMINIS- TRATION	Preparer's Name				Telephone Number					
	Agency				NCIC Number			Date		
INCIDENT INFORMATION	Occurrence Date		Time	Crime Case Number			Total Number of Individual Victims		Total Number of Property Victims	
	ARRC Offenses(s)									
		Statute (Code Section)		Literal				Level (M/F)	Number of Victims/Property	
	1.	_____		_____				_____	_____	
	2.	_____		_____				_____	_____	
	3.	_____		_____				_____	_____	
	4.	_____		_____				_____	_____	
	5.	_____		_____				_____	_____	
	6.	_____		_____				_____	_____	
	7.	_____		_____				_____	_____	
8.	_____		_____				_____	_____		
9.	_____		_____				_____	_____		
10.	_____		_____				_____	_____		
Location Type (<i>check one</i>)										
<input type="checkbox"/> Public Health Facility			<input type="checkbox"/> Government/Public Building			<input type="checkbox"/> Religious Facility				
<input type="checkbox"/> Private Health Facility			<input type="checkbox"/> Parking Lot/Garage			<input type="checkbox"/> School/College				
<input type="checkbox"/> Commercial/Office Building			<input type="checkbox"/> Residence/Home/Driveway			<input type="checkbox"/> Other _____				
If Weapon Involved, Check Type (<i>up to 3</i>)										
<input type="checkbox"/> Firearm (type unknown)			<input type="checkbox"/> Blunt Object (club, hammer, etc.)			<input type="checkbox"/> Drugs/Narcotics				
<input type="checkbox"/> Handgun			<input type="checkbox"/> Motor Vehicle (when used as a weapon)			<input type="checkbox"/> Asphyxiation (by drowning, strangulation, suffocation, gas, etc.)				
<input type="checkbox"/> Rifle			<input type="checkbox"/> Personal Weapons (hands, fists, feet, etc.)			<input type="checkbox"/> Unknown				
<input type="checkbox"/> Shotgun			<input type="checkbox"/> Poison			<input type="checkbox"/> Other _____				
<input type="checkbox"/> Other Firearm (machine gun, bazooka, etc.)			<input type="checkbox"/> Explosives							
<input type="checkbox"/> Knife/Cutting Instrument (ax, ice pick, screwdriver, switchblade, etc.)			<input type="checkbox"/> Fire/Incendiary Device							
VICTIM INFORMATION	V1	Race	Sex <input type="checkbox"/> M <input type="checkbox"/> F	Date of Birth	Victim Type	Victim Of (<i>refer to statute list above</i>) <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> 7 <input type="checkbox"/> 8 <input type="checkbox"/> 9 <input type="checkbox"/> 10				
	V2	Race	Sex <input type="checkbox"/> M <input type="checkbox"/> F	Date of Birth	Victim Type	Victim Of (<i>refer to statute list above</i>) <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> 7 <input type="checkbox"/> 8 <input type="checkbox"/> 9 <input type="checkbox"/> 10				
	V3	Race	Sex <input type="checkbox"/> M <input type="checkbox"/> F	Date of Birth	Victim Type	Victim Of (<i>refer to statute list above</i>) <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> 7 <input type="checkbox"/> 8 <input type="checkbox"/> 9 <input type="checkbox"/> 10				
	V4	Race	Sex <input type="checkbox"/> M <input type="checkbox"/> F	Date of Birth	Victim Type	Victim Of (<i>refer to statute list above</i>) <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> 7 <input type="checkbox"/> 8 <input type="checkbox"/> 9 <input type="checkbox"/> 10				
	V5	Race	Sex <input type="checkbox"/> M <input type="checkbox"/> F	Date of Birth	Victim Type	Victim Of (<i>refer to statute list above</i>) <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> 7 <input type="checkbox"/> 8 <input type="checkbox"/> 9 <input type="checkbox"/> 10				



ANTI-REPRODUCTIVE-RIGHTS CRIMES (ARRC) DATA COLLECTION WORKSHEET

PROPERTY	Property Type	Type of Loss or Damage <input type="checkbox"/> None <input type="checkbox"/> Burned <input type="checkbox"/> Destroyed/Damaged/Vandalized <input type="checkbox"/> Stolen	Quantity	Value	
	Property Description or Property Category Code				
	Property Type	Type of Loss or Damage <input type="checkbox"/> None <input type="checkbox"/> Burned <input type="checkbox"/> Destroyed/Damaged/Vandalized <input type="checkbox"/> Stolen	Quantity	Value	
	Property Description or Property Category Code				
	Property Type	Type of Loss or Damage <input type="checkbox"/> None <input type="checkbox"/> Burned <input type="checkbox"/> Destroyed/Damaged/Vandalized <input type="checkbox"/> Stolen	Quantity	Value	
	Property Description or Property Category Code				
SUSPECT INFORMATION	S1	Race	Sex <input type="checkbox"/> M <input type="checkbox"/> F <input type="checkbox"/> Unknown	Date of Birth or Age	
	S2	Race	Sex <input type="checkbox"/> M <input type="checkbox"/> F <input type="checkbox"/> Unknown	Date of Birth or Age	
	S3	Race	Sex <input type="checkbox"/> M <input type="checkbox"/> F <input type="checkbox"/> Unknown	Date of Birth or Age	
	S4	Race	Sex <input type="checkbox"/> M <input type="checkbox"/> F <input type="checkbox"/> Unknown	Date of Birth or Age	
	S5	Race	Sex <input type="checkbox"/> M <input type="checkbox"/> F <input type="checkbox"/> Unknown	Date of Birth or Age	

LEGEND

<p>RACE/ETHNICITY CODES</p> <p>A - Other Asian B - Black C - Chinese D - Cambodian F - Filipino G - Guamanian H - Hispanic I - American Indian J - Japanese K - Korean</p> <p>L - Laotian O - Other P - Pacific Islander S - Samoan U - Hawaiian V - Vietnamese W - White Z - Asian Indian X - Unknown</p>	<p>VICTIM TYPE CODES</p> <p>IC - Individual Client IE - Individual Employee IO - Individual Other</p> <p>PROPERTY TYPE CODES</p> <p>B - Business G - Government H - Health Facility OE - Other Entity R - Religious Organization</p>	<p>PROPERTY CATEGORY CODES</p> <p>1 - Automobiles 2 - Bicycles 3 - Buses 4 - Clothes/Furs 5 - Computer Hardware/Software 6 - Office-type Equipment 7 - Other Motor Vehicles 8 - Personal Items Other Than Clothing (Purses/Handbags/Wallets)</p> <p>9 - Radios/TVs/VCRs/DVRs 10 - Structures - Single Occupancy Dwellings 11 - Structures - Other Dwellings 12 - Structures - Other Commercial/Business 13 - Structures - Public/Community 14 - Structures - Other 15 - Other</p>
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