

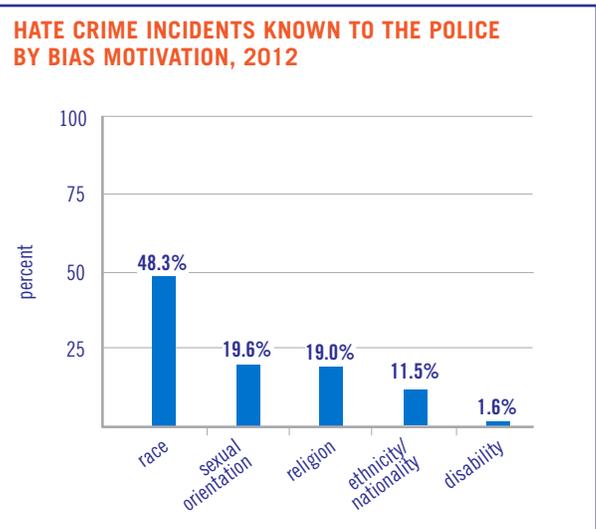
HATE AND BIAS CRIME

While hate crime legislation varies from state to state, especially regarding the specific groups protected, one uniform definition identifies hate crimes as criminal offenses “against a person or property motivated in whole or in part by an offender’s bias against a race, religion, disability, ethnic origin, or sexual orientation.” No matter what definition is used, hate crime statutes share in the recognition that these crimes not only affect the victim because of a real or perceived membership in a class of people, but also indirectly victimize the class of people targeted. As a result, these criminal acts carry additional penalties because of this bias motivation. Both U.S. national measures of hate crime data—the National Crime Victimization Survey (NCVS) from the Bureau of Justice Statistics and the Uniform Crime Reporting Program (UCR) from the FBI—capture the extent and nature of bias-based victimization. These data sources indicate that racial-bias motivated hate crimes are the most common. Hate crimes based on sexual orientation and religion also are frequently observed in police data.

Police-Based Statistics According to the FBI

- In 2012, 5,796 hate crime incidents involving 6,718 offenses and 7,164 victims were known to the police.²
- In the same year, 3,258 incidents of hate crimes against persons (as opposed to property) were known to the police. Of these, 41 percent were simple assault, 37.8 percent were intimidation, and 19.8 percent were aggravated assault. Hate crimes involving serious violence are rare. In 2012, five murders and 15 forcible rapes were also reported as hate crimes.³

- The 2012 report indicates the race of 6,718 offenders of bias-motivated crimes was known to the police. The majority of these offenders were white (41.6 percent), 14.8 percent were black, 8.5 percent were of unknown race, and 4.8 percent were of other or multiple race groups. In 2,042 of the offenses, or 30.4 percent of the cases, the offender was unknown.⁴
- Racial bias motivated 48.3 percent of single-bias hate crime incidents known to law enforcement; bias based on sexual orientation motivated 19.6 percent; bias based on religious beliefs motivated 19.0 percent; bias based on ethnicity or nationality motivated 11.5 percent; and bias based on disability motivated 1.6 percent.⁵



- There were 667 ethnicity motivated single-bias incidents known to the police in 2012, 57.6 percent were motivated by anti-Hispanic bias.⁶

1 Federal Bureau of Investigation, “Hate Crime—Overview,” (Washington, DC: U.S. Department of Justice, 2012), accessed September 24, 2014, http://www.fbi.gov/about-us/investigate/civilrights/hate_crimes/overview.

2 Federal Bureau of Investigation, *Hate Crime Statistics, 2011*, (Washington, DC: U.S. Department of Justice, 2013), Table 1, accessed July 22, 2014, www.fbi.gov/about-us/cjis/ucr/hate-crime/2012.

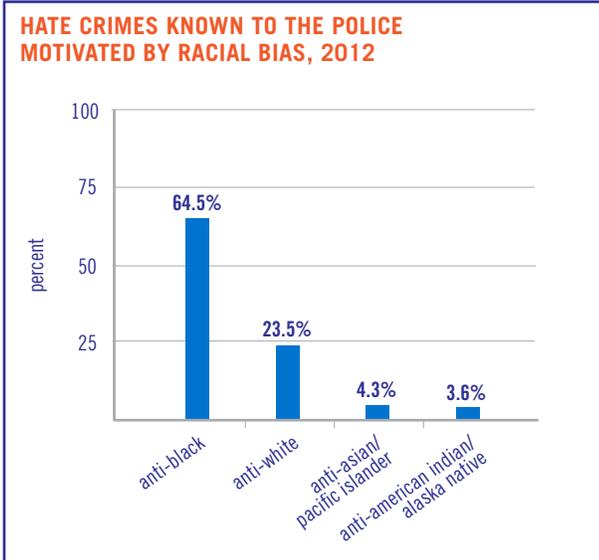
3 The FBI’s definition of forcible rape presented here is “the carnal knowledge of a female forcibly and against her will. Attempts or assaults to commit rape by force or threat of force are also included; however, statutory rape (without force) and other sex offenses are excluded.” This definition was revised in 2012. For more information, see <http://www.fbi.gov/about-us/cjis/ucr/recent-program-updates/new-rape-definition-frequently-asked-questions>. Ibid., *calculated from data in Table 2*.

4 Ibid., *calculated from data in Table 3*.

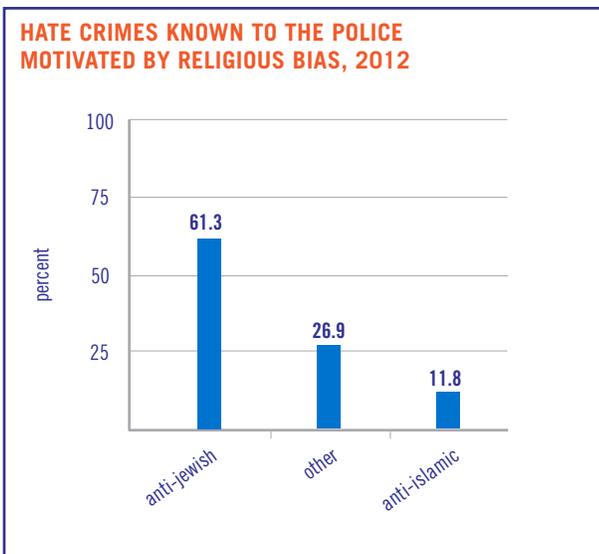
5 Ibid., *calculated from data in Table 1*.

6 Ibid.

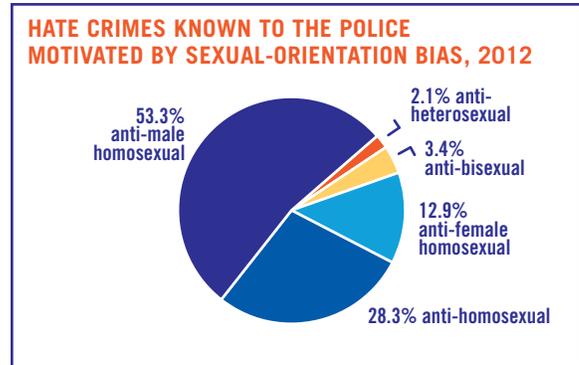
- According to the FBI's analysis of 2,797 race motivated single-bias incidents known to the police in 2012, 64.5 percent were motivated by anti-black bias, 23.5 percent were motivated by anti-white bias, 4.3 percent were motivated by anti-Asian/Pacific Islander bias, and 3.6 percent were motivated by anti-American Indian/Alaska Native bias.⁷



- Of the 1,099 incidents involving religious bias-related incidences known to the police, 61.3 percent were incidents of an anti-Jewish bias and 11.8 percent were of an anti-Islamic bias.⁸



- Of the 1,135 incidents of sexual-orientation bias known to the police in 2012, 53.3 percent were categorized as a bias against male homosexuals, 28.3 percent were categorized as a bias against all homosexuals in general, 12.9 percent were categorized as a bias against female homosexuals, 3.4 percent were categorized as a bias against bisexuals, and 2.1 percent were categorized as anti-heterosexual bias.⁹



- According to the FBI in 2012, 34.4 percent of sexual-orientation bias crimes reported to law enforcement were categorized as simple assault, 19.9 percent as intimidation, 16 percent as aggravated assault, 18.9 percent as property destruction/damage/vandalism, and 3.8 percent as robbery.¹⁰

Victimization-Based Statistics

- From 2004 to 2012, the rate of violent hate crime victimization reported to the NCVS in the United States was 1.0 per 1,000 persons age 12 or older, with little year-to-year variation.¹¹ The year 2004 constitutes one of the first years for which the NCVS reported hate crime data.
- From 2004 to 2012, hate crime victimizations accounted for approximately one percent of the total victimizations captured by the NCVS.¹²

⁹ Ibid.

¹⁰ Ibid., calculated from data in Table 4.

¹¹ Meagan Meuchel Wilson, *Hate Crime Victimization, 2004–2012*, (Washington, DC: Bureau of Justice Statistics, U.S. Department of Justice, 2013), Table 1, accessed July 22, 2014, <http://www.bjs.gov/content/pub/pdf/hcv0412st.pdf>.

¹² Ibid., Table 1.

⁷ Ibid.

⁸ Ibid.

- In 2004, victims of hate crimes reported to the NCVS that police were notified of fewer than half (45 percent) of all hate crime victimizations. This number decreased to 25 percent reporting victimization to police in 2011 and 34 percent reporting victimization to the police in 2012.¹³
- In 2004, victims reported to the NCVS that they knew the offender in about 51 percent of violent hate crimes. In 2011, 61 percent reported knowing the offender. In 2012, 53 percent of the victims of violent hate crimes reported knowing the offender.¹⁴
- In 2012, 51 percent of victims of hate crimes reported to the NCVS that the offender was motivated by ethnic prejudice, 46 percent reported the offender was motivated by racial prejudice, 28 percent reported the offender was motivated by religious prejudice, 26 percent reported the offender was motivated by gender prejudice, and 13 percent reported that the offender was motivated by sexual orientation prejudice.¹⁵
- According to victims who reported to the NCVS between 2007 and 2011, 65 percent of victims of violent hate crimes were white, 15 percent Hispanic, 13 percent black, and the rest were categorized as other or multiple race/ethnicities.¹⁶
- According to victims who reported to the NCVS in 2012, 34 percent of perpetrators of violent hate crimes were white, 32 percent were black, 11 percent had unknown race, 6 percent were of various races (in the case of multiple offenders of different races), and 17 percent were other races.¹⁷

LGBTQH Victimization-Based Statistics

- In 2012, 2,016 hate and bias incidents against lesbian, gay, bisexual, transgender, queer, or HIV-affected (LGBTQH) victims were reported to the National Coalition of Anti-Violence Programs (NCAVP)—a 4 percent decrease of incidents compared to 2011.¹⁸
- LGBTQH people of color were 1.82 times as likely to experience physical violence from anti-LGBTQH hate violence compared to white LGBTQH survivors.¹⁹
- Gay men were three times more likely to report incidents of hate violence to police compared to LGBTQH victims who were not gay men.²⁰
- The most common place in which hate crime victimization occurred according to LGBTQH individuals was private residences (38.6 percent). The second common location was the street (24.8 percent).²¹ NCAVP documented 25 anti-LGBTQH murders in 2012. The highest yearly total recorded in a decade, is 30 people murdered in 2011. The second highest yearly total recorded in a decade is 22 people murdered in 2008.²²
- The age group that reported the most victimization in 2012 among LGBTQH individuals was the 19-29 age group with 35.8 percent of the victimizations. The next highest was the 30-39 age group with 25.4 percent of victimizations.²³ ★

¹³ Ibid., Table 5.

¹⁴ Ibid., Table 7.

¹⁵ Ibid., Table 2.

¹⁶ Ibid., Table 8.

¹⁷ Other races, multiple races, and unknown races were based on 10 or fewer cases, and therefore, data should be interpreted with caution. Ibid., Table 7.

¹⁸ National Coalition of Anti-Violence Programs, *Hate Violence Against Lesbian, Gay, Bisexual, Transgender, Queer, and HIV-Affected Communities in the United States in 2012*, (New York: New York City Gay & Lesbian Anti-Violence Project, Inc., 2013), 8, accessed July 22, 2014, http://www.avp.org/storage/documents/ncavp_2012_hvreport_final.pdf.

¹⁹ Ibid., 9.

²⁰ Ibid.

²¹ Ibid., 10.

²² Ibid., 21.

²³ Ibid., 28.